

Safe Church Policy and Procedures for First Congregational Church in Chappaqua

This Safe Church Policy and Procedures document shall apply to First Congregational Church including the Church School and Play Care (all herein after referred to as “FCC”)

Purpose

The purpose of the Safe Church Policy and Procedures for First Congregational Church in Chappaqua is to help the church implement and maintain a safe environment for children, youth, and adults that will help them participate freely in the church’s ministries and programs. It is our intent that all who enter this church shall feel welcome and experience the love of Jesus Christ.

Objectives

Our objectives are to:

1. **Protect children and youth.** Our intent is to provide a safe environment for children to learn, grow, and experience God’s love. We believe that effective ministry for children and youth requires relationships with caring, loving, and mature adults and youth leaders who can demonstrate God’s love to them. The safety policies are intended to keep these relationships and all aspects of ministries with minors safe; and
2. **Protect adults and leaders.** When adults and leaders are interacting with children and youth, they need to be in a safe place as well. Our intent is to create an environment that sets appropriate guidelines and boundaries and to provide the support that staff and volunteers need to be effective in their roles with children and youth.

Church Policy

As a community of Christian faith, FCC 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 FCC should be aware that the church is strongly opposed to all behaviors that victimize, intimidate or otherwise make someone feel unwelcome within FCC including but not limited to Sexual Exploitation and Sexual Harassment. It is the intent 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

It is the policy of FCC 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 or Sexual Harassment of parishioners or others by anyone engaged in ministry on behalf of FCC 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 B.
- 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.nsopr.gov. This registered sex offender review will be repeated on an annual basis for all Ministers.

Additional Requirements for Child and Youth Ministry

FCC 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 minors will have been members of FCC for at least six months or, if not members, regularly and frequently associated with FCC for at least six months.
- All 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 A.
- Before beginning their duties, all prospective employees will undergo a background check, including but not necessarily limited to inquiries of references and a criminal history verification by a third party vendor.

- All volunteers and employees who regularly work with children and youth will receive a copy of this safe church policy and procedures to keep and use as a reference.
- It is the policy of this church to provide adequate supervision and safeguards for youth activities. In situations where participants are not readily visible, there will be no fewer than two adults present (“Two-Adult Rule”) with children and youth, except as provided herein. Youth over the age of **14** may assist an adult in supervising children and youth activities.
- Written consent of one parent or guardian of a minor will be required for all activities off the church property, and any overnight activities.

Exceptions to the Two-Adult Rule

Notwithstanding the requirement for the Two-Adult Rule as set forth above in the section entitled “Additional Requirements for Child and Youth Ministry,” there are exceptions. The purpose for the Two-Adult Rule is to make certain the actions of any one adult, serving as a minister as defined herein, are known to at least one other adult. However, there are situations that arise where it is not possible, unplanned or impractical to have two adults present. In these situations the purpose of the rule remains applicable.

In situations that are unplanned due to unforeseen circumstances, the adult should immediately inform the Christian Education Coordinator, Called Minister, or other applicable supervisor of the situation.

In situations where there will be, in fact, only one adult present, the group must be in a location that is visible to others with an unobstructed view, open door, etc.

Check-In and Check-Out Procedures

Parents are responsible for their child until their child is checked into and once their child is checking out of a church program or activity. No child from Preschool through Grade 4 shall be released from their church programs or activities until a parent or other authorized individual arrives to pick up the child at the end of the program or activity. Children may not leave the program early without a parent’s permission. If a child wanders away from the program or activity, or leaves the church campus without the parent’s permission, an adult minister should immediately inform the supervisor in charge.

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 (both regular and occasional), Assistants (both regular and occasional), Christian Education Coordinator, Childcare Providers, as well as Authorized Ministers.

Play Care Providers: Those individuals hired by the church to perform the daily child care operations for Play Care. Included are the Director, Head Teachers, Assistant Teachers, Specials Teachers (e.g., Music and Yoga), and Enrichment teachers. Furthermore, other individuals who are not hired by FCC or Play Care but spend substantial time in and around our classrooms, such as volunteers and special needs therapists assigned to children in Play Care, are included.

Called Minister: a person who has been called by FCC to serve as their minister. This person will have been called through the process of a Search Committee and elected by the congregation to serve as their minister.

Authorized Minister: a person who holds ordained 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.

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

Supervised Activities: structured Church programs for youth and children, including the nursery, church school and youth groups.

Unsupervised Activities: all other times that children, youth and adults are gathered for church-related activities, on or off church grounds.

Volunteers: anyone who is a non-paid employee of the church who offers their time in service to the Church and members of the Church.

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 his or her 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, thus creating a hostile environment. 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, text messages or invitations, including all social media;
- Verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes and/or photographs 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 acts; 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 or Harassment

I. Generally

- A. If for any reason Church Staff, Childcare Providers, Play Care Providers or a Volunteer suspects that abuse may have occurred or receives a report of possible abuse, he or she shall immediately contact the Called Minister.
- B. When counseling the potential victim, the Called Minister shall recommend other professional help, as appropriate.
- C. The Called Minister will consult with the Church Counsel prior to beginning an investigation. When conducting the investigation, the Called Minister will use a tracking form to log meetings, contacts, and other information regarding any situation in which alleged abuse has been reported. Record keeping will be done in the most thorough way possible and these records will be kept in a password protected location, and will only be released to other authorized individuals, except for Church Counsel, if and when the Called Minister determines that the matter must proceed to The Response Team for formal proceedings, as set forth below.
- D. A committee established by the Trustees, with no less than three members and at least one male and one female, one of which shall be the Chair of Personnel, will be established each year in preparation for the possibility of hearing complaints under this policy. This committee, 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.
- E. Several approaches may be taken in addressing incidents of alleged sexual exploitation 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 the Called Minister, in an effort to resolve the matter informally.
 - 2a. The Called Minister may then proceed to speak with the accused individual, together with a person of his/her choice, provided such person is not related to the complainant or connected to him/her in any way that would give the appearance of a conflict of interest. A record shall be kept of the informal investigation, with a copy of said investigation being placed in a sealed envelope in a secure file. If the accusation is

against an employee, and is resolved through informal mediation by the Called Minister, said envelope shall be placed in the employee's file. If, after two years no further additional accusations are made, the record of the informal investigation will be expunged from the church records, including any electronic files.

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 Called Minister and Moderator of the receipt of all complaints and shall keep them apprised of ongoing steps and actions taken. If either the Called 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 Trustees or an appropriate committee thereof.

- The Trustees, or an appropriate committee thereof, shall make determinations and take actions appropriate to resolve the matter. These may include:

- a. a finding that sexual exploitation 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) probationary standing, with the terms of the probation clearly defined;

- (iii) dismissal from employment or authorized volunteer position by, affiliation with, or membership in, the church;

- (iv) referral to a law enforcement agency if necessary; or

- b. a finding that sexual exploitation or harassment did not occur.

- The Response Team may seek the advice of legal counsel or others to advise it in performing its functions.
- F. Within 14 days of the conclusion of the investigation, The Response Team shall prepare a confidential written summary of the Trustees' proceedings. In such cases, the report will be maintained by FCC and stored in a secure location.
 - G. 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.
 - H. In determining whether alleged conduct constitutes sexual harassment or exploitation, 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.
 - I. Any person bringing a sexual harassment or exploitation 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.
 - J. If the complainant or respondent is not satisfied with the disposition of the matter by the Trustees, he or she 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 an alternate Church Counsel. The subject of any such appeal to the alternate Church Counsel 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 alternate Church Counsel will be the final resolution of the matter. If the alternate Church Counsel determines that the procedures of this policy were not followed, it will refer the matter back to the Trustees to complete the processing of the complaint in accordance with these procedures.

Child Abuse

Apart from any legal requirements, FCC will make a report to appropriate authorities, including but not limited to the New York 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 Called Minister and Moderator so that the church may take

appropriate action in a timely manner.

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 New York Conference of the United Church of Christ.

Confidentiality

1. The results of all background checks shall be confidential and stored in a secure cabinet. Only the Called Minister, CE Coordinator, Moderator, and those responsible for personnel shall have access to the background check results
2. The Called Minister and those responsible for personnel will review the results of the Church Staff background checks and will respond in an appropriate manner.

Implementation

1. As soon as reasonably possible after this policy is approved, within approximately six months, the current Church Staff, Play Care Providers, Childcare Coordinators, and Volunteers shall complete the disclosure form, national criminal history verification, registered sex offender review, as required above.
2. Church Staff and Volunteers who have already fulfilled these requirements before the adoption of this policy will repeat the process required herein before the fifth anniversary of their last process.

Policy Review

This policy will be reviewed by the Church Council for implementation one year after passage and then every three years after the initial review.

Approved by the FCC Trustees on July 29, 2014

Approved by the Church Council on _____.

Exhibit A

**The First Congregational Church of Chappaqua
Authorized Volunteer Application and Disclosure Form**

Name: Last **First** **Middle**

Address: Street **City/State** **Zip Code**

Daytime Phone **Evening Phone** **Cell 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**

Q I have been a member of this church since: _____

Q 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 **Not True**

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. 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.

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 FCC 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.

FCC 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 FCC 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 FCC 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 Safe Church Policy and Procedures for First Congregational Church in Chappaqua

(PRINT NAME & SIGN)

DATE

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

DATE

- Sex Offender Registry (www.nsopr.gov) review performed on: _____
- Personal interview conducted by staff on: _____
- Reference inquiries completed on: _____

Exhibit B

**The First Congregational Church of Chappaqua
Employment/Authorized Children and Youth Volunteer
Application and Disclosure Form**

NAME: LAST FIRST MIDDLE

ADDRESS: STREET CITY/STATE ZIP CODE

DAYTIME PHONE EVENING PHONE CELL 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

Q I have been a member of this church since _____

Q 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

Not True

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. 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

Not True

If not true, give a short explanation of the lawsuit. (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

Not True

If not true, give a short explanation. (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

Not True

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?

True

Not True

If yes, please provide a brief explanation.

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 FCC 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.

FCC authorized volunteer and employee 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 FCC 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 FCC 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 Safe Church Policy and Procedures for First Congregational Church in Chappaqua.

(PRINT NAME & SIGN) **DATE**

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

- Sex Offender Registry (www.nsopr.gov) review performed on _____
- Personal interview conducted by staff on _____
- Reference inquiries completed on _____
- Church association for at least 6 months confirmed on _____
- Safe church awareness training and policy orientation performed on _____

Additionally, if considered for employment:

- Criminal History Verification and Credit/Background Check completed on: _____