

Sample Church Policy and Disclosure Forms

Important note: This is a "model" or "sample" policy. It does not cover every issue that you may want to consider in the development of such a policy. Nor does it reflect the law of each and every state. Consistent with the practice of local churches and other settings are encouraged to consider adopting policy as adapted, revised, or changed to meet their own unique circumstances, state laws, or other factors. It is very important that the policy you adopt and implement 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, you should develop and periodically review your policy with the assistance of persons knowledgeable in these laws. Parish Life and Leadership is not engaged in giving legal or professional advice or services by providing this model policy. You are encouraged to consult with your own legal counsel and professional advisors before adopting any safe church policy.

Safe Church Policy Concerning Abuse Prevention

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 and Sexual 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 or Sexual 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.nsopr.gov. This registered sex offender review will be repeated on an annual basis for all Ministers.
- 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 minors will have been members of (Name of Local Church) for at least six months or, if not members, regularly and frequently associated with (Name of Local Church) for at least a year.
- 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 B.
- 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 orientation regarding safe church policy and procedures.
- It is the policy of this church to provide adequate supervision and safeguards for youth activities. In situations where participants are not readily visible to each other, 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.
- Written consent of one parent or guardian of a minor will be required for all activities off the church property, and any overnight activities.

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 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.

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. 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 or Harassment

I. Generally

- A. A subcommittee of the (name of committee) with no less than two members, one male and one female, 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 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 a called 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 Senior Minister and Moderator of the receipt of all complaints and shall keep them apprised of ongoing steps and actions taken. If either the Senior 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 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 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 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.
- F. 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.
- G. If the complainant or respondent is not satisfied with the disposition of the matter by the (name of committee), 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 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

Apart from any legal requirements, the (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 Senior 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 (Name of Local Church).

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

C:\Documents...

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 (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) 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) Safe Church Policy.

(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

**(Name of Local Church)
Employment/Authorized Children and Youth Volunteer
Application and Disclosure Form**

NAME: LAST FIRST MIDDLE

ADDRESS: STREET CITY/STATE ZIPCODE

DAYTIME PHONE 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 ZIPCODE

TELEPHONE EMAIL

NAME

ADDRESS CITY STATE ZIPCODE

TELEPHONE EMAIL

NAME

ADDRESS CITY STATE ZIPCODE

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

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?

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 (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) 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 (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) Safe Church Policy.

(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 membership for 6 mos. or association for 1 year confirmed on _____
- Safe church awareness training and policy orientation performed on _____

Additionally, if considered for employment:

- Criminal History Verification (Oxford Document Management) together with Fair Credit Reporting Act notices, completed on _____