

Policy Manual

The Prevention of Sexual Abuse and Misconduct: Prevention and Response



The Office of the Bishop

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Ocean Beach, CA 92107

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Prayer for the Care of Children

Almighty God, you have blessed us with the joy and care of children: Give us calm strength and patient wisdom as we bring them up; that we may teach to love whatever is just and true and good, following the example of our Saviour Jesus Christ. Amen

Book of Common Prayer, page 289, prayer 46

Prayer of Guidance

O God, by whom the meek are guided in judgment, and light rises up in darkness for the godly: Grant us, in all our doubts and uncertainties, the grace to ask what you would have us do, that the Spirit of wisdom may save us from all false choices, and that in your light we may see light, and in your straight path may not stumble; through Jesus Christ our Lord. Amen

Book of Common Prayer, page 832, prayer 5

Scripture Reading

“People were bringing little children to him in order that he might touch them; and the disciples spoke sternly to them. But when Jesus saw this, he was indignant and said to them, “Let them little children come to me; do not stop them; for it is to such as these that the kingdom of God belongs. Truly I tell you, whoever does not receive the kingdom of God as a little child shall never enter it.” And he took them up in his arms, laid his hands on them and blessed them.”

Mark 10:13-16, NSRV

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Introduction to Misconduct Prevention

Responsibility

Sexuality is both a gift and a responsibility. It is central to our being and, used rightly, a source of joyous fulfillment. But it is a gift susceptible to abuse, particularly in relationships of trust, such as between clergy and those they serve, or between adults and children.

Those who serve the church, whether as clergy or lay workers, paid or unpaid, maintain a powerful relationship of authority and trust with the people to whom they minister. Betrayal of that trust through violation of sexual boundaries causes great emotional and spiritual harm. Such misconduct is a denial of our identity as Christians. We must take every step to prevent it, and to respond with swift justice when misconduct does occur.

History and Precedent

When a diocesan policy on the prevention of sexual misconduct was first developed in the Diocese of San Diego in the 1990s, it was primarily to respond to charges of sexual abuse and misconduct; the Diocese wanted to ensure that its response would be just and compassionate. The policy was also designed to meet the coverage conditions of church insurance companies, and to reduce the potential for litigation against the church. Therefore it also included guidelines for training church workers about child sexual abuse and adult sexual misconduct.

In addition, all volunteers regularly working with children in the church or church-related activities, other than Sunday morning only Sunday school teachers, must complete diocesan training in the prevention of child sexual abuse.

Diocesan Policy on Sexual Abuse and Misconduct

The Diocese of San Diego will not tolerate sexual misconduct involving its clergy, lay employees or volunteers. Every person who serves the church through parish, educational, pastoral, recreational or other activities is expected to maintain the highest ethical standards in relationships with those to whom they minister. That commitment extends to sexual behavior.

The relationship between those who serve the church and the children to whom the church ministers is particularly fragile. Therefore clergy and others in the employ and service of the church who have a civil or criminal record of child sexual abuse, who have admitted committing prior sexual abuse, or who are known to have a paraphiliac diagnosis (for example, pedophilia, exhibitionism, or voyeurism) as defined by the American Psychiatric Association, will not be permitted to interact with children or youth.

The Diocese of San Diego is also committed to providing pastoral care to all involved with and/or affected by instances of child sexual abuse or adult sexual misconduct. In essence, pastoral care grows out of faith based relationships and proceeds with an awareness of the spiritual and emotional needs of both the individual and the community. It may include providing guidance, support, consolation and even confrontation, in an effort to minister as we believe God would desire.

Additional Specific Policies

Prohibition against pornography: No computer or other electronic device in church buildings or on church property may be used to access pornography.

Mission Trip Policy: For any diocesan or parish mission trip, whether foreign or domestic, where missionaries will meet or work with anyone under the age of 18 or where the mission trip includes any participants under the age of 18, all adult participants are required to have completed the Child Sexual Abuse Prevention before the trip begins. Adult leaders of all mission trips are also required to have completed the Adult Sexual Abuse Prevention before the trip begins.

Who Should Take What?



	Diocesan Policies	Safeguarding God's Children			Safeguarding God's People			
					Preventing Exploitation		Preventing Harassment	
	"Your Policies"	"Meet Sam"	"It Happened to Me"	"Keeping Your Church Safe"	"Preventing Sexual Exploitation in Communities of Faith for Congregations"	"Preventing Sexual Exploitations in Communities of Faith for Ministries"	"Safeguarding God's People: Preventing Sexual Harassment for Workers"	"Safeguarding God's People: Preventing Sexual Harassment for Managers & Supervisors"
Administrative Assistant/Secretary	Yes	Yes	Yes	Yes*	Yes		Yes	
Approve or develop programs for children or youth	Yes	Yes	Yes	Yes	Yes			
Christian Education Coordinator	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Church School & VBS Teachers and Assistants	Yes	Yes	Yes					
Clergy	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Counseling	Yes	Yes*	Yes*	Yes*	Yes	Yes		
Executive Council	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Diocesan Disciplinary Board	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Diocesan Standing Committee	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Licensed Eucharistic Visitor	Yes	Yes	Yes	Yes	Yes	Yes		
Licensed Pastoral Leader	Yes	Yes	Yes	Yes	Yes	Yes		
Licensed Catechist	Yes	Yes	Yes	Yes	Yes	Yes		
Licensed Eucharistic Minister	Yes	Yes	Yes					
Licensed Preacher	Yes	Yes	Yes	Yes	Yes	Yes		
Licensed Workshop Leader	Yes	Yes	Yes	Yes	Yes	Yes		
Organist/Choir Director	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Paid Employees of a Church or Diocese	Yes	Yes	Yes	Yes*	Yes	Yes	Yes	Yes
Pastoral Care	Yes	Yes*	Yes*	Yes*	Yes	Yes		
Postulant, Candidate or Seminarian	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Sexton	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Spiritual Director	Yes	Yes*	Yes*	Yes*	Yes	Yes		
Usher	Yes	Yes	Yes					
Vestry Members	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Youth Director	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

* Yes if children or youth are present

Definitions

Defining Child Sexual Abuse

Sexual abuse of a child is a criminal offense in every state in the United States. San Diego law defines an abused child as a child less than 18 years of age whose parents or other persons responsible for his or her care: commit or allow to be committed any illegal sexual act, including rape, incest, indecent exposure, and prostitution, or allow a child to be used in any sexually explicit visual material. Child abuse that takes place within the family or where the child is in the care of another adult is the responsibility of Child Protective Services. In other situations where the child is abused by a non-caretaker whether that person is known to the child or not, the police are responsible for the investigation.

The law also defines child neglect or abuse as:

- causing, or threatening to cause, a non-accidental physical or mental injury, or creating a substantial risk of impairment of bodily or mental function;
- neglecting or refusing to provide adequate food, clothing, shelter, emotional nurturing or health care;
- neglecting or refusing to provide adequate supervision in relations to a child's age and level of development; and
- abandoning the child.

Sexual abuse encompasses acts of sexual assault and sexual exploitation by a parent or other caregiver. It includes a broad range of behaviors, such as fondling; oral vaginal or anal intercourse; indecent exposure; voyeurism and sexual exploitation. It may consist of a single incident or of many incidents over a long period of time. Victims range in age from infants to teenagers.

Defining Adult Sexual Misconduct

Sexual Exploitation involves an imbalance of power, such as employer over employee, strong over weak, spiritual leader over parishioner, and so on. It can be overt, such as where favors are given in return for sexual favors. It can be more subtle, such as where a sexual relationship develops between a church worker and someone under him or her in a pastoral, mentoring or supervisory relationship.

Feelings of attraction can develop from unequal relationships, giving rise to exploitation even where there is apparent consent from both individuals. This is why a romantic relationship between a clergy member, whose role as a spiritual advisor places him or her in a position of power, and a parishioner is fraught with danger, whether or not it involves sexual relations.

Historically, romantic relationships between single clerics and other single persons with whom the cleric has a pastoral relationship have not been defined as sexual exploitation. However, such clergy dating could create feelings of resentment, competition or rejection for other members of the parish. In some circumstances, it could lead to legal proceedings. A cleric cannot be both spiritual advisor and suitor at the same time. Therefore, in the event a romantic relationship does develop, steps must be taken to address the facts that (a) when dating a cleric a parishioner loses his or her priest, and (b) secrecy surrounding such a relationship could harm the parish. At the very least, the clergy member must arrange for alternate pastoral care for the involved parishioner.

One way to do that is to have either the cleric or the parishioner leave the parish. For rectors, vicars and priests-in-charge, such relationships might be possible if there is ongoing consultation with the Bishop. Additionally, in a multi-staffed congregation, a dating relationship might be possible where there is ongoing consultation between the priest and the rector. In a single clergy parish, such a relationship might be possible if there is ongoing consultation with the Bishop.

While dating is allowed between lay staff and parishioners generally, because of the imbalance of power concerns, dating between a lay worker and those parishioners who participate in that worker's programs also is discouraged, and requires similar safeguards.

Sexual Abuse: Abuse refers to any act committed with the intent to molest sexually, or to arouse or gratify, where the abuser touches or forces the abused to touch the genitalia, anus, groin, breast, buttocks, or the material touching such intimate parts. It also can include sexual contact with minors or legal incompetents, even where that contact seems consensual.

Sexual Harassment: The term sexual harassment comes from employment law and refers to behavior of a sexual nature that is experienced by an employee in the workplace. There are two broad categories:

In quid pro quo harassment, an employee's hiring, pay, promotion or maintenance of a job is made contingent on their response to sexual advances.

In hostile environment harassment, unwelcome sexual conduct unreasonably interferes with an individual's job performance or creates a hostile, intimidating or offensive work environment.

Harassment can take three forms:

1. **Physical harassment** involved unwanted physical touching of the hair, body or clothing, or even purposefully brushing against someone. Prolonged hugs, especially front to front, or those with pelvic contact or rubbing the hands across the back, could constitute physical harassment, as could unwanted massage of the shoulders, back or neck. Even behavior that is intended to be playful could be considered physical abuse.
2. **Verbal harassment** includes making explicit comments or innuendos about one's own sex life, or asking questions about another's sexual behavior. Verbal harassment can include comments about a person's anatomy or clothing that may be perceived as sexual, using nicknames with sexual connotations (such as "hunk" or "babe"), or making repeated requests for social engagements. It can also take the form of sexually oriented humor or language, or sending e-mails, telephone messages or other communications that contain such humor or language. It is important to note that appropriate conversational norms develop and evolve in every workplace or community over time. When in doubt about propriety, refrain from such conversations or seek counsel from an advisor.
3. **Non-verbal harassment** can include displaying sexually suggestive visual materials, from cartoons to calendars, to displaying one's own body parts through lack of clothing or positioning of the body. It also includes making sexual gestures with hands or body movements, and making facial expressions that communicate sexual or romantic interest.

The rector or priest in charge of a congregation is expected to take action to stop the harassing behavior, and to prevent any future behavior. If the rector or priest in charge is the accused, then the bishop will respond.

Preventing Child Sexual Abuse and Adult Sexual Misconduct

Screening and Recruiting/Hiring

One effective means of reducing the incidence of child sexual abuse or adult sexual misconduct is to screen carefully clergy and all lay workers, paid and unpaid. Such screening includes

- a. carefully reviewing a signed job application (see Appendix A)
- b. conducting a personal reference check (see Appendix B)
- c. conducting a background check
- d. within the first six months of attendance at your church, volunteers should not be in a position that puts them in one to one contact with children.

Training

Training is also an important deterrent to child sexual abuse and adult sexual misconduct.

Diocesan training on the prevention of child sexual abuse and adult sexual misconduct is achieved by completing the appropriate online courses.

Once participants complete all assigned modules, they may print a certificate for their records.

A waiver of the diocesan training requirement may be granted where a worker documents completion of equivalent training in another diocese. Those requesting a waiver should send a letter or e-mail to the canon to the ordinary with such a request.

Training must be renewed after 5 years by taking the appropriate online modules.

Prevention Strategies

A. Personal Warning signs for leaders

1. Be aware of the power differential that exists between leaders and employees or parishioners and do not exploit their trust.
2. Be aware of the danger signs of sexual boundary breakdown: excessive self-disclosure by the minister/supervisor; excessive availability, including giving or receiving inappropriate gifts; excessive touch; undue anticipation of future visits, including rearrangement of one's schedule; excessive fretting about clothing or appearance; meeting at a secluded or private location; anything tying extra emotional energy to the meeting; continual fantasy about the person; and keeping secrets that go beyond the requirements of professional confidentiality.
3. If any of the above signs appear, do a self-examination by asking yourself the following questions:
 - a) What can I learn about myself through the experience of my attention being drawn to this other person?
 - b) What is lacking in my marriage, my love relationships, my spiritual life, or within me that I believe an involvement with this person might satisfy?
 - c) Why am I vulnerable at this time to falling in love outside of my commitments or to overstepping appropriate boundaries?
4. Be aware that sexual attraction and misconduct can cripple ministry. Develop appropriate staff relationships and office arrangements (such as windows in doors) that protect against misconduct.
5. Be aware that there are sexually aggressive, emotionally very needy, even predatory persons among parishioners who seek out leaders at church, conferences, and public places. Their purpose may be an inappropriate attachment and perhaps sexual misconduct. Always use prudence regarding times and places of meeting, especially until a person's motives are known. Understand that the person in power is responsible for keeping appropriate boundaries even if pursued.
6. Seek counsel and pastoral guidance from someone trained in the field of sexual misconduct if you find yourself at risk of acting on a romantic or sexual attraction to a parishioner or coworker.
7. All allegations of sexual misconduct will be taken seriously by the Bishop. If they involve a minor, the allegations will be taken immediately to authorities.
8. If leaders learn of or suspect sexual misconduct by their clergy colleagues or other lay ministers, they are required by the canons to report to <http://www.edsd.org/reporting>. The Intake Officer will work with the reporter regarding appropriate next steps.

B. Personal Precautions

1. No clergyperson shall meet a parishioner for more than six sessions in regard to a particular pastoral episode or life issue. After three to six sessions, a parishioner or counselee is to be referred to an appropriate professional.
2. No clergyperson shall provide spiritual direction to parishioners or others unless he/she is also under spiritual direction.
3. Clergy and other lay ministers should not call in the home of parishioners at times of day that might create an awkward appearance or signal a degree of privacy that is inappropriate. Exercise discretion and good judgment so as not to create occasions when misconduct might occur or might appear to be occurring. Clergy and lay ministers should not call in the homes of single parishioners unaccompanied in the evening. Meetings should be scheduled during business hours when others are present. A person in a ministerial position should discuss any meeting or visit that could appear awkward with his/her spouse and with a colleague, supervisor, therapist or spiritual director.
4. Meetings with individuals should, to the extent possible and practicable, occur during normal business hours and when someone else is nearby in the building.
5. Consult with a supervisor or a colleague when a meeting is needed that might appear to others as inappropriate. If married, speak with your spouse. While appropriate standards of confidentiality ought to be observed, being open about nonstandard meetings protects all who are involved.
6. Be cautious when traveling to conferences, retreats, and other out-of-town meetings with only one other person when that association might have the appearance of impropriety.
7. Be careful about social occasions with only one other person that can lead to sexual misconduct or the appearance of sexual misconduct. Be especially careful about the use of alcohol when in the company of only one other person.
8. Touch or hug appropriately. It may be appropriate, when one is comforting a grieving parishioner, for example, to embrace that parishioner in a reassuring manner that communicates acceptance/inclusion in the loving community of faith. However, an identical embrace might be inappropriate when a parishioner shares about his/her dysfunctional marriage and the embrace unintentionally conveys an alternate form of intimacy. Sensitivity and discretion are necessary and it is proper to ask first before offering a physical embrace. It is always safer to hug side to side, instead of face to face. (A pat on the shoulder may be most appropriate when you want to express concern and keep some emotional distance at the same time.)

None of these precautions are meant to inhibit appropriate pastoral intimacy. They are illustrations of the prudent limits mature clergy and lay leaders accept for effective ministry.

C. Institutional Warning Signs

Abuse is more likely to occur when:

1. The boundaries in an organization are not clear. When, for example, work and personal/social situations are consistently blended.
2. When there is very rigid or closed communication so that what happens takes place in secret.
3. When there is poor or nonexistent supervision, particularly with new or junior staff or clergy.
4. When there is a controlling or charismatic leader and disagreement would be seen as a betrayal of that leader.
5. When the clergy/lay leader does not have friends outside the church

D. Institutional Precautions

1. Appropriately screen staff when hiring.
2. Ensure that all staff whether lay or ordained, receives training in the prevention of sexual misconduct.
3. Ensure that your congregation has adequate and appropriate insurance coverage.
4. While there are no rules about lay coworkers having mutually agreed upon romantic relationships, they ought to be entered into very carefully so as not to disrupt the parish. Secrecy in a relationship can be particularly dangerous.
5. Criminal Background Checks must be done on clergy before they may be hired, and on lay professionals and some volunteers. Details on how to initiate a background check may be found on the Diocese of San Diego website or by calling the Registrar at 619 481-5455
6. Interview all the references in the application process, keep records at all stages of the screening process, make them easily accessible for future reference, and maintain their confidentiality
7. The Diocese of San Diego expressly prohibits the viewing of Internet pornography on church computers

Reasons for Prevention of Adult Sexual Misconduct

Federal Government: Equal Employment Opportunity Commission (EEOC)

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

General Convention Resolution 1991-B052

Resolved, the House of Deputies concurring, That the 70th General Convention of the Episcopal Church declares that sexual abuse, exploitation, coercion, and harassment of adults and minors by clergy and church employees are abuses of trust, a violation of the Baptismal Covenant, contrary to Christian Character, and are therefore wrong; [followed by establishment and tasking of Committee on Sexual Exploitation]

General Convention Resolution 2006-A156

Resolved, That the 75th General Convention of The Episcopal Church affirm the work already occurring in many dioceses and at the same time recommit itself to the positions taken by previous General Conventions that sexual misconduct (encompassing both sexual harassment and sexual exploitation) of adults by clergy, church employees, and volunteer workers has been and continues to be of deep concern to this Church, is an abuse of trust, a violation of the Baptismal Covenant, contrary to Christian character and is, therefore, wrong; and be it further

Resolved, That each diocese adopt policies for the protection from sexual misconduct of those served by diocesan programs, those who volunteer in the work of the diocese or are employed by the diocese, and that dioceses assist congregations in the development of such procedures and policies, including using the many resources that already exist, that address the following:

1. the articulation of behavioral standards for all clergy, lay employees, and volunteers who work with adults or who provide pastoral counseling, pastoral care, spiritual direction, or the sacraments;
2. a screening process for all clergy, lay employees, and volunteers who provide pastoral counseling and care, spiritual direction, or the sacraments and who supervise clergy or lay volunteers;
3. education and training for all clergy, lay employees, and volunteers as listed above, with particular attention paid to what legally constitutes sexual harassment and to appropriate behavior and inappropriate sexual or sexualized behaviors towards adults, and with periodic refresher training encouraged;
4. guidelines for responding to concerns of sexual misconduct; and be it further

Resolved, That each diocese shall report to the House of Bishops Committee on Pastoral Development prior to the Spring 2009 House of Bishops meeting with a copy of its adopted and implemented policy and an evolution of the history of its use. A summary report shall be made to the House of Bishops Spring 2009 meeting and a full report made to the 76th General Convention.

How to Report Sexual Misconduct or Suspected Sexual Misconduct

All misconduct or suspected misconduct must be reported to the appropriate person (see below) as soon as possible. Learn more about that program: www.edsd.org/safeguarding.

The Episcopal Diocese of San Diego considers the reporting and investigation of misconduct to be of critical importance and is committed to a fair, careful and thorough process in dealing with allegations.

The diocese deeply regrets abuse and recognizes its moral and ethical obligation to seek out the truth, deal appropriately with misconduct and strive for justice, healing and peace. The diocese intends for the potentially painful reporting process to realize those results for all involved, particularly for the victims.

Reporting

Reporting enables the diocese to protect the complainant, the respondent and the larger community. It also allows the diocese to assist with the spiritual, psychological and emotional needs of all concerned during and after the report of misconduct. Bishop Mathes asks that those who believe they are victims of misconduct or know of misconduct, sexual or otherwise, abuse of power by clergy, or child abuse to report incidents immediately and directly to:

John Seitman
jseitman@pacbell.net
858-793-4555

Bishop Mathes asks those who believe they are victims of misconduct or know of misconduct, sexual or otherwise, abuse of power by lay ministers, or child abuse to report incidents immediately and directly to:

The Rev. Canon Allisyn Thomas
athomas@edsd.org
619.481.5451

Confidentiality

The confidentiality of the complainant, the accused and all other parties will be observed, provided it does not impede the diocese's ability to investigate or take corrective action. All reports will be taken seriously and thoroughly investigated.

Bulletins and Newsletters

Please use this text for your bulletins and newsletters on a quarterly basis:

Report Misconduct

As part of our ongoing commitment to creating a safe haven for everyone, our diocese trains people in the prevention of misconduct and encourages all to report misconduct. All reported incidences are taken seriously and investigated thoroughly and confidentially. If you believe you have experienced misconduct of any kind, please contact John Seitman, jseitman@pacbell.net, 858-793-4555.

Responding to Allegations of Sexual Abuse or Misconduct on the Parish Level

Parish Level Response to allegations of misconduct by a Clergy Person

After a report is made to the Intake Officer, the process outlined in the Canons, Title IV: Ecclesiastical Discipline, is set in motion. The Canon to the Ordinary or an appointed Advisor will speak with the wardens about the process and appropriate parish responses.

Parish Level Response to allegations of misconduct by a Lay Person

Misconduct or suspected misconduct on the part of a lay person should be reported to the Rector or other Clergy Person on staff of the lay person's church, or of the church of the offended person.

The Clergy Person who receives the report should then:

1. call the Canon to the Ordinary to receive guidance and develop an appropriate response.
2. fill out and submit a report form

It is our practice in the Diocese of San Diego to empower clergy and wardens to respond to reports of sexual misconduct by a lay member of the congregation, with support and guidance from the Bishop, Canon and Chancellor.

After filing the initial reports, additional appropriate responses by the Clergy Person handling the report may include one or more of the following, determined in consultation with the Bishop, Canon and/or Chancellor:

1. Suspend the person accused of abuse from church related duties. It is mandatory that when a lay person who works with children or youth is accused or suspected of child abuse or child sexual abuse, that person be immediately removed from all contact with children or youth until the matter is resolved.
2. Provide pastoral care for those involved. In some cases, the Canon to the Ordinary will appoint a Diocesan Pastoral Care team to provide such care.
3. Notify the wardens or other appropriate leaders of the congregation
4. Protect identity. The identity of the person or persons who report the incident to the clergy must be protected. The identity of all minors must be protected and disclosed only to those professionally involved.
5. Document all actions. Document all actions taken regarding the matter and retain the documentation in a confidential file at the church or institution. File a copy of the documentation with the Canon to the Ordinary.

Other Notifications and Responses

In the event of suspected misconduct by a Bishop, report the matter to the Intake Officer appointed by the Presiding Bishop: The Rt. Rev. F. Clayton Matthews.

Notification of Law Enforcement. If the complaint may involve a violation of federal or state laws regarding sexual abuse of a minor or incompetent adult, law enforcement officials must be notified. Church officials and/or employees with knowledge of such alleged abuse shall cooperate fully with law enforcement authorities, insofar as canonical responsibilities permit.

Notification of the Chancellor. The Bishop or other designated representative shall notify the Chancellor, as appropriate.

Media Inquiries. A diocesan spokesperson will be appointed by the Bishop or another designated representative to respond to media inquiries and to advise the congregation on media relations. No statements shall be made by anyone other than the appointed spokesperson.

Written Statement to the Congregation. The Bishop or another designated person may prepare and present a written statement to the affected congregation, stating the relevant information while maintaining appropriate confidences. The Bishop or Canon may advise the Rector and Wardens to prepare and present a written statement to the affected congregation. All written statements, no matter who prepares them, will be read and approved by the Chancellor before being presented.

Meeting with the Affected Congregation. The Bishop or another designated person may meet with the vestry and/or the congregation to assist the congregation in responding to and dealing with the incident and its aftermath.

Insurance Notification Requirements. The Parish and Diocese shall meet all reporting and notification requirements as stipulated in the parish, diocesan or other liability policies.

Safe Practices for Congregations

1. The best way to prevent child sexual abuse in the church is to make sure that there are always two or more unrelated adults with one or more children at all times.
2. Watch for physical, behavioral, and emotional boundary violations.
3. These safe practices are not meant to inconvenience adult employees and volunteers but to protect children. They can also help protect adults from unfounded accusations. Here are some behaviors that can lead to false allegations:
 - a) Meeting alone in isolated places.
 - b) Wearing provocative or revealing attire
 - c) Meeting in homes and in bedrooms without others present.
 - d) Giving special or secret gifts
 - e) Keeping secrets about the relationship
 - f) Failing to adhere to uniform or accepted standards of affection
4. Team teaching and chaperoning
 - a) Concerted effort should be made to recruit sufficient volunteer teachers to permit two unrelated teachers in every class. At least two unrelated adults should be present in the parish nursery as well
 - b) Youth activities both on and off the church grounds should have two or more known and unrelated adult leaders. If there are both boys and girls participating in the activity then both male and female leaders should be present.
 - c) Community organizations using the church facilities should follow the same guidelines.
5. Open Door – Parents of the children being served as well as the clergy, and professional staff of the church have the right to visit and observe the program at any time, unannounced
6. Driving
 - a) Drivers should never be alone in a vehicle with a child other than their own.
 - b) Persons designated to drive to or from the church for a church activity must be at least 18 years old and must have a valid state driver's license.
 - c) Drivers must have no record of convictions for the past five years for drunken driving, driving under the influence, driving with a suspended or revoked license, or reckless endangerment.
7. Individual Pastoral Care
 - a) While one-on-one pastoral care is a fundamental part of ministry, care must be taken to see that it is conducted in an environment that provides visibility by other adults.
 - b) Another adult should know the volunteer's or staff member's whereabouts and with whom he or she is meeting.
 - c) No one should engage in secretive and private relationships with children or young people.
 - d) As a general rule, there should be no more than 3 to 5 private meetings with any one child or young person per year.
8. Pornography – It is the policy of the Diocese of San Diego that no church computers or other technology may ever be used to access pornography.

Personal Precautions

1. No clergyperson shall meet a parishioner for more than six sessions in regard to a particular pastoral episode or life issue. After three to six sessions, a parishioner or counselee is to be referred to an appropriate professional.
2. No clergyperson shall provide spiritual direction to parishioners or others unless he/she is also under spiritual direction.
3. Clergy and other lay ministers should not call in the home of parishioners at times of day that might create an awkward appearance or signal a degree of privacy that is inappropriate. Exercise discretion and good judgment so as not to create occasions when misconduct might occur or might appear to be occurring. Clergy should not call in the homes of single parishioners of the opposite sex in the evening. Meetings should be scheduled during business hours when others are present. A person in a ministerial position should discuss any meeting or visit that could appear awkward with his/her spouse and with a colleague, supervisor, therapist or spiritual director.
4. Meetings with individuals should, to the extent possible and practicable, occur during normal business hours and when someone else is nearby in the building.
5. Visits to persons in their place of residence, to the extent possible, should be done by pairs of visitors.
6. Consult with a supervisor or a colleague when a meeting is needed that might appear to others as inappropriate. If married, speak with your spouse. While appropriate standards of confidentiality ought to be observed, being open about nonstandard meetings protects all who are involved.
7. Be cautious when traveling to conferences, retreats, and other out-of-town meetings with only one other person when that association might have the appearance of impropriety.
8. Be careful about social occasions with only one other person that can lead to sexual misconduct or the appearance of sexual misconduct. Be especially careful about the use of alcohol when in the company of only one other person.
9. Touch or hug appropriately. It may be appropriate, when one is comforting a grieving parishioner, for example to embrace that parishioner in a reassuring manner that communicates acceptance/ inclusion in the loving community of faith. However, an identical embrace might be inappropriate when a parishioner shares about his/her dysfunctional marriage and the embrace unintentionally conveys an alternate form of intimacy. Sensitivity and discretion are necessary and it is proper to ask first before offering a physical embrace. It is always safer to hug side to side, instead to face to face. (a pat on the shoulder may be most appropriate when you want to express concern and keep some emotional distance at the same time)

Note of these precautions are meant to inhibit appropriate pastoral intimacy. They are illustrations of the prudent limits mature clergy and lay leaders accept for effective ministry.

Screening of Potential Employees and Volunteers

The following steps must be followed, and attached documents completed, in screening, recruiting/hiring and training of church workers, paid or unpaid.

1. Obtain Job Application. All clergy, lay employees and volunteer youth workers who regularly supervise children's or youth activities must complete and sign the Diocese of San Diego Application for church Workers, including the list of personal references and the certification and authorization for background checks. An application is not required for regularly scheduled "Sunday Morning Only" workers or for vestry members and wardens. If an employee does not have ministerial or educational functions, do not ask them to answer the questions about church attendance.
2. Check Application-related Documentation. For all applicants, the interviewer should check the following:
 - a. Volunteer/applicant's driver's license to verify identity; for employees an I-9 is required
 - b. Obtain authorization of a background check. See chart on page 3 to determine what type of background check is required for the position.

Additionally, for applicants seeking a position which includes driving as one of the duties, the following documents are requested in the job application and must be verified by the interviewer:

- a. A background check that includes a driving record check
 - b. Proof of the applicant's automobile insurance
3. Conduct Interview. Establish a list of question to ask all workers, paid or volunteer, and keep notes on the responses.
4. Check References. A certification must be signed by all clergy and volunteer youth or child workers stating that he/she
 - a) has not been arrested for or convicted of any crime involving child abuse and/or neglect, nor had any such conviction expunged
 - b) has not been charged with child sexual abuse in a civil proceeding
 - c) had never committed an act of child sexual abuse, and
 - d) has not been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association, including, but not limited to, pedophilia, voyeurism or exhibitionism. *(Such certification is not required for vestry/wardens or for leaders of non-church groups using church facilities).*

Conducting a Personal Reference Check

Each applicant for church work, paid or unpaid, is asked to list three personal references, excluding former employers or relatives. The diocese has developed a Personal Reference Form which may be used in contacting each person listed as a reference. See appendix B

Since the form is in a letter format, it may be mailed or e-mailed to the applicant's references. More commonly, however, an interviewer will contact the references by telephone and use the form as a guide for questions, completing the form for each reference with the reference's answers.

Completed reference forms should be kept with the applicant's employment file.



Appendix A

Volunteer/Employment Application

Name of Applicant: _____

Name of Church: _____

Location of Church: _____

Church Position Sought: _____

GENERAL INFORMATION

NOTE: When a resume is also submitted, information on the resume does not need to be repeated here.

Date of application: _____

Applicant's name: _____
Last First Middle

Applicant's current address:

Applicant's home telephone: _____

1. Have you ever used a name that is different from the one listed on this application (for example, married, maiden, alias)?

If so, list all such names

Employment Application

2. Do you have a driver's license? _____
If yes, what state issued the license? _____
What is your driver's license number? _____

NOTE: In order to verify identity of applicants, we ask applicants to show their driver's license to the person conducting their interview.

3. List your last two previous home addresses (street, apartment number if applicable, city and state):

Address One: _____

Address Two: _____

4. List where you went to school and the year you graduated (if you did not graduate, please note.):

High School: _____

Year graduated: _____

College: _____

Year graduated: _____

Graduate School: _____

Year graduated: _____

Employment Application

5. List your employers for the past ten years:

NOTE: Use as much space as needed if you have had more than three employers in the past ten years.

Employer:

Date of employment: _____

Position held: _____

Name of employer: _____

Address of employer (street, city, state): _____

Telephone number of employer: _____

Contact Person for employer: _____

Employer:

Date of employment: _____

Position held: _____

Name of employer: _____

Address of employer (street, city, state): _____

Telephone number of employer: _____

Contact Person for employer: _____

Employer:

Date of employment: _____

Position held: _____

Name of employer: _____

Employment Application

Telephone number of employer: _____

Contact Person for employer: _____

6. On what date will you be available to begin work?

7. What is the minimum length of your commitment to this position?

8. Have you ever had a business or professional license revoked or suspended?

If so, give full details:

9. Are you currently the member of a church? (To be answered only if you are applying for a ministerial or education position)

If so, list its name and address, and how long you have been a member:

10. List the name and address of any other churches that you have regularly attended during the past five years. (To be answered only if you are applying for a ministerial or education position)

Employment Application

11. Please list three personal references.
(Please do not list former employers or relatives.)

1. Name:

Address: _____
Street

City State and ZIP Code

Telephone (with area code): _____

2. Name:

Address: _____
Street

City State and ZIP Code

Telephone (with area code): _____

3. Name:

Address: _____
Street

City State and ZIP Code

Telephone (with area code): _____



Appendix B

Personal Reference Check Form

Name of Church: _____

Address of Church: _____

Name of Rector, Vicar or Priest-in-Charge: _____

Dear _____
Name of Reference

Name of Applicant

has submitted an application to work as an employee or volunteer with us, and gave your name as a personal reference. We ask that you complete this form and return it in the enclosed envelope so that we may make a decision on the applicant's ability to fulfill this commitment.

We appreciate your candor and thank you for your help.

Name of person requesting referral information:

Signature: _____

Date: _____

Questions for Personal Reference

NOTE: Feel free to write on back or to attach additional sheets of paper if needed.

1. How long have you known the applicant?
2. In what capacity have you known the applicant?

3. The applicant has applied to work as: _____
Name of Position Sought

Are you aware of any problems or concerns that could limit his/her ability to fulfill such a commitment, or to perform duties associated with such a position? (These concerns could include physical, emotional, social, or other issues.)

If yes, please explain:

Where Applicant Seeks a Position Working with Youth and/or Children

4. Do you believe the applicant is fully willing and able to make a commitment to work on a regular basis with children or youth?

Why or why not?

5. Are you aware of any problems or concerns that should or might limit or preclude this individual from working with children or youth?

If yes, please explain fully:

6. Would you recommend the applicant for placement in a setting such as ours (church setting working with children or youth), or do you feel he/she may be more suited for another type of volunteer agency?

Please explain:

7. Please include any additional comments which may help in assessing the applicant's fitness for the position.

Signature of personal reference: _____

Date: _____