# Diocese of the Mid-Atlantic



# Policy for the Protection of Children and Adults

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ANGLICAN CHURCH IN NORTH AMERICA

**Scripture References**

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## From the Bishop

To the Clergy, Wardens, Vestry Members, and People of the Diocese of the Mid-Atlantic,

God has much to say in the Scriptures about protecting and caring for vulnerable people. This is foundational to being God's people. We are called to advocate for the powerless and to protect those who are vulnerable. We do this because this is God's character and will. Simply put, God's heart is for the vulnerable because God is a God of justice, mercy, and love.

It is the expectation of Scripture and the church that those in leadership positions are called to serve and protect others. "Be shepherds of God's flock that is under your care, watching over them—not because you must, but because you are willing, as God wants you to be; not pursuing dishonest gain, but eager to serve; not lording it over those entrusted to you, but being examples to the flock…" (1 Peter 5:2–3 NIV). The reality of leaders who failed in their call to serve and instead damaged God's people in pursuit of their own ends is described as far back as the time of the exile (Ezekiel 34:1–6). Ezekiel heard and recorded God's anger and distress over the harm done, his condemnation of predatory behavior, and God's promise to send his own Shepherd who would care for the people and "shepherd the flock with justice," a promise realized fully in the person of Jesus Christ (Ezekiel 34:7–11, 16, 22–23).

Thus, it is imperative that we develop churches that seek to protect our most vulnerable—including children, youth, and adults—from abuse. We must learn how to care for those among us who have been harmed or abused by others. And we must recognize that confession of sin and restoration are possible for those who have been hurt and for those who have hurt others. Our churches should be places of healing in which the gospel of grace and the love of God can restore those who are damaged by sin of all kinds.

As Christ's under-shepherds, clergy are to lead the way in accordance with Scripture's mandates and the promises made in our ordination vows. Protection of all those in your care—and particularly children and vulnerable adults—is a priority. Clergy must set up accountability measures within your churches that enable staff, volunteers, and the vestry to hold each other accountable as well as to hold clergy accountable. Open communication without fear is imperative.

I commend to you the following Policy for the Protection of Children and Adults. This thoughtful and comprehensive policy sets forth requirements and standards for the protection of children and vulnerable adults in the churches and ministries of our Diocese. It is the cumulative result of the wisdom of experts in this field, as well as legal counsel and children's, youth, and pastoral care workers, both staff and volunteers. Additional resources are available in the Safeguarding section of the diocesan website.

Please read this policy carefully. It is vitally important that congregations, church plants, and mission fellowships follow its requirements and standards. Variances to specific provisions of the policy may be requested but must be approved by the Bishop and the Standing Committee with the advice and counsel of the Safeguarding Committee Chair and the Chancellor of the Diocese. If you have questions, or to apply for a variance, please contact the Administrator of the Diocese at 703-590-5470.

Faithfully yours in Christ,

The Right Reverend Chris Warner

## Why This Policy Exists

In accordance with the commands of Scripture, the Diocese of the Mid-Atlantic is committed to ensuring that its churches are safe havens for all people. Title II, Canon 5, Section 5 of the DOMA Canons articulates that it is the responsibility of clergy and laity to seek the protection of children and young people. Furthermore, the Canons of the ACNA require that each Diocese have policies and procedures regarding the safeguarding of both children and adults (Title I, Canon 5, Section 8), and reporting and responding to reports of misconduct by clergy and laypersons, and caring for those affected (Title I, Canon 5, Section 9). This policy exists to support the Diocese's commitment to safeguarding and to comply with the Canons' requirements.

## Authority and Responsibility for this Policy

The Bishop, in collaboration with the Standing Committee, has established a Safeguarding Committee, which is responsible for the creation and promulgation of the diocesan "Policy for the Protection of Children and Adults." The Safeguarding Committee is led by the Safeguarding Committee Chair and is under the authority and oversight of the Bishop and the Standing Committee. Safeguarding Committee members may include psychologists, counselors, attorneys, members of the clergy, and other persons appointed by the Bishop in consultation with the Standing Committee and Safeguarding Committee Chair to oversee the policies and procedures regarding misconduct or abuse in the Diocese. At the Bishop's discretion, the Safeguarding Committee also oversees training, provides prevention methods and resources, responds to inquiries, helps handle responses to crises, and recommends policy changes.

The Bishop and the Safeguarding Committee are responsible for the creation and promulgation of the diocesan "Policy for the Protection of Children and Adults" in accordance with the canons of the Province (Title I.5.8 and I.5.9) and of the Diocese (II.5.5). The Safeguarding Committee will annually review and update the policy as needed in light of practical experiences, medical and other scholarly research, legal developments, and other relevant pastoral considerations.

The Rector (as defined in the "Definitions" section) has overall responsibility for the administration of this policy within the congregation, mission, or church plant and for providing all reports requested by the Diocese. However, he/she may delegate to another church leader the oversight and administration of the policy and procedures. Canonically resident or licensed DOMA clergy ministering in non-church settings remain responsible for following this policy in their setting and ministry.

In the absence of a Rector, the interim leadership structure in place will assume responsibility. Duties may be delegated, except in those areas specifically delineating action by the Rector.

### The Bishop is responsible for:

- Upholding the Constitution and Canons of the ACNA and the DOMA
- Forming and maintaining the Safeguarding Committee
- Reviewing and updating this policy, as well as promulgating additional, related clear diocesan policies and procedures as the need arises
- Appointing Diocesan Reports Receivers
- Following through on the procedures described herein to provide a consistent and transparent process
- Reporting to relevant law enforcement authorities in conformity with applicable law when necessary

### The Diocesan Office is responsible for:

- Tracking screening and training for clergy, diocesan employees, and diocesan volunteers who work with minors
- Upholding the policies set forth in this document

### Clergy are responsible for:

- Knowing and abiding by the diocesan policies and procedures
- Reporting information to the Bishop and, when necessary, relevant law enforcement authorities in conformity with applicable law when they learn of misconduct or abuse by a clergy or lay leader
- Reporting any allegation of clergy misconduct/abuse to the Diocesan Reports Receiver(s) through the diocesan reporting portal on the DOMA website
- Ensuring that timely training occurs for all parties identified within these policies who are under their supervision
- Maintaining documentation and providing proof of compliance with this policy to the diocesan office upon request

### Churches are responsible for:

- Maintaining records of all procedures outlined in this document
- Upholding the policies set forth in this document, which represent an appropriate standard of care, by adopting them as their own
- Filling out the Congregational Certificate of Compliance form (available in the "Safeguarding Resources" section of the diocesan website) indicating their church's compliance with this policy
- Developing an internal procedural plan for their church to respond to a report
- Reconciling this policy with the conditions of their particular congregation's insurance coverage and the need for a contextualized policy, ensuring the conditions to their insurance coverage are met
- Reviewing their insurance policy and calling the diocesan Director of Safeguarding if they have any questions, with the Diocese assuming no responsibility for a congregation's non-compliance with its insurance carrier's policy
- Providing proof of compliance of all such policies and procedures to the diocesan office or Safeguarding Committee upon request
- Complying with any changes to this policy within one year of notification of such changes
- Tracking the screening and training requirements for all non-clergy Certified Adults in their church
- Updating their rosters of clergy, employees (including childcare workers), vestry, and applicable volunteers each year

### Employees and Certified Adults are responsible for:

- Abiding by the diocesan policies
- Reporting to the Rector and Senior Warden any allegation of employee/layperson misconduct or abuse
- Reporting to the Diocesan Reports Receiver any allegation of misconduct or abuse by a clergy leader
- Reporting to relevant law enforcement authorities in conformity with applicable law when necessary

## Policy Summary

**The Diocese of the Mid-Atlantic strictly prohibits abuse and misconduct in all its forms by ministry leaders, whether clergy or lay, paid or volunteer, in congregations, missions, monastic communities, and non-parochial ministries under its ecclesiastical jurisdiction.**

This policy focuses primarily on relationships between pastoral leaders and non-employed congregants. Policies for employment situations are covered in the church employee handbooks of the respective congregations.

This policy can be summarized as six steps to prevent and address abuse and misconduct:

1) awareness;
2) screening;
3) training;
4) interacting appropriately;
5) monitoring and supervising (for minors); and
6) responding and reporting.

The Diocese requires that each church has in place procedures (or their close equivalent) in these six areas for preventing misconduct and/or abuse and reporting allegations of misconduct and/or abuse.

## Awareness

- Clarity about what constitutes abuse and misconduct under this policy is given in the "The Nature of Abuse & Misconduct" section.
- Definitions of other necessary key terms used in this policy are provided in the "Definitions" section.

## Screening

- All clergy, employees, vestry, and applicable volunteers must be screened and background checked prior to serving.
- Appropriate documentation of screening must be kept. Documentation for laity is maintained by the church; the Diocese maintains documentation for clergy.

## Training

- All clergy, employees, vestry, and applicable volunteers must be trained on this policy prior to serving.
- Appropriate documentation of training must be kept. Documentation for laity is maintained by the church; the Diocese maintains documentation for clergy.

## Interacting Appropriately

- Clergy and lay leaders are to "conduct [themselves] in a manner worthy of the gospel" (Phil. 1:27 NIV).
- This section outlines specific guidelines of appropriate and inappropriate behavior for interacting with congregants in a manner that avoids abuse and misconduct.
- The section begins with behavioral expectations that apply to all ages, then provides additional age-specific guidelines by category.

## Monitoring & Supervising

- Clergy, staff, vestry, and volunteers must be diligent in monitoring and supervising children's and youth activities in all settings at all times.
- Two-Adult Rule: All children's and youth ministry activities shall be supervised by two or more Certified Adults, preferably not related to each other. Additional guidelines are provided in the "Monitoring and Supervision" section.
- An on-site or off-site written Supervisory Plan shall be in place for all educational, pastoral, recreational, or other programming that involves youth or children.

## Responding & Reporting

- Any report of misconduct or abuse should be reported to the proper authorities immediately, as described in this policy.
- Reports regarding abuse to a minor must be reported to the appropriate state authority as required by state mandated reporting laws.
- Allegations against a layperson are to be reported to the Rector.

- Allegations against clergy are to be reported directly to a Diocesan Reports Receiver through the Misconduct Report portal at: https://www.anglicandoma.org/report-misconduct.
- Allegations against a Bishop should be reported to the Archbishop and reported by email to the Provincial Safeguarding Officer at: misconduct@acna.org.

## Awareness

### The Nature of Abuse & Misconduct

Abuse and misconduct can take many forms along a continuum of severity. These sections outline how abuse and misconduct, in their various forms, are defined under this policy.

**Abuse**: Abuse is not accidental. The following forms of abuse are covered by this policy:

- **Physical abuse**: A physical injury, threat of injury, or creation of a real and significant danger or risk of death, disfigurement, or bodily impairment. Examples: slapping, punching, asphyxiation, burns, scratches, cuts or abrasions, poisoning, sprains, dislocations, gunshots, stabbing wounds.
- **Sexual abuse:** Acts of sexual assault and sexual exploitation. Sexual abuse includes a broad range of behaviors, including groping/inappropriate touching, unwanted kissing or intrusive touching of private body parts, molestation, rape, and all other forms of sexual violence or coercion. Indecent exposure, unwanted exposure to pornographic images, explicit verbal descriptions of sexual acts, and/or related forms of intrusive sexual comments or behaviors is also sexual abuse. Depending upon the context, it may consist of a single incident or of many incidents over a long period of time.
- **Pornographic exploitation of children:** Includes, but is not limited to, obscene or pornographic photographing, filming, or depiction of children for commercial purposes or exploitation, the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in or assist any other person to engage in any sexually explicit conduct, or any simulation of any sexually explicit conduct for the purpose of producing any visual depiction of any sexually explicit conduct.
- **Psychological/emotional abuse and intimidation**: Using overt shaming to gain a specific behavioral outcome, using physical size differences to intimidate, or blocking egress so an individual can't leave the situation are some examples of this form of abuse.
- **Spiritual abuse:** When a member of the clergy or anyone in spiritual authority uses their authority, by means of the language of Scripture or related spiritual concepts, to attempt to control, intimidate, manipulate, or coerce someone under their care to an action that is either inconsistent with Scripture or designed to serve the needs of the person in authority.

**Misconduct**: behavior exercised by a person in a leadership position—whether clergy or lay—that exploits a position of influence to the detriment of those within that person's care. Misconduct can, and often does, occur in the realm of verbal interaction, without there being a direct physical event. It can have deep and long-lasting impact. The line between misconduct and abuse is frequently only a matter of scale.

The hallmarks of misconduct include:

- The use of the person in a leader's care to meet the emotional and psychological needs of the leader in a nonreciprocal, nonconsensual way (i.e., exploitation).
- A difference in the level of authority or influence between the initiator of the behavior and the recipient which allows the initiator to exert pressure on the recipient to conform to requests. The greater the level of formal authority a person holds, the greater the capacity to engage in misconduct behaviors.

- Crossing of practical boundaries which violate the personal agency of the recipient, usually to a desired end defined by the leader.
- Frequently, a pattern of shaming or blaming the recipient if they attempt to leave or address the situation.

**The types of misconduct recognized by this policy:**

- **Pastoral**: the using of one's ministry, especially pastoral counseling, to meet one's own needs for affirmation or ego fulfillment rather than serving the needs of the person seeking care.
- **Organizational/managerial**: a misuse of positional authority, including the use of policies, procedures, practices, or processes by an individual or group to coerce, manipulate, or artificially produce a desired decision or ministry outcome that violates generally accepted boundaries of the pastoral role.
- **Financial**: the giving or receiving of monetary gifts or gifts in kind (including but not limited to travel, meals, vehicles, household items, tuition, etc.), or any other tangible support or assistance which establishes or creates the appearance of inappropriate interdependency, introduces an inappropriate level of intimacy, or which engenders personal bias, favoritism, special consideration, or inappropriate power dynamics between the giver and the recipient. Such concerns may be considered even when gifts are for a legitimate cause or project.
- **Psychological/emotional**: the use of manipulative language (including spiritual and/or biblical language) to support or manipulate any of these other points is its own form of misconduct. Some examples of this kind of misconduct are:
  - Implying that an individual is in some way spiritually deficient if they do not support a pastor's attempted misconduct behavior (as defined in this policy).
  - Inappropriate sharing on the leader's part to a congregant for the purposes of creating/encouraging emotional dependencies that promotes the language of "a special bond" and/or flatters the sexual prowess of the leader.
- **Sexual:** A range of sexual dynamics that violate the generally accepted norms of the pastoring relationship, up to and including extramarital affairs. Physical acts of a coercive sexual nature are classified as sexual abuse (described under the above section "Abuse"). Sexual misconduct behaviors include:
  - **Grooming:** a technique used to break down barriers of protection. Grooming usually includes gaining access through trust, targeting a particular type of person, slowly eroding boundaries, and employing methods to keep the recipient of the behavior quiet.
  - **Sexually exploitative relationships between adults:** including, but not limited to, the development of or the attempt to develop a sexual relationship between a member of the clergy, employee, or volunteer and a person with whom he/she has a pastoral relationship, whether or not there is apparent consent from the individual.
  - **Sexual advances**, requests for sexual favors, quid pro quo behavior, sexually motivated physical contact, or other unwelcome verbal or physical conduct.
  - **Communication of a sexual nature**, including, but not limited to, sexually demeaning comments, sexually oriented humor or language, questions or comments about sexual behavior or preference, inappropriate comments about an individual's body, clothing, or physical appearance, or repeated requests for social engagements.
  - **Voyeurism**: persistent watching of another in an intensely focused sexual way that implies sexual interest, or inviting others to view objects or pictures that are sexual in nature.
- **Intimidation:** behavior directed toward an individual with the intention of causing fear, including forcing someone to do something they do not want to do out of fear.
- **Nonverbal harassment:** persistent distribution, display, or use of any written or graphic material that ridicules, denigrates, insults, belittles, or shows hostility toward an individual or group because of nationality, national origin, race, color, religion, age, biological sex, pregnancy, appearance, mental or physical disability, marital, or other legally protected status. This includes graphic gestures through hand or body movements. Nonverbal harassment includes nonverbal conduct that has the purpose or effect of

unreasonably interfering with an individual's work performance by creating an intimidating, hostile, or offensive working environment.

- **Verbal harassment:** unreasonable and/or persistent statements or comments that are offensive regarding such things as a person's nationality, national origin, race, color, religion, age, biological sex, pregnancy, appearance, mental or physical disability, marital, or other legally protected status.
- **Inappropriate Use of Technology:** sending sexually explicit or offensive communications (e.g., text messages, emails, social media messages or posts) is included in the definition of misconduct and will not be tolerated. Personal interactions on social media are to be avenues for modeling appropriate behavior and language.

## Definitions of Key Terms as Used in This Document

- **Adult**: a person over the age of eighteen to whom no special reporting mandates apply. See "Compromised Adult" for special considerations.
- **Bishop:** the Bishop of the Diocese, but also includes the ecclesiastical entity authorized to act in the absence of the Bishop, such as the Standing Committee.
- **Certified Adult (or Certified Volunteer):** an adult who has gone through the full screening and training process outlined in this policy.
- **Child:** infant through elementary school–aged minors.
- **Childcare Workers:** paid staff who supervise children in children's activities in diocesan institutions, programs, and churches.
- **Children's Ministry Director:** the person overseeing children's ministry in a congregation, whether employee or volunteer.
- **Church:** all congregations, fellowships, church plants, and any other worshiping entity affiliated or in association with the Diocese.
- **Clergy:** ordained ministers canonically resident or licensed in the Anglican Diocese of the Mid-Atlantic, as well as those pursuing ordained ministry (aspirants, postulants, candidates, ordinands), whether employed or non-stipendiary.
- **Complainant:** the person making an allegation.
- **Compromised Adult:** any adult who, due to elderliness or physical, intellectual, and/or neurocognitive disability or emotional and/or psychiatric difficulties has reduced capacity for self-protection and personal agency.
- **Consent:** agreement and permission, free from coercion and with capacity, to engage in sexual and/or romantic activity with another person. Under no circumstances can a minor give consent to sexual activity.
- **Consultant:** person(s) appointed by the Bishop to consult with and advise the Respondent accused of misconduct/abuse and his or her legal advisors at reasonable times prior to the issuance of a presentment.
- **Dating Relationship:** a consensual relationship between a clergyperson or church employee(s) and a parishioner in which the two parties are exploring a consensual relationship that may lead to a Christian marriage.
- **Diocesan Reports Receiver:** an unbiased receiver who is trained to respond to allegations of misconduct or abuse made through the Misconduct Reporting Portal on the diocesan website.
- **Diocesan Response Team:** per ACNA requirements, the Diocese has two Reports Receivers who make up the Response Team. They discern immediate next steps when a report is submitted, including notification of the Bishop.
- **Diocesan Safeguarding Committee**: established by the Bishop, in collaboration with the Standing Committee, this committee is responsible for the creation and promulgation of the Diocesan Policy for the Protection of Children and Adults.
- **Inquiry Report:** a report written by the Diocesan Reports Receiver to the Bishop after an initial evaluation of a report of misconduct or abuse received through the Misconduct Reporting Portal.
- **Minor:** any unmarried person under the age of majority under state law who has not been emancipated by order of the court.
- **Pornography**: printed or visual material containing the explicit description or display of sexual organs or activity, intended to stimulate erotic rather than aesthetic or emotional feelings.
- **Rector:** the person in charge of a parish, including instances where such person has a title other than Rector (such as vicar, priest-in-charge, deacon, or church planter).
- **Respondent:** anyone who is accused of misconduct or abuse.
- **Sexual Coercion:** the use of physical or emotional power to influence another to participate in sexual interaction for the purpose of sexual gratification for the initiator.
- **Youth:** middle/junior high through high-school minors.
- **Youth Director:** the person overseeing youth ministry in a congregation, whether employee or volunteer.

## Screening

One of the foundational steps to protecting our people from abuse is the careful screening of all who serve in those sensitive areas of ministry in which misconduct and abuse have a greater opportunity to occur. Screening is designed to expose any potential concerns regarding high-risk offenders before they ever set foot in one of our ministries. These efforts are completed to do all we can to create a safe environment for our people.

All canonically resident or licensed clergy in the Diocese (including those seeking ordination or transfers), vestry members, employees (including nursery staff/childcare workers), and all volunteers who work either with minors or with adults in the areas of prayer ministry, lay eucharistic ministry, and/or congregational care are required to be screened and trained in accordance with the specifications outlined below. An adult who has gone through the full screening and training process outlined in this policy is called a "Certified Adult." It is the responsibility of each individual to cooperate fully in all aspects of the screening process and to submit in a timely manner all documents needed to complete such checks.

| About Whom | By Whom | What | How Often |
|---|---|---|---|
| **Clergy (including Clergy seeking entrance into the Diocese)** | **Diocesan Office** A sample Screening Statement is available at the "Safeguarding Resources" section of the diocesan website | 1. National Sexual Offender Registry through Oxford Management Company<br>2. Criminal Background check through Oxford Management Company<br>3. Local criminal history records check<br>4. Statewide criminal history records check<br>5. Motor Vehicle record check and Credit Bureau check<br>6. Sexual Misconduct Record Check<br>7. Inquiries of Bishops having past or present canonical authority over the individual<br>8. Inquiries of all schools attended<br>9. Inquiries of employers of the individual. If the individual has had more than one, then inquiries will be made of the two most recent employers. In the case of clergy who have served as Rector, "employer" shall be the Senior Wardens of congregations served<br>10. References from immediate supervisor at the three most recent places of employment<br>11. Thorough social media search<br>12. Personal reference check<br>13. Face-to-face interview<br>14. Signed statement from clergyperson regarding whether or not he/she and/or other members of the household have been arrested for or convicted of any crime involving child abuse and/or neglect, or had any such conviction expunged; been charged with child sexual abuse in a civil proceeding; committed an act of child sexual abuse; or (except where such inquiry is prohibited or limited by applicable laws or regulations) been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association | Every two years<br>Every five years<br>Covering past five years |

| | | | |
|---|---|---|---|
| **Ordinands** | **Diocesan Office** | 1. Criminal Record Check<br>2. Ten-year Background Check | Prior to approval for ordination |
| **Vestry** | **Local Church**<br>A sample Screening Statement is available at the "Safeguarding Resources" section of the diocesan website. | 1. Recommended six-month minimum attendance prior to election, including active participation in Sunday morning worship and in the life of the church<br>2. Face-to-face interview<br>3. Personal reference checks<br>4. National Sexual Offender Registry check<br>5. State and local Criminal Background checks<br>6. Thorough social media search<br>7. Signed statement from vestry nominee regarding whether or not he/she and/or other members of the household have been arrested for or convicted of any crime involving child abuse and/or neglect, or had any such conviction expunged; been charged with child sexual abuse in a civil proceeding; committed an act of child sexual abuse; or (except where such inquiry is prohibited or limited by applicable laws or regulations) been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association | Prior to first three-year term; renewal prior to subsequent terms |
| **Employees (including Nursery Staff/Childcare Workers)** | **Local Church**<br>A sample Screening Statement is available at the "Safeguarding Resources" section of the diocesan website. | 1. Signed job applications for those working in youth and children's ministries, prayer or healing ministry, and congregational/pastoral care positions.<br>2. Personal and professional reference checks<br>3. Face-to-face interview<br>4. National Sexual Offender Registry check<br>5. State and local Criminal Background checks<br>6. Thorough social media search<br>7. Signed statement from applicant regarding whether or not he/she and/or other members of the household have been arrested for or convicted of any crime involving child abuse and/or neglect, or had any such conviction expunged; been charged with child sexual abuse in a civil proceeding; committed an act of child sexual abuse; or (except where such inquiry is prohibited or limited by applicable laws or regulations) been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association | Prior to start of employment; renewal every two years |

| | | | |
|---|---|---|---|
| **Applicable Volunteers** Volunteers who work with minors or with adults in the areas of prayer ministry, lay eucharistic ministry, and/or congregational care | **Local Church** | 1. Six-month minimum attendance prior to serving, including active participation in Sunday morning worship and in the life of the church<br>2. Signed volunteer application<br>3. Personal reference checks<br>4. Face-to-face interview<br>5. Signed statement from applicant regarding whether or not he/she and/or other members of the household have been arrested for or convicted of any crime involving child abuse and/or neglect, or had any such conviction expunged; been charged with child sexual abuse in a civil proceeding; committed an act of child sexual abuse; or (except where such inquiry is prohibited or limited by applicable laws or regulations) been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association<br>6. National Sexual Offender Registry check<br>7. State and local Criminal Background checks<br>8. Thorough social media search | Prior to start of service; renewal every two years |
| **Interns, Fellows, and Day Camp Staff** | **Local Church** | Same as for volunteers but six-month minimum attendance may not apply | Prior to start of service; renewal every two years |

**When the "Six-Month Minimum Attendance Rule" for Employees and Volunteers Is Not Practical**
When the six-month minimum attendance requirement cannot be met—such as with church plants—heightened diligence in screening becomes essential. The goal is to gather in a shorter time frame the insights typically gained from longer observation. In lieu of six month's minimum attendance, the church shall **require one of the candidate's three references to be from a pastor, children's ministry director, youth ministry director, or another individual in authority** who can attest to the candidate's level of church involvement, interactions with congregants consistent with the role in which they are seeking to serve (children/youth or adults in prayer/pastoral care ministry), and overall character. The goal is to identify relational connectedness, reflecting solid character, trustworthiness, and reliability, and experience engaging with the demographic they are now seeking to serve, whether minors or adults. As churches build a safety net around members of their congregations, they must seek staff and volunteers with their own "safety net" of healthy relationships. This is a critical part of safeguarding efforts.

Beyond policy compliance, the process should ensure clarity about the candidate's:

- Mature relationship with Jesus Christ
- Emotional and relational maturity
- Type and level of active participation in their previous church community
- Experience and readiness to serve with the population they seek to support, especially in the areas of nursery work, prayer ministry, and/or congregational care

References should confirm the candidate's character and relational connectedness. Key questions include:

- Does the candidate have a community vouching for their character?
- How long and in what context have references known the candidate?
- Have they had previous training and/or experience in the area in which they are seeking to serve?

This policy works well for individuals transitioning from a parent church with active involvement or coming from other churches with a history of active participation. Those unable to provide such a reference should be required to wait until the six-month mark. This policy generally applies to volunteers, with the understanding that most roles in a church plant, even senior leadership, remain volunteer-based until the church plant can hire staff. The same rigor shall apply to immediate staffing needs.

**Screening for Paid Nursery Staff/Childcare Workers without Six-Month Attendance**

The screening process for nursery staff and childcare workers differs slightly. While they need not meet mature faith or active church participation requirements, they must demonstrate:

- Experience working or volunteering with children, showing reliability and trustworthiness
- References attesting to childcare capabilities and integrity
- Knowledge of child safety and a history of providing care
- Strong decision-making skills, assessed through scenario-based questions

The screening process should confirm the candidate's ability to care for children and recognize and report suspicious behavior.

**Conducting a Social Media Search**

Social media searches should be conducted following the face-to-face interview and background check. To conduct a social media search:

1. Locate the individual's social media accounts.
    - Do a simple Google search using the individual's name and current or former place of residence (city or town and state).
    - Do a site-specific search using the individual's name, personal email address, and the "site:" operator. For example, search "John Doe site:instagram.com" or "johndoe@gmail.com site:instagram.com."
    - At a minimum, try to locate Facebook, Instagram, and X.com accounts.
2. Scan public postings for any content that may be considered questionable according to the behavioral standards set by this policy.
    - Evaluate only what you can access without logging in.
    - Do not log into your personal account, your church's account, or a fake account to scan postings.
3. If the individual's background check reveals an alias (previous name used), or you are otherwise aware that the individual has used a different name previously, repeat steps 1 and 2 using that alias.

## Training

Clergy, employees (including childcare workers), vestry, and all volunteers serving with minors or with adults in the areas of prayer ministry, lay eucharistic ministry, or other ministries of congregational and pastoral care must be properly trained to care for those they serve in ministry. Training must be completed and certified prior to the individual beginning to function in their ministry role. The following table outlines the training requirements of this policy.

| Who | What | How Often |
|---|---|---|
| Clergy | 1. Ministry role responsibilities and duties<br>2. Abuse awareness training: diocesan-approved workshop (see website for options)<br>3. Policy for the Protection of Children and Adults training<br>4. Clergy Ethics and Misconduct Prevention training<br>5. Consider training in the signs of elder neglect | Every two years |
| Employees, including Childcare Workers | 1. Job responsibilities and duties<br>2. Abuse awareness training: diocesan-approved workshop or MinistrySafe<br>3. Policy for the Protection of Children and Adults training | Every two years |
| Vestry and Applicable Volunteers (volunteers who work with minors or with adults in the areas of prayer ministry, lay eucharistic ministry, and/or congregational care) | 1. Ministry role responsibilities and expectations, preferably in writing<br>2. Abuse awareness training: diocesan-approved workshop or MinistrySafe<br>3. Policy for the Protection of Children and Adults training | Every two years |
| Interns, Fellows, and Day Camp Staff | Same as for vestry and volunteers | |

**Preference for In-Person Training**

The most effective model for learning abuse and misconduct awareness and prevention policies is to hold interactive workshops in person. Since so many in our culture have had an experience of child abuse, in-person workshops are often also a very helpful place for ministry and for healing. Furthermore, many are aware of the high-profile misconduct situations that have taken place in our Province over the past ten years. The topic itself is a difficult one for many to examine and those in attendance may need help in processing what they have learned or what the training has triggered.

The Diocese of the Mid-Atlantic uses a Train-the-Trainers model to train and equip workshop leaders throughout the Diocese. This model is structured so that each church sends their trainer(s) to be trained by the Diocese, and the trainers then return to their home church to train clergy, staff, and volunteers. These trainers should demonstrate expertise in teaching while also exercising discernment and pastoral care for those who may be triggered by difficult content. Once trained, the church representative trainer will provide instruction that mirrors the instruction offered by the Diocese. Diocesan-approved trainers must go through the training every two years in order to stay current with diocesan policy and procedures.

As indicated in the above Table, there are two main components of training for laypeople: abuse and misconduct awareness training, and policy training.

1. **Abuse Awareness Training**: Every two years, clergy, employees (including childcare workers), vestry, and all volunteers serving with minors, or with adults in the areas of prayer ministry, lay eucharistic ministry, or other ministry of congregational and pastoral care, must either:
    a. Attend a diocesan-approved training workshop on the prevention of child abuse; OR
    b. Complete one of the approved training courses listed on the diocesan website. Training may be completed in person or online as directed by the church; however, it is HIGHLY recommended, for the reasons stated above, that this training be offered in person.

2. **Policy for the Protection of Children and Adults Training**: Every two years, clergy, employees (including childcare workers), vestry, and all volunteers serving with minors, or with adults in the areas of prayer ministry, lay eucharistic ministry, or other ministries of congregational and pastoral care, must also be trained in the DOMA policy. The training covers the content in this policy.
    a. Individuals may participate in the training offered by their home church or the diocesan-approved training workshop.
    b. In addition, all clergy, employees (including childcare workers), vestry, and applicable volunteers must certify that they have read the diocesan policy.

Churches, rather than the Diocese, are responsible for obtaining and maintaining documentation that all those covered by this policy have received a copy of the Policy Manual and have met the training requirements. It is acceptable to save electronic copies of scanned documents in a secure location.

## Interacting Appropriately

### Godly Relating at All Ages

Christian ministry relies not only on right belief but also on right behavior, both with those in the church and those in the community. All allegations of misconduct or abuse will likely result from personal interactions; therefore, it is important to establish communities of health that reinforce appropriate boundaries, build trust, demonstrate care and respect, and seek justice for those who have been abused. The behavioral expectations and procedures included in this section are intended to help children and adults feel safe in ministry and help detect problems before they turn into an incident of misconduct or abuse. The section begins with behavioral expectations that apply to all ages, then provides additional age-specific expectations by age category.

- All interactions, verbal and non-verbal, between clergy, employees, volunteers, and those they serve should be positive and uplifting and should refrain from inappropriate topics.
- Staff members and volunteers should strive to keep verbal interactions constructive and to be mindful of their mission of aiding congregants in the spiritual growth and development of themselves and their family members.
- Intimidation, harassment, and the other forms of abuse or misconduct outlined in the previous section are always inappropriate and violate this policy.

All clergy are required to avoid creating, viewing, or distributing pornography at all times, not just while working or in church facilities. Any clergy struggling in this area should reach out to the diocesan contact listed under "Other Contacts and Resources" on the Safeguarding Resources section of the DOMA website for an assessment and help with recovery. This is offered without the involvement of the Bishop unless clergy fail to follow through with a

recovery plan. It is never appropriate to view pornography. When pornography includes a person under the age of legal majority, it is considered child abuse. There is never an expectation of personal privacy when using technological equipment owned by a church or church entity or within the context of ministry.

## Sexuality, Gender, and Identity

Every effort should be made to treat all people as individuals made in the image of God, striving as pastors and Christians to build church environments that neither discriminate, intimidate, nor devalue persons created by God. We recognize that part of honoring God's creation and God's Word means acknowledging that same-sex sexual relationships are not part of His good design and are sinful. We also recognize that pornography, fornication and adultery, as well as non-sexual sins such as greed, disregard for the poor, and self-righteousness, are sinful and cut against the grain of God's created order.

DOMA affirms that sexual identity is biologically driven and has its foundation in the scriptural truth that, "God created man in his own image, in the image of God he created him; male and female he created them." (Genesis 1:27). Genesis 2 further reveals that maleness and femaleness are rooted in God's design of the body—he "formed the man" (Gen 2:7), "he built the woman" (Gen 2:22)—and that the act of sex is predicated on the anatomical complementarity of the male and female bodies—the two become "one flesh" (Gen 2:24). Biblically, therefore, gender is never less than biology and sexual activity never to be outside the bonds of marriage between one male and one female.

DOMA also recognizes that while our sexed bodies and gendered identities are part of God's good design, that in a fallen world we experience brokenness in these areas, "groanings" as "we wait eagerly" for "the redemption of our bodies" (Rom 8:24). Christians look forward to the day Christ returns—to the day of Resurrection—when God, "brings to completion the good work he has begun in us" (Phil 1:6), including bringing total harmony between inward desire and outward design.

Contemporary cultural trends and attitudes about gender and sexual ethics are complex and rapidly changing. Some people, particularly children and youth, may wrestle with issues around gender fluidity, gender dysphoria, same-sex attraction or other painful and confusing experiences. For pastors and churches, these situations require a proper balance between biblical clarity, informed compassion, and a community prepared to walk alongside confused individuals and their families. In consultation with the Bishop, the Rector is responsible for local adaptation around specific ministry situations that uphold the Diocese's theological positions around sexual ethics and gender, and also foster suitable pastoral environments where individuals are ministered to with truth and love.

## Interacting Appropriately with Minors

These standards apply whether on-site in the church facility, traveling with or in the presence of minors or their parent(s), during a church-sponsored activity, or while working with or supervising minors in any other capacity.

### The Rule of Two

The two-adult rule, often referred to as the Rule of Two, is critical to implement and is the standard for safeguarding. The two-adult rule simply states that no fewer than two adults must be present with children in a church setting. The following expectations relate to all interactions with minors under the age of eighteen:

### Addictive Behaviors

Clergy, staff members, volunteers, and participants in youth and children's ministries should not:

- use tobacco or marijuana products.
- possess or use any illegal drugs.
- be under the influence of alcohol.
- share/view pornographic materials.

### Communication

- Clergy, staff members, and volunteers should avoid talking to minors in a way that is or could be construed by a reasonable observer as harsh, threatening, intimidating, or humiliating.
- Clergy, staff members, and volunteers are expected to refrain from swearing in the presence of minors.
- Concerns about minors should be directed to the parent(s), the legal guardian(s), the appropriate ministry leader(s), or the clergy.

### Photography

Photos of minors will not be used contrary to the wishes of the parent(s). Churches should refrain from posting any personally identifying information about children pictured online or in print publications without prior permission from parent(s). This is easily handled by including a consent statement on programming registrations that are signed by the parent(s)/guardian(s).

### Physical Interactions

- Physical contact should be for the benefit of the minor and never be based upon the emotional needs or desires of the leader.
- Staff members and volunteers are prohibited from using physical discipline in any manner for behavioral management of children. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force as retaliation or correction for inappropriate behaviors by children.
- Children are to be disciplined using time-outs and other nonphysical methods of behavior management.
- In some circumstances, physical restraint may be used to prevent self-injury by the child and/or harm to others or to property. Uncontrollable or unusual behavior should be reported immediately to parents, Children's Ministry Director, Youth Pastor, and/or clergy.
- Physical contact and affection should be given only in observable places. It is much less likely that touch will be inappropriate or misinterpreted when physical contact is open to observation.
- Physical contact in any form should not give even the appearance of wrongdoing. The personal behavior of staff members or volunteers in youth and children's ministries must foster trust at all times. Personal conduct must be above reproach.
- Do not force physical contact, touch, or affection on a reluctant child. A child's preference not to be touched must be respected at all times.

This policy recognizes that appropriate physical interaction between staff members or volunteers and minors is important for their development. Types of appropriate interaction generally suitable in the church setting include:

- high fives
- thumbs-ups
- handshakes
- side hugs
- fist bumps
- pats on the back
- head pats

Inappropriate touching and inappropriate displays of affection are forbidden. Types of inappropriate interactions include:

- wrestling
- tickling
- kissing
- full frontal hugs
- forcing unwanted affection
- commenting on children's or youth's bodies
- sitting in laps
- massages
- touching of breasts, buttocks, or genitals

Children's and youth ministry staff members and volunteers are responsible for protecting children under their supervision from inappropriate or unwanted touch by others. Any inappropriate behavior or suspected abuse by a staff member or volunteer must be reported immediately to the Rector.

### Release of Minors

Whenever a parent/guardian is in the presence of their minor child, full responsibility for that child belongs to the parent/guardian, even if clergy, employees, vestry, and/or another Certified Adult are also present. Any time that a child has been entrusted to a childcare worker or Certified Volunteer, though, the church incurs the responsibility for the release of the child back to the parent/guardian. Staff members or volunteers are responsible for releasing children in their care at the close of services or activities only to parents, legal guardians, or other persons designated by parents or legal guardians. It is presumed that a person who drops off a child or youth has authority to pick up the child.

In the event that staff members or volunteers are uncertain of the propriety of releasing a child, they should immediately contact their immediate supervisor before releasing the child.

### First Aid & Medication

If possible, medication should be administered by the child's parent(s). Medication may be given to a child by a staff member or volunteer as authorized by the parent. The medication must be in the original packaging, including over-the-counter medication. When medically necessary, medication or first aid may be given to a child by a staff member or volunteer consistent with the Supervisory Plan. Parent(s) should be notified whenever medication or first aid has been administered.

### Home Group Procedures

The Diocese and its churches do not have, and therefore do not exercise, control over home groups. The care and protection of children in such settings is always the responsibility of the parent(s)/guardian(s) of each child. The Diocese provides some resources that may help empower and equip parent(s)/guardian(s) and the home groups of its churches as they exercise their care and responsibility. In home groups where children are present, even on an occasional basis, leaders are encouraged to read this policy, become Certified Volunteers, and follow as closely as possible the provisions outlined in this policy, including the development of a Supervisory Plan, which should consider the following:[1]

- Supervision by two screened and trained (preferably unrelated) adults (supervision by a single individual is never a good idea).

[1]Home group is defined for purposes of this policy as a small group meeting in a home for Bible study, worship, fellowship, etc. A church which holds its primary worship service in a home is, for purposes of this policy, considered to be a church and not a home group.

- Inspection and preparation of the physical environment: The location should be inspected and prepared for child safety for the developmental age of those being served, keeping in mind outlet coverings, sharp corners, sharp objects, unsecured furniture, access to outdoors, toxic materials, etc.
- Creation of a restroom procedure for any child who requires assistance. Parent(s) should be responsible for diapering and meeting other restroom needs.

## Additional Age-Specific Guidelines for Children

### Nursery-aged, Toddler, and Special Needs Children

Because preschool, nursery, and special needs children may require complete assistance with their bathroom activities, all staff members and volunteers will observe the following policies:

### Diapering

- Only screened and trained nursery workers or the child's parent or legal guardian will undertake the diapering of children of either sex.
- Changing of diapers should be done in plain sight of other nursery workers. Children should not be left unattended while being changed.
- Children should be rediapered and reclothed immediately upon the completion of changing their soiled diaper.

*Note:* To build trust and to minimize exposure, and as based on statistical research, churches may determine that diapering, toilet training, and restroom monitoring will only be done by screened and trained female staff/volunteers or the child's parent(s)/guardian(s).

### Toilet Training

- No child will be forced to toilet train.
- Only screened and trained nursery workers or the child's parent or legal guardian will participate in toilet training efforts with children.
- When children are assisted in bathrooms the stall door will be left partially open.
- Preschool-aged children will never be left unattended in bathrooms.
- Children should be assisted in straightening their clothing before returning to the room with other children.
- Accidents should be handled by reassuring the child and completing the changing of diapers or underwear and clothing.

### Elementary-aged Children

- Elementary-aged children may be accompanied to the restroom for supervision and assistance when needed. However, children should receive the minimum amount of assistance needed based upon their individual capabilities. A buddy system of three children all of the same age and biological sex may also be used.
- Staff members and volunteers should take steps to avoid being alone with one child in the restroom. If a staff member or volunteer must go into the restroom to check on an individual child, he or she should seek out another Certified Adult to accompany him/her. If another Certified Adult is not available to accompany, he/she should go to the exterior bathroom door, knock, and ask if the child needs assistance. If the child requires assistance, the worker should leave the exterior bathroom door open when entering the bathroom area and try verbally to assist the child in completing his/her activities, while the child remains behind the door of the bathroom stall.

## Additional Age-Specific Guidelines for Youth

### Social Media Policy

Social media platforms can be important ways for youth ministry staff and volunteer leaders to connect with youth. A youth's world is often constructed around social media. Having personal interactions in this venue allows adults to model appropriate behavior in social media and may allow them to form valuable connections with youth.

- The Diocese strongly recommends that each church have a proactive policy for social media and other forms of electronic communication in the context of youth ministry.
- Clergy, staff members, and volunteers shall refrain from connecting with minors on social media when they are younger than the minimum age established by each social media outlet (usually thirteen).
- The use of vanishing message apps (e.g., Snapchat, Vanish, etc.) to message minors is prohibited. If there won't be a record of it, do not use it.
- Do not direct message (DM) minors after 8:00 p.m. for middle school students or 10:00 p.m. for high school students.
- Sending sexually explicit or offensive communications (e.g., text messages, emails, social media messages or posts) will not be tolerated regardless of the age of the recipient.
- Virtual meetings are to be treated the same as in-person meetings. This means two adults must be online with any youth (known as the Rule of Two), participants must be appropriately clothed, and conversation should not be held in the adult's bedroom. The parent(s) should be aware that the youth is in conversation with the leaders.
- If there is a need for a private virtual meeting (such as counseling or a matter of circumstance), the leader, staff, or clergy must be in a place where he or she can be seen and the conversation can be overheard by a trusted and trained staff member, clergy, or leader.
- Written parental permission is recommended for one-on-one communication with minors. For many youth, texting is a main line of communication; therefore, leaders should be sensitive to those youth who wish to speak through texting. Churches are encouraged to have accountability to leaders for these messages, such as the ability to request to see the full transcript of the messages.
- For minors younger than thirteen years old, parental permission shall be obtained for any communication and parents should be invited to participate in the conversation.
- All screening and training procedures must be up-to-date for and followed by all online volunteers.
- Pictures of minors should not be shared without parental permission in public groups, and sharing in private groups should be monitored by both the church and the parent(s) closely.

Remember that all social media church accounts or groups must model appropriate behavior and language.
Before a staff member, clergy, or Certified Adult makes the decision to follow/friend minors, he/she needs to realize that whatever is posted needs to exemplify the values of the ACNA and their church. What they share will be an influence well into the future. If the staff member, clergy, or Certified Adult cannot in good conscience make that commitment, leaders should not allow minors to friend/follow them.

### Sexually Oriented Communications

Clergy, staff members, and volunteers should avoid engaging in inappropriate sexually oriented communications with youth (except as noted in abuse-education or reporting contexts) and should refrain from discussing inappropriate or explicit information about their own personal relationships, dating, or sexual activities with any youth. Sexually orientated discussions can be important to have, , but these need to be done in an appropriate and healthy way—according to the Diocese's guiding values surrounding sexuality, gender, and identity.

Conversations of this nature are sensitive and must be handled with prayer, wisdom, and oversight. This is not a topic clergy, staff, and leaders should be eager to discuss or overly focused on. Rather, clergy, staff, and leaders should understand that, at times, this topic will need to be addressed in the context of ministry and should be prepared to do so, again, in an appropriate and healthy manner. Each parish should have guidelines and suggestions for how its clergy, staff, and leaders address sexual content in an appropriate and healthy manner according to the Diocese's guiding values surrounding sexuality, gender, and identity.

Clergy, staff members, and volunteers may employ (subject to limitations imposed by the Rector or Rector's designee) age-appropriate materials when leading discussions dealing with human sexuality, sexual abuse prevention, and/or sexual purity. Any prospective material shall be made available for review for the parents of participants. Prior to introducing these materials, notice shall be provided to parents to allow an opt-out should there be concerns or objections.

### Discipleship, Spiritual Direction, & Pastoral Counseling with Youth

As Christians, we are encouraged to seek discipleship opportunities. Discipling youth frequently manifests in ongoing 1:1, 1:2, or 1:3 relationships where participants meet regularly for a long-term partnership. This is not the same situation as pastoral counseling, which is intended for a singular focus and therefore is limited in scope. Pastoral counseling typically covers singular issues or questions, conflict management, confession, crisis counseling, or relationship counseling. If pastoral counseling requires more than six sessions, refer the youth to a professional.

If long-term discipleship (including spiritual direction) with a youth is agreed upon, the following practices shall be observed by the adult leader:

- Inform at least two people in the church's leadership team of the discipleship relationship.
- Obtain parental consent and inform parents of discipleship meetings.
- Meet in a public place, not in private living quarters.
- Follow guidelines regarding interaction and physical contact.
- Define the parameters of the relationship at the first meeting. Explain that the youth may discontinue the relationship without further explanation at any time.
- Communicate to whom the youth should report if they have any concerns (including the person's name and number).
- Include prayer and the study of Scripture in the discipleship time.
- Leaders providing spiritual direction to youth are required to be in peer supervision or an equivalent approved by their Rector.

It is recommended that the adult be of the same biological sex as the youth being discipled.

### Transportation

Due to the nature of youth ministry, clergy, employees, and volunteers may from time to time be in a position to provide transportation for youth. When transportation is required for youth, the following guidelines shall be observed:

- Those responsible for driving minors to a sponsored activity must provide to the church copies of valid driver's licenses, vehicle registration, and proof of insurance.
- Those responsible for driving minors must have undergone an insurance-approved background check including a DMV record check.
- Appropriate age restrictions must be observed.

  - No one under age twenty-five may drive vehicles rented by a church unless explicitly allowed by the rental agreement.
  - No driver under age twenty-five may drive church-owned vehicles unless explicitly covered by the church's auto insurance policy.
  - Under no circumstances should anyone under the age of eighteen be allowed to drive youth as part of a church-sponsored event.
- Drivers and passengers must follow airbag age/weight regulations per specific vehicle guidelines.
- Those traveling with minors in a vehicle should follow the two-adult rule or rule-of-three at a minimum (except in a parent/child or other familial situation).
  - If there is an extenuating or special circumstance resulting in only one adult and one youth traveling together in an automobile, permission must be obtained from the youth's parent(s) or legal guardian(s). This permission should be written, should include details regarding where they are going and what time they will be coming back, and should be signed by the parent or guardian. Any deviation from the plan must be first approved by the parent(s) or legal guardian(s).
  - In extraordinary circumstances, these guidelines may be altered for emergencies. In these cases, the Youth Director (or supervisor) should be notified immediately.
- Youth must be transported directly to their destination. Unauthorized stops to a nonpublic place should be avoided. Stops for meals, refueling, and restroom breaks shall be done as a group. Those organizing the event should avoid transportation circumstances that leave only one child in transport.
- No cell phones, including hands-free devices, may be utilized by the driver while driving church-owned vehicles, with the exception of GPS navigation, unless in an emergency.
- Staff members and volunteers shall avoid physical contact with students while in vehicles.

### Overnight Events

Certain youth ministry activities require overnight sleeping arrangements be made for youth, staff, and volunteers. Clergy, staff, and volunteers must be particularly diligent in monitoring and supervising minors' activities in all settings at all times. As a reminder, a Supervisory Plan is required for all overnight and/or off-site events (including lock-ins, mission trips, and retreats). As part of the Plan, the following procedures must be adhered to:

- As always, the two-adult rule must be in effect. A single student may not be alone with a staff member or volunteer. If a situation arises where only one adult is present, a minimum of two students must also be present.
- Overnight sleeping arrangements must be detailed in the Supervisory Plan and shared with those responsible for providing the supervision. An individual student may not be housed alone with another student or adult (in overnight cases, a minimum of three is required).
- When it is only possible to have one leader present in a room with students (minimum of two), another leader must be in adjacent rooms and proper student-to-leader ratios must be adhered to.
- Leaders and students may never share a bed for any reason or amount of time.
- As long as students are actively awake, two leaders must be awake to monitor students to ensure safe behavior.
- Appropriately modest sleeping attire must be worn by all.
- Staff members, volunteers, and clergy shall conduct a bed check to ensure all students are in their beds before going to bed themselves and sleep by the exits to ensure students do not leave in the middle of the night.

- In the event that overnight arrangements do not include standard beds, each staff member, volunteer, and student will use single sleeping bags or blankets. In these instances, a "one-person-to-one-bag-or-blanket" rule will be observed.
- Boys and girls must sleep in separate rooms, properly supervised by student leaders of the same biological sex.
- Staff and volunteers in youth ministry may never be nude in the presence of students in their care. Showering considerations and private areas for changing clothes must be thought through with rotation schedules.
- Leaders use good judgment regarding PG or PG-13 movies and notify parents to allow opt-out. R-rated movies require Rector and parental approval.

In order to provide pastoral ministry to those facing same-sex attraction or gender dysphoria, the following are recommended whenever necessary:

- Churches, employees and all volunteers who work with children and youth shall endeavor to make sure all youth do not feel isolated, but rather included, welcomed, valued, and respected. This is essential, especially at meals, morning and evening scheduled events, and spontaneous moments. Ongoing and open communication with parents who have child-specific concerns is encouraged.
- For those churches that are able, consider offering a family (non-gendered) bathroom as an act of hospitality.
- For overnight events, it is recommended that the church's leadership team, and the parent/guardian of the student, outline an agreed-upon Supervisory Plan designed to safeguard all participants and allow them to participate as fully as possible.
- Under no circumstances should a biological boy sleep in a room with biological girls, or vice versa.

## Interacting Appropriately with Adults

### The Particular Challenge of Protecting Adults from Abuse and Misconduct

The need to protect children from abuse is almost universally recognized in church communities. There is growing recognition, however, that mistreatment of adults is also an issue that must be addressed. There are four characteristics of adults that make addressing misconduct and abuse more complex:

1. There is a wider range of ages and life stages—with more nuanced developmental milestones informing capacities and needs—in adult populations as compared with children and youth.
2. There are fewer standardized legal requirements for mistreatment of adults. While minors under the age of eighteen are covered by mandated reporting laws with clear legal definitions, these reporting laws do not apply to adult populations.[2]
3. There is more nuance in even healthy adult relationships, which can make the task of identifying violations more difficult.
4. The greater capacity for agency in the lives of adults has confused the right placement of responsibility when an individual experiences mistreatment. In the past, adults who attempted to report violations often received a message, subtle or otherwise, that they must be to blame for the violation. This is frequently the result of a misunderstanding of the dynamics of unequal authority in the pastoral relationship.

The nature of pastoral ministry itself provides additional complexity. Unlike other types of helping professionals who may encounter the people they serve in a single setting, ordained clergy are naturally intimately involved in family life across multiple settings (church, home, hospital) and frequently meet with congregants in informal settings such as

[2] With some exceptions in certain states for elder abuse, which will be addressed later in this section.

coffee shops or cafés. This increased informality can create ambiguity, necessitating a need for greater clarity about what healthy versus unhealthy involvement looks like in these less formal settings. A pastor has a greater level of authority and influence within a church community because of this reach; they and their people are not peers with equal agency. As a result of this unequal influence, this policy recognizes that any adult can be the recipient of abusive behavior or misconduct dynamics.

### Verbal Communication

- Verbal interaction should be kind, clean, legal, and age specific, following professional best practices for ministry.
- Conversations should be kept "on point," focused on the presenting need or topic that precipitated the meeting. Conversations that gravitate toward the pastor/leader's personal needs or life circumstances beyond generally accepted social norms are more likely to create opportunity for misconduct.
- "But among you there must not be even a hint of sexual immorality, or of any kind of impurity, or of greed, because these are improper for God's holy people. Nor should there be obscenity, foolish talk or coarse joking, which are out of place, but rather thanksgiving" (Ephesians 5:3–4 NIV).
- Titles given to people are important because they confer authority. Pastors should be careful about the titles they use for lay leaders, especially in the area of counseling ministry, to ensure that the level of authority indicated by the title is consistent with the level of training the individual has received.

### Pastoral Counseling

It is a necessary part of ministry for pastors to provide individual counsel to congregants from time to time. These guidelines are designed to affirm the value of the pastoring relationship by ensuring a sense of safety in the environment:

- Any form of guidance or counseling should stay within professional best practices for ministry.
- Pastoral counseling should be shorter term in nature, with a maximum number of sessions defined by the church. People with long-term pastoral needs should, where possible, be mentored or discipled by appropriately trained lay disciplers or referred to counseling, depending on the nature of the need. This allows the pastor and staff to maintain their ministry focus on the whole community without creating the kind of dependencies that create vulnerability for misconduct.
- In contexts where it is not possible to carry out the previous provision, such as in small towns or rural communities where there is only one pastoral leader, any pastor or lay leader who is providing long-term pastoral care to an individual shall have a system of accountability which is aware of the relationship and with whom consultation happens on at least a monthly basis.
- It is important in the implementation of this policy that a message of "dangerousness" is not communicated to the person seeking pastoral care. In other words, these safeguards are designed to constrain the vulnerabilities of leaders, not lay blame on the characteristics of those needing care or discourage congregants from seeking pastoral counsel.
- It is the responsibility of Rectors and other senior leaders to ensure that mature laypersons are being selected for caregiving ministries, counseling, and related prayer ministries. All persons involved in these ministries must be certified under this policy.

### Behavioral Interactions

- Physical contact during pastoral counseling or other interactions should be limited to culturally appropriate expressions of greeting such as handshakes.

### Exclusion of Publicly Acknowledged Dating Relationships

- This policy recognizes that there are instances of dating between leaders and congregants. While this always involves a level of risk for the congregant due to their unequal authority within the congregation, it is not by definition misconduct if it is carried out in a manner approved by the policies of the individual congregation and/or Diocese (in the case of clergy).
- Clergy and leaders in dating relationships retain a higher level of responsibility for dating in such a manner that if the relationship does not continue to marriage, the member not in authority can maintain their place within their congregation and have a plan for pastoral care that does not leave them harmed by the interaction.

### Distinction between Church Discipline and Spiritual Abuse

The Bible clearly lays out standards for our character, the pattern of our lives, and the ordering of our community and family relationships. This policy acknowledges that one of the roles of clergy is to point out where behavior seen in congregants does not match the expectations of Scripture and, at times, to institute godly discipline for the well-being of the person and community. The right use of church discipline as modelled and defined by Scripture is upheld by this policy as a biblical good and not to be construed as "spiritual abuse." The distinction is that church discipline follows clear scriptural warrant and is for the well-being of the recipient, while spiritual abuse is intended to produce or control an outcome that benefits the individual need of the person in leadership and leads to shame for the abused.

## Additional Considerations Regarding Compromised Adults

"Compromised Adults" is both a legal category and a subset of "all adults" that includes those who may need special attention. A Compromised Adult has a physical, intellectual, or neurocognitive condition that leads to impaired capacity, either in decision-making or in the ability to care for oneself physically, or both. Because of these impairments, Compromised Adults by definition have less capacity for self-protection and personal agency. For this reason, they require an additional layer of protection. In some of the states in the Diocese (notably Virginia and Maryland), Compromised Adults are covered by mandated reporting law. However, that is not always the case. Not every state has the same reporting requirements. **Every church in the Diocese shall determine if their state has mandated reporting laws for elder abuse or the abuse of Compromised Adults in their state** and, if so, know when they are required to report.

While the particular vulnerability of Compromised Adults is generally more evident, it is important to recognize that disability happens on a spectrum and not all adults have the same needs regarding protection. Some adults who fit these categories retain full decision-making capacity while others may be so incapacitated as to need full-time care. Thus, it is important to both assess and uphold the decision-making capacity of each individual when it comes to reporting abuse and misconduct.

### Compromised Adults: Physical, Intellectual, and/or Neurocognitive Disabilities and Frail Elderly

Clergy chaplains and pastors providing care to those in facilities or homes are to follow the guidelines previously set forth in this document about good care, as well as to familiarize themselves with the reporting requirements in their state. Pastors in congregations have the responsibility to ensure that lay leaders working with compromised individuals have the training and sensitivity necessary to treat these individuals with dignity and to respond appropriately to their needs during times of ministry.

Mistreatment by caregivers, especially neglect, is a major concern for elderly adults. The difficulty with recognizing neglect is that it occurs in more private or easily hidden settings, and the care recipient may have difficulty discerning or communicating the misconduct. While pastoral leaders are rarely in a position of providing direct care, they are often in situations where they may come in contact with mistreated or neglected elders or interact with their

caregivers. For this reason, this policy recommends all pastoral leaders, clergy or lay, be educated about the types and signs of elder mistreatment they are likely to encounter.

- Mistreatment can be physical, emotional, sexual, verbal, financial.
- Neglect can be seen in any setting: home, nursing homes, long-term care and assisted living facilities, and even hospitals.
- Perpetrators of elder neglect can be family members, home caregivers, acquaintances, or professionals entrusted with an elder's care. In other words, those individuals who are or have become trusted in the caretaking relationship.
- The instances of self-reporting of neglect are rare. Signs of elder abuse include poor hygiene, (including soiled clothing or lack of bathing), poorly maintained medical equipment, habitually untreated medical conditions or lack of preventive care by a physician, failure to give all prescribed medications, malnutrition, or dehydration.
- Prevention of elder abuse mainly depends on awareness of the signs of abuse and neglect. Conducting regular pastoral visits to shut-ins or those without nearby family can help identify concerns early.
- Pastoral leaders also set the tone in fostering a supportive and respectful environment in the congregation, where older adults feel safe and valued, surrounded by caring individuals.

### Compromised Adults: Emotional and/or Psychiatric Difficulties

Although not necessarily in the same manner or degree as adults with disabilities, adults with emotional and psychiatric difficulties may share some of the traits of compromised functioning in their ability to discern appropriate boundaries and handle stressors in interpersonal relationships.

- While a person's compromised psychiatric state may not be immediately apparent, once identified, pastors should encourage and support an appropriate level of involvement from outside medical and/or mental health practitioners and exercise a higher degree of caution in verbal and behavioral interactions.
- Pastors in congregations have the responsibility to ensure that lay leaders working with compromised individuals have the training and sensitivity necessary to treat these individuals with dignity and to respond appropriately to their needs during times of ministry.

## Monitoring and Supervision

Monitoring and supervising children's and youth activities helps detect problems before they turn into incidents of abuse and helps adults avoid wrongful allegations of abuse where none has occurred. Clergy, staff, vestry, and volunteers must be diligent in monitoring and supervising children's and youth activities in all settings at all times.

### Monitoring

Monitoring procedures shall include, but are not limited to:

- Two-Adult Rule: All children's and youth ministry activities shall be supervised by two or more Certified Adults, preferably not related to each other. If it is not feasible to have two adults in one space, one adult and one mature teenager are permitted as long as there is a second adult present who has sightlines into the space. The teenager must be at least fifteen years of age and in tenth grade. If the teenager is serving as a youth group leader, he or she must also be at least two years older than the oldest youth in the group.
- No child shall ever be left unattended in the building or on the property during or following a church activity.
- Clergy, staff members, and/or volunteers shall not conduct unobserved meetings or interactions with children.
- All leaders must watch for policy violations and report them.
- An open invitation should be extended to parents to visit at any time unannounced.
- New programs and significant changes to program structure must be carefully reviewed.
- Interaction with children should be kept in full view of others at all times.
- Unused rooms should be kept locked whenever possible.
- Children and youth should be kept in supervised areas within the church building.
- Seek to have windows in all doors other than for bathrooms.

### Supervision

The purpose of the Supervisory Plan for any given activity is to give direction to staff, both volunteer and paid, and to ensure appropriate measures are in place to meet the diocesan standard for supervision. An on-site or off-site written Supervisory Plan shall be in place for all educational, pastoral, recreational, or other programming that involves youth or children. It is recommended that a copy of the Supervisory Plan be provided to and signed by those responsible for supervision and that the plan (summarized in a page) be posted in a visible location. Sample Supervisory Plans are available in the "Safeguarding Resources" section of the diocesan website.

#### Church Sponsored, On-site Supervisory Plans

Shall include the following:

1. Description of the nature of the activity.
2. Details of the registration process and a sample registration form.
3. Personnel responsible for running the activity.
4. Recommended ratio of adults to children:

    - **Infants:** two adults for up to eight; one additional adult for every additional one to four infants.
    - **Young toddlers:** two adults for up to ten; one additional adult for every additional one to five toddlers.
    - **Two and three years:** two adults for up to sixteen; one additional adult for every additional one to eight two-to-three-year-olds.
    - **Four years:** two adults for up to twenty; one additional adult for every additional one to ten four-year-olds.

- **School age:** two adults for up to thirty-six; one additional adult for every additional one to eighteen school-aged child.
- **Mixed-age group:** ratio for the youngest child in the group.

5. Standards for interacting with, and disciplining, children or youth.
6. Description of the physical environment.
7. Bathroom procedures, including showering procedures, if applicable
8. First aid and medication procedures.
9. Procedures for reporting discipline concerns.
10. Procedure for Release of Minors.

Note: Emergency plans and procedures, including schematics with fire escape routes, shelter-in-place designations, and plans for reuniting children with parents would also be helpful.

### Church Sponsored, Off-site Supervisory Plans

Shall include the following:

1. Description of the nature of the activity
2. Details of the registration process and a sample registration form
3. Personnel responsible for running the activity
4. Recommended ratio of adults to children:
   - **Infants:** Two adults for up to eight; one additional adult for every additional one to four infants
   - **Young toddlers:** Two adults for up to ten; one additional adult for every additional one to five toddlers
   - **Two and three years:** Two adults for up to sixteen; one additional adult for every additional one to eight two-to-three-year-olds
   - **Four years:** Two adults for up to twenty; one additional adult for every additional one to ten four-year-olds
   - **School age:** Two adults for up to thirty-six; one additional adult for every additional one to eighteen school-aged child
   - **Mixed-age group:** ratio for the youngest child in the group
5. Standards for interacting with and disciplining children or youth
6. Description of the physical environment
7. Bathroom procedures
8. First aid and medication procedures
9. Procedures for reporting discipline concerns
10. Dining arrangements
11. Sleeping arrangements: see Overnight Events
12. Showering procedures: see Overnight Events
13. Off-site transportation plan(s): see Transportation
14. Procedure for Release of Minors

### Other Sponsored, On-site Events

Due to the nature of the facilities and shared ministry, the situation might arise where the church facilities are used by non-sponsored groups for activities and events (such as Young Life, Boy Scouts, parties, etc.). These events may choose to offer childcare on their own, utilizing the facilities available. All churches should consult their insurance policy regarding these types of activities and be compliant with the restrictions and recommendations in that insurance policy. It is also recommended that all churches use a Facilities Agreement that clearly articulates the outside

organization's responsibility and liability for their program and volunteers/employees for every instance of an outside group using the church's facilities.

### Other Sponsored, Off-site Events

Due to the nature of contact work within youth groups, situations may arise where a youth volunteer/ employee organizes a social event off campus. These events usually are not sponsored by the church and may only be open to certain youth due to the nature of contact work. It is recommended that these events remain in compliance with the diocesan policy and with the individual church's policy, specifically with regard to the "minimum of two adults" rule. It is consistent with common practices and research, and protects the church, the volunteer/employee, and the children involved.

# Responding & Reporting misconduct & abuse

Summary of DoMA policy pg 34

**If you receive a report of misconduct or abuse by layperson or clergy <u>toward a minor</u>**, the steps are nearly the same:

1-Recruit another listener to take notes and listen compassionately to the reporter.

2-Call the **Virginia number: 804-786-8536 or 1-800-552-7096. In addition you may call Fairfax County's CPS hotline:703-324-7500**

3-If necessary and/or there are immediate safety concerns, contact law enforcement.

4-Notify the rector of the report.

> EXCEPTION: If the report is made about the rector, do not immediately notify the rector, rather follow the instructions of the bishop.
>
> IF ACCUSED IS CLERGY: Report the information using the Diocesan Misconduct Reports Portal on the DOMA website (anglicandoma.org). The Reports Receiver will notify the bishop.

5-Even if the portal was used, the bishop should be called if accused is clergy.

6-Document the conversation and all actions taken. Store in a secure location.

**Report of misconduct or abuse by a layperson or clergy <u>toward an adult</u>.**

1-Listen compassionately to the reporter.

2-Clarify if the individual is seeking to make a formal report or sharing information for the purpose of pastoral care. Misconduct and abuse towards adults is not covered by legal reporting mandates, therefore filing a report with legal authorities is discretionary.

3-Notify the rector.

> EXCEPTION: If the report is made about the rector, do not immediately notify the rector, rather follow the instructions of the bishop.
>
> IF ACCUSED IS CLERGY: Report the information using the Diocesan Misconduct Reports Portal on the DOMA website (anglicandoma.org). The Reports Receiver will notify the bishop.

4-Even if the portal was used, the bishop should be called if accused is clergy.

5- Document the conversation and all actions taken. Store in a secure location.

**Report of misconduct or abuse by a layperson or clergy <u>toward a Compromised Adult</u>.**

1- Recruit another listener to take notes and listen compassionately to the reporter.

2-Virginia does not mandate church authorities to report, but deciding to report and allowing professionals to investigate is a wise course of action. **Numbers:703-324-7450 or 888-832-3858**

3-If necessary and/or there are immediate safety concerns, contact law enforcement.

4-Notify the rector.

EXCEPTION: If the report is made about the rector, do not immediately notify the rector, rather follow the instructions of the bishop.

IF THE ACCUSED IS CLERGY: Report the information using the Diocesan Misconduct Reports Portal on the DOMA website (anglicandoma.org. The Reports Receiver will notify the bishop.

5-Even if the portal was used, the bishop should be called if accused is clergy.

6- Document the conversation and all actions taken. Store in a secure location.

# Receiving Reports Abuse

from DoMA policy pg 36

Listening Compassionately: Initial Response Best Practices for All Ages.

One of the primary ways in which a clergyperson, staff member, or volunteer may become aware of abuse or misconduct is from information shared by a Complainant. If an individual discloses abuse or misconduct, the person receiving the communication should attempt to respond initially in these ways:

- Respect the individual's privacy by finding an appropriate nonthreatening place to talk.
- If possible, ask another trained adult to join in listening to the Complainant's account and task them to take notes.
- Keep calm, listen, and avoid expressing shock or outrage.
- Maintain a neutral, nonthreatening posture, making sure that you are sitting or standing in a way so that eye contact is level.
- Allow the Complainant to share their story in their own words and according to their comfort level.

- Avoid asking probing or leading questions. Instead, you may ask open-ended questions like this: ***"Is there anything else you would like to share with me?"***
- Thank the Complainant for trusting you with this information. Assure them that you will take their report seriously and will hold their story in confidence as far as you are able. Let them know, however, that you may be legally or otherwise required to report what has been disclosed to legal and church authorities.
- Find out if the person is safe or has a safe place to go. Help them get to safety, if needed.
- To the best of your ability, inform the individual of what will happen next and, if age-appropriate, reassure them that they will be involved in the decision-making.
- After the conversation, immediately take down notes of the conversation, writing down verbatim what the reporter has said to the best of your ability. Keep these notes in a safe and secure location to preserve confidentiality.
    - Notes of the conversation using the separate form: **Report of alleged abuse**. It contains the following information:
        - The date, time, and location the disclosure/report was made.
        - The date, time, and location the misconduct or abuse behavior took place.

    - Who made the disclosure and all individuals present during the disclosure.
    - Facts that have been provided (free of speculation or assumptions).
    - Any evidence that was provided or seen during the disclosure (visible injuries, witnesses present during the abuse, etc.).
    - These notes can be used to report the abuse to the proper authorities.
- Be careful afterwards not to discuss the information with, or in front of, other people who do not need to know what happened. Discussion about the information should be limited to appropriate legal and church authorities.
- Any clergy involved in the processes of disclosure and reporting—including the Bishop—<u>should not, at any time following the first receipt of the disclosure or complaint, hear the sacramental confession of any person involved.</u>

Assessing Immediate Risk and Safety Concerns

Following a disclosure or when concerns about abuse or misconduct are present, the person receiving the report shall immediately assess the Complainant's physical safety and identify any urgent steps that need to be taken to ensure that their well-being is addressed.

Some examples of immediate steps include: calling police or local authorities; calling for medical assistance in case of medical emergencies; supporting the individual to get home safely; notifying the parent, guardian, or next of kin; or arranging for someone to be with the person so they are not alone.

Additional Considerations for a Report or Disclosure from a Child

- Child Complainants are often vague in their initial disclosure. Avoid questions that could make the child feel responsible or suggest information beyond the child's stated recollection and account. **A safe question is always, "Is there anything else you'd like to tell me?"**
- Remain calm and compassionate. Avoid acting overly alarmed or judgmental. This may cause the child to shut down or recant their story if they sense a strong reaction or they may fear repercussions.
- Most children tend to be familiar with their abuser, and they often have confused feelings about the abuse and their relationship with the alleged abuser.
    - Assure the child that any abuse was not their fault.
    - If helpful, tell the child that they were brave to disclose the abuse.

- Do not make promises you cannot keep. However, let them know that you will be talking to other people who may be able to keep them safe.
    - If immediate safety is a concern, call 911 without delay.
    - If possible, let the child know that you will be available if they want to talk again.
    - If the person accused of abuse is not the child's parent or guardian or otherwise a member of their household, the Rector or designee should contact the child's parents/guardians and offer support from the church.

Additional Considerations for a Report of Misconduct or Abuse toward a Compromised Adult

- Many reports of abuse toward Compromised Adults come from caregivers rather than from the individual him/herself, especially in the case of frail elderly. These should be treated procedurally as if they were a report from the adult.
- The state does not have elder abuse or Compromised Adult mandated reporting laws for church workers, but action is often a prudent choice **703-324-7450** or **888-832-3858.**
- When receiving a disclosure from a Compromised Adult, be mindful of possible cognitive, functional, or developmental deficits present. Consider any pertinent communication needs they may have, and present information in a clear and concrete manner to ensure understanding.
- Establish if they feel safe now, and determine if they have any support systems they can connect to following your meeting with them.
- If the person accused of abuse is not the Compromised Adult's primary caregiver, spouse, or guardian, or otherwise a member of the household or residence where the person is residing (e.g., nursing facility or adult care facility), the Rector or designee should contact the caregiver/spouse/guardian and offer support from the church.
- If the Complainant has capacity to make informed decisions, support may be provided to help them contact the authorities themselves to report their concerns. For example, a Compromised Adult with certain physical limitations may be able to express their decisions but be severely challenged in employing means to contact the authorities. In such a case, assisting the person in making contact is appropriate and desirable.

# Reporting Abuse against a Minor (DoMA pg 37)

Minors are covered by state-mandated reporting laws which require that individuals who know, or have reasonable cause to suspect, that a child has been abused, abandoned, neglected, or exploited in violation of the law should immediately contact the appropriate state abuse hotline. These state laws generally require that churches are in the category of persons which must report to state authorities when there is reasonable cause to believe that a child has been abused, abandoned, neglected, or exploited.

- All reports are confidential. Access to these reports is limited by specific criteria described in the statutes.
- Mandated reporters are not required **to know if abuse has happened** or to investigate.
  They are **required to report**. The child protective services agency investigates the complaint.
- In most states, reports can be made anonymously. If the person making the report does give his or her name, there are legal mechanisms in place in each state to protect the reporter from having his or her name given to the alleged abuser, unless otherwise ordered in a court proceeding.
- A person can be wrongly accused of misconduct or abuse.
- **Each church in the Diocese is responsible for knowing the reporting requirements in its state.** Virginia mandates churches report 804-786-8536 or toll free 1-800-552-7096.
- This "Receiving reports of Abuse" is printed and ready for use by the rector, associate rector and the children's ministry director.
- **No allegation, complaint, or report of suspected abuse of a minor may be ignored or treated lightly.**

How to Report a Disclosure of Abuse against a Minor

- **Report to legal authorities by calling the state mandated reporting hotline or reporting online through the child protective services portal.**
  - Have as much of the following information as possible: by filling out the separate form: **Report of Alleged Abuse or Misconduct**.
  - Once completed, the form should be kept in a confidential file with the church.
  - The Rector or other appropriate church leaders should consult with the church's legal counsel for assistance in identifying and complying with the appropriate abuse reporting requirements within the required time frame

under applicable state laws.
    - If necessary, also call the police.

- Notify the appropriate church leader.
    - If the Respondent is a layperson, immediately notify the Rector.
    - If the Respondent is a clergyperson (priest or deacon) report to the Diocesan Reports Receiver through the reporting portal on the diocesan website.
    - If the Respondent is a Bishop, submit an allegation in writing to the Province via email misconduct@anglicanchurch.net.
- The Rector shall follow the steps outlined in the "Responsibilities of the Rector" section below.
- Cooperate with the investigating legal authorities.
    - The investigation of suspected child abuse is the legal responsibility of the child protective services agency, in collaboration with the police if necessary. It is not the responsibility of church leaders to prove that such an incident did or did not take place.
    - The church shall cooperate in the investigation conducted by the governmental agency to which the report has been made, as well as any other law enforcement agencies involved with the investigation.

- **Notify insurance providers.** Unless the church's legal counsel advises otherwise, the church shall promptly notify its liability insurance company. This is important for at least four reasons:
    - the insurance policy may require immediate notification for coverage to be effective;
    - the policy may pay for counseling or legal advice;
    - the policy may not provide coverage for lawsuits involving acts of sexual abuse; and
    - the insurance carrier, having dealt with similar cases, may be a source of helpful advice.

- **Document actions.** Designated clergy shall record any actions taken regarding the complaint and retain that documentation in confidential files.

*Responsibilities of the Rector/Designated Person When a Report Has Been Received*

- **Report** to the Diocesan Reports Receiver (DRR) through the Misconduct Reporting Portal on the DOMA website.
    - If the Respondent is a layperson, the DRR will provide both accountability and, if needed, procedural guidance through the reporting process.
    - If the Respondent is a clergyperson, the DRR will begin an initial inquiry. Any further investigation and/or disciplinary action will occur at the diocesan level.
    - Notify the Bishop that you have made a report through the Portal.
- After **consultation with the Bishop**, immediately remove the Respondent from the situation in which the accusation arose and, in the case of reported child abuse, from any duties in which they would have further contact with minors. This can be done quietly, but it should be done quickly and without exception. Possible courses of action include:
    - Transferring the Respondent to a position with no contact with those at risk. The church leadership will determine whether the Respondent may continue in another area of ministry during the investigation.
    - A leave of absence (with pay, if the Respondent is an employee). This leave of absence is without prejudice (i.e., it does not imply guilt or innocence of the Respondent).
    - Payment of salary and benefits to the employee may be discontinued at the discretion of the church-related employer only after consultation with the Bishop.
- **Collaborate** with the appropriate state authorities, as applicable, and oversee the disciplinary procedures regarding misconduct/abuse allegations against lay leaders.
    - Document all aspects of any inquiry or investigation and securely file the records.
    - Facilitate provision of pastoral care for both Complainants and Respondents.

*Responsibilities of the Diocesan Reports Receiver*

Anyone can choose to make a report through the Misconduct Reporting Portal on the DOMA website. When a report is made, the Diocesan Reports Receiver will take the following actions:

- Assure the Complainant that the Diocese takes the report seriously and that the complaint will be investigated promptly and thoroughly.
- The Reports Receiver will consult with the other Reports Receivers to consider next steps. For accountability, the ACNA requires each Diocese to have a minimum of two Reports Receivers. These two persons make up the Diocesan Response Team.
- If the Respondent is a layperson:
    - Notify the Bishop, the Chancellor, and the appropriate Rector.
    - Offer guidance and support to the Rector and Senior Warden.
    - Advise the Bishop and the Chancellor of the outcome of the inquiry or investigation.
- If the Respondent is a clergyperson:
    - Notify the Bishop and the Chancellor.
    - If the Respondent is the Rector of a church, notify the Senior Warden. If the Respondent is not the Rector, notify the Rector.
    - Collaborate with the appropriate state authorities, as applicable.
    - Evaluate the report in a timely manner as to whether the report discloses reasonable grounds to believe an offense under Title IV of the diocesan canons has been committed. Write an initial inquiry report with a recommendation to the Bishop.
    - Document all aspects of any inquiry or investigation and securely file the records.

*Responsibilities of the Bishop*

When the Respondent is a layperson, the Bishop may request periodic updates of the investigation being conducted and subsequent actions taken at the local church level.

When the Respondent is a clergyperson:

- The Bishop holds both pastoral and disciplinary responsibilities. When addressing allegations of misconduct/abuse by a person or persons within the church, the Bishop should carefully avoid being the person to provide pastoral care to either the Complainant or the Respondent.
    - Upon receiving an initial inquiry from the Diocesan Reports Receiver, and in consultation with the Chancellor, determine whether a formal investigation should be made into any

potential offenses under Title IV of the ACNA Canons.

- Prior to a decision, all parties involved may be invited to provide responses to the inquiry report (including Complainant, guardian, and/or Respondent). This invitation may be declined.
- The alleged clergy offender may be inhibited by the Bishop under the provincial canons until such time as the allegations of misconduct/abuse are resolved. This inhibition is without prejudice (i.e., does not imply guilt or innocence of the person under investigation).

- If the Bishop determines that the report of abuse or neglect should move to an investigative stage:
    - The Diocesan Response Team should investigate the complaint and provide a written report to the Bishop and Chancellor.
    - If enough evidence is found that a canonical offense has been committed, a third-party investigation may be warranted.
- Upon completion of the investigation, the Bishop, in consultation with the Chancellor and Chair of the Standing Committee, may take whatever action he deems appropriate, including removal, mediation, and/or reconciliation, or the use of a Godly Admonition.
- The Diocese shall facilitate provision of pastoral care for those making reports that are advanced for investigation or trial, as well as for clergy who are the subjects of such reports.
- Canonical procedures will be employed according to the Constitution and Canons of the Diocese and those of the Province.

## Reporting Abuse or Misconduct against an Adult

The Rector and vestry are responsible for the church's investigative and disciplinary procedures regarding adult abuse/misconduct allegations against a lay employee or volunteer. The Diocese is responsible for investigative and disciplinary procedures regarding adult abuse/misconduct allegations against a clergyperson.

Allegations of abuse/misconduct toward an adult by a Children's or Youth Ministry staff member, Certified Adult, or childcare worker serving in a diocesan program must be reported immediately to the Diocesan Reports Receiver. All aspects of any inquiry or investigation shall be fully documented and securely filed.

*Reporting Abuse or Misconduct by a Layperson against an Adult*

- Listen compassionately to the reporter using guidelines under listed above.
- If the Complainant ***is not*** a Compromised Adult:
  - Clarify if the individual is seeking to make a formal report or sharing information for the purpose of pastoral care. Misconduct or abuse toward an adult **is not covered by legal reporting mandates** on the part of the receiver of the complaint; therefore filing a report with legal authorities is discretionary.
  - Contact the Rector.
  - Clarify your duty as a hearer. If you are clergy and you are hearing a report about a clergyperson, you are obligated to report to the Misconduct Reporting Portal on the DOMA website.
- If the Complainant *is* a Compromised Adult:
  - If the state/district in which you live has mandated reporting laws applicable to the Complainant, call the mandated reporting number for your state (or go online) and make a report.
  - Assess for immediate safety concerns and, if necessary, contact law enforcement.
  - If the Complainant is not covered by mandated reporting laws, they can still optionally report to appropriate authorities. Ask if they wish to report.
  - Notify the Rector.
- Document the conversation and all actions taken.

*Reporting Abuse or Misconduct by a Clergyperson toward an Adult:*

Listen compassionately to the reporter using guidelines under on page one.

- If the Complainant is *not* a Compromised Adult:
  - Clarify if the individual is seeking to make a formal report or sharing information for the purpose of pastoral care. Misconduct or abuse toward an adult is

not covered by legal reporting mandates; therefore filing a report with legal authorities is discretionary.
    - Clarify your duty as a hearer. If you are clergy and you are hearing a report about a clergyperson, you are obligated to file a report through the Misconduct Reporting Portal on the DOMA website. Notify the Complainant about the Diocesan Misconduct Reporting Portal on the DOMA website should the Complainant decide to make a report.
    - If the complaint is against a clergyperson on staff who is not the Rector, encourage the adult to notify the Rector. Offer to accompany them to an appointment with the Rector.
    - If the Respondent is a Bishop, submit an allegation in writing to the Province via email at misconduct@anglicanchurch.net.
- If the Complainant *is* a Compromised Adult:
    - If the state/district in which you live has mandated reporting laws applicable to the Complainant, call the mandated reporting number for your state (or go online) and make a report.
    - Assess for immediate safety concerns and, if necessary, contact law enforcement.
    - If the Complainant is not covered by mandated reporting laws, they can still optionally report to the appropriate authorities. Ask if they wish to report.
    - Clarify your duty as a hearer. If you are clergy and you are hearing a report about a clergyperson, you are obligated to file a report through the Misconduct Reporting Portal on the DOMA website.
    - Notify the Complainant about the Diocesan Misconduct Reporting Portal on the DOMA website should the Complainant decide to make a report.
    - If the complaint is against a clergyperson on staff who is not the Rector, encourage the adult to notify the Rector. Offer to accompany them to an appointment with the Rector.
    - If the Respondent is a Bishop, submit an allegation in writing to the Province via email at misconduct@anglicanchurch.net.

- Document the conversation and all actions taken.

*Responsibilities of the Diocesan Reports Receiver*

Anyone can choose to make a report through the Misconduct Reporting Portal on the DOMA website. When a report is made, the Diocesan Reports Receiver will take the following actions:

- Assure the Complainant that the Diocese takes the report seriously and that the complaint will be investigated promptly and thoroughly.
- The Reports Receiver will consult with the second Reports Receiver to consider next steps. For accountability, the ACNA requires each Diocese to have a minimum of two Reports Receivers. These two persons make up the Diocesan Response Team.
- If the Respondent is a layperson:

Notify the Bishop, the Chancellor, and the appropriate Rector.

Offer guidance and support to the Rector and Senior Warden.

Advise the Bishop and the Chancellor of the outcome of the inquiry or investigation.

- If the Respondent is a clergyperson:
    - Notify the Bishop and the Chancellor.
    - If the Respondent is the Rector of a church, notify the Senior Warden. If the Respondent is not the Rector, notify the Rector.
    - Collaborate with the appropriate state authorities, as applicable.
    - Evaluate the report in a timely manner as to whether the report discloses reasonable grounds to believe an offense under Title IV of the diocesan canons has been committed. Write an initial inquiry report with a recommendation to the Bishop.
    - Document all aspects of any inquiry or investigation and securely file the records.
    - If the Respondent is a Bishop, submit an allegation in writing to the Province via email at misconduct@anglicanchurch.net.

**Responsibilities of the Bishop:**
When the Respondent is a layperson, the Bishop may request periodic updates of the investigation being conducted and subsequent actions taken at the local church level.

When the Respondent is a clergyperson:

- The Bishop holds both pastoral and disciplinary responsibilities. When addressing allegations of misconduct/abuse by a person or persons within the church, the Bishop should carefully avoid being the person to provide pastoral care to either the Complainant or the Respondent.
- Upon receiving an initial inquiry from the Diocesan Reports Receiver, and in consultation with the Chancellor, determine whether a formal investigation should be made into any potential offenses under Title IV of the ACNA Canons.
    - Prior to a decision, all parties involved may be invited to provide responses to the inquiry report (including Complainant, guardian, and/or Respondent). This invitation may be declined.
    - The alleged clergy offender may be inhibited by the Bishop under the provincial canons until such time as the allegations of misconduct/abuse are resolved. This inhibition is without prejudice (i.e., does not imply guilt or innocence of the person under investigation).
- If the Bishop determines that the report of abuse or neglect should move to an investigative stage:
    - The Diocesan Response Team should investigate the complaint and provide a written report to the Bishop and Chancellor.
    - If enough evidence is found that a canonical offense has been committed, a third-party investigation may be warranted.
- Upon completion of the investigation, the Bishop, in consultation with the Chancellor and Chair of the Standing Committee, may take whatever action he deems appropriate, including removal, mediation, and/or reconciliation, or the use of a Godly Admonition.
- The Diocese shall facilitate provision of pastoral care for those making reports that are advanced for investigation or trial, as well as for clergy who are the subjects of such reports.

Canonical procedures will be employed according to the Constitution and Canons of the Diocese and those of the Province.

## Other Considerations

### Internal Church Communication and Reporting

Clergy, staff members, and volunteers shall report promptly to the appropriate ministry leader, supervisor, or Rector whenever the clergy, staff member, or volunteer:

- is involved in or becomes aware of any sexually oriented communications involving a child connected with the church.
- is involved in or becomes aware of any inappropriate behavior involving a child by a clergyperson, a staff member, or a volunteer.
- is arrested for, or convicted of, any crime involving child abuse and/or neglect; is charged with child sexual abuse in a civil proceeding; commits an act of child sexual abuse; or (except as otherwise prohibited or limited by applicable laws and regulations) is diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association.

- becomes aware that a member of their household has been arrested for, or convicted of, any crime involving child abuse and/or neglect; been charged with child sexual abuse in a civil proceeding; committed an act of child sexual abuse; or (except as otherwise prohibited or limited by applicable laws and regulations) been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association.
- becomes aware that a person who is attending the church has been arrested for, or convicted of, any crime involving child abuse and/or neglect; has been charged with child sexual abuse in a civil proceeding; has committed an act of child sexual abuse; or (except as otherwise prohibited or limited by applicable laws and regulations) has been diagnosed with any paraphiliac psychological condition, as defined by the American Psychiatric Association.

Such information is important to enable church leaders to see that appropriate child protection mechanisms are in place in accordance with this policy while handling this information in a responsible and confidential manner.

- Churches shall also adopt a policy regarding registered sex offenders in the congregation. See the "Safeguarding Resources" section of the diocesan website for a sample.

### Media Requests and Release of Information

Carefully consider any release of information.

1. Identify a single person to respond to all inquiries (media or otherwise), such as a specially trained management person.
2. Instruct all other workers politely to direct all inquiries to that person.
3. Use an approved, prepared statement to answer media inquiries and to convey news to members of the church. Such a statement should be reviewed by the church's legal counsel.
4. Do not release any information until the church has solidly confirmed its factual content.
5. Safeguard the privacy and confidentiality of all involved by not releasing names or other identifying information, especially that concerning minors.

Maintain appropriate confidentiality of any allegations and of the investigation as much as possible. Maintaining appropriate confidentiality will serve these goals: (l) protect the privacy and reputations of those actually or allegedly involved in the incident; (2) reduce the risk that defamation may occur; and (3) help preserve the attorney-client privilege, where otherwise applicable.

- Emphasize the importance of maintaining the confidentiality of the investigation to each person who is interviewed.
- Instruct them not to disclose any information regarding the allegations or the investigation to anyone other than law enforcement or child protective authorities.
- Reach out to and care for any other potential victims. One of your church's primary missions is sharing the love of God with all people, especially the vulnerable and victimized. Offer whatever pastoral care and other help are appropriate and available to the Complainant and their family.

While disciplinary and ecclesiastical processes are underway, since the Respondent has not been formally charged, be sure to treat him or her with dignity and care.

- Bring closure to the investigation.
- If the Respondent is eventually convicted, then discipline or dismissal is generally appropriate.
- Counseling may also be appropriate.

- If charges are unsubstantiated, the decision about whether to restore the Respondent to full employment or volunteer service may depend on a number of circumstantial factors. Consult the Bishop and legal counsel for guidance.
- All personnel actions shall be well documented in writing and kept in confidential files. Attorney-client privileged material should never be disclosed without first consulting your attorney.

It is essential that each church respond to a report or instance of abuse in a manner that promotes healing for the Complainant, the Respondent, and the loved ones of both parties, as well as healing in the local church and community.

## DEVELOPING A GUIDANCE DOCUMENT FOR INVESTIGATIONS

As the Safeguarding Committee has worked with the Bishop to revise and expand the Protection of Children and Adults Policy, the corollary need for more guidelines/explanation of the process of investigations has come to the fore. The Protection Policy ends when a report is made and therefore does not cover in substance the steps beyond, especially investigations and congregational aftercare. Since this section is beyond the mandate we were given last Fall, and we felt it would need significant input from the Bishop and authorities beyond ourselves, we have included only an outline of needs we as a Committee have identified while doing our work on the Protection Policy.

**Rationale for this document**

- Churches being asked to conduct investigations of laypeople may have no experience how to go about that. There is little standard guidance for churches facing this extremity.
- Among those outside of canonical experts, there is a great deal of ignorance or confusion regarding the process of ecclesiastical investigations.
- There is a lack of understanding about the difference between an investigation conducted by a child protective services agency and an ecclesiastical one conducted by the Diocese. This document would focus on the latter.
- There is a lack of clarity about how to respond to accused individuals after an investigation, especially if the charges are unfounded/unsubstantiated.
- Ecclesiastical investigations place heavy stress on congregational life. There is some, but not necessarily sufficient, guidance for caring for congregations both during and after an investigation.
- While we would all hope that investigations would be infrequent enough to not need such a document, the past decade in the ACNA has not borne this wish out. It is better to prepare and not need it than to need it and not have it.

**Preliminary Outline of Proposed Content Based on Current Known Needs**

**I. Guidance for how Rectors should do investigations of complaints against laypeople**

A. Best practices
B. Basic norms
C. How, what, and when to communicate to the congregation

**II. What an ecclesiastical investigation is**

A. Outline of the procedure for an investigation initiated at the diocesan level
   1. Source of the procedure: What the canons say
   2. Translation and simplification of canonical language for everyday use
B. Steps and timeline that a church undergoing an investigation can expect
C. Use of a third-party investigating firm

**III. The church during an investigation**

A. Congregants relating to suspended clergy, or those who have been moved to a different position
   1. Can they talk to them? Etc.
B. Guidelines for handling concerns related to the person accused
   1. When to suspend, when to move to another ministry capacity
   2. Should pay be suspended? If so, should it be put into escrow in case it needs to be paid later?
C. How, what, and when to communicate to the congregation
D. Care during an investigation
   1. Congregational meetings

**IV. Aftercare and healing for the congregation**

A. The 2019 DOMA policy regarding protection of children has some information on this but it seems insufficient

**V. Aftercare and healing for the individual who was investigated**

A. Standards if the charges are sustained
B. Standards if the charges are not sustained
   1. Can they return to their job and what would that be like?
   2. If their pay was suspended, should it be paid?

**Development Idea and Timeline**

The revised Protection Policy is going to need time and attention to teach and implement. A suggestion for a way forward to address both that need and this one:

- After the approval of the Policy for the Protection of Children and Adults, reconfigure the Safeguarding Committee subcommittees.
- Some will need to focus on training and implementation of the Protection Policy.
- Other interested members could form a subcommittee to begin working on this document with the Bishop.

## Safeguarding Resources

Additional resources and contact information referenced in this policy can be found on the Safeguarding Resources page on the diocesan safeguarding website:

- Sample Supervisory Plan
- Sample Screening Statement
- Sample Form for the Report of Suspected Child Abuse
- A list of the reporting telephone numbers for each state in the Diocese
- A sample form to help the reporter collect information from the conversation to make a report
- Sample policy regarding registered sex offenders in the congregation

### Diocesan Website URL's:

Safeguarding Website: anglicandoma.org/safeguarding

Safeguarding Resources: anglicandoma.org/safeguarding-resources

Misconduct Reporting Portal: anglicandoma.org/report-misconduct

**Compromised Adult Abuse Reporting Virginia Law.**

**§ 63.2-1606. Protection of aged or incapacitated adults; mandated and voluntary reporting.**

A. Matters giving reason to suspect the abuse, neglect or exploitation of adults shall be reported immediately upon the reporting person's determination that there is such reason to suspect. Medical facilities inspectors of the Department of Health are exempt from reporting suspected abuse immediately while conducting federal inspection surveys in accordance with § 1864 of Title XVIII and Title XIX of the Social Security Act, as amended, of certified nursing facilities as defined in § 32.1-123. Reports shall be made to the local department or the adult protective services hotline in accordance with requirements of this section by the following persons acting in their professional capacity:

1. Any person licensed, certified, or registered by health regulatory boards listed in § 54.1-2503, with the exception of persons licensed by the Board of Veterinary Medicine;

2. Any mental health services provider as defined in § 54.1-2400.1;

3. Any emergency medical services provider certified by the Board of Health pursuant to § 32.1-111.5, unless such provider immediately reports the suspected abuse, neglect or exploitation directly to the attending physician at the hospital to which the adult is transported, who shall make such report forthwith;

4. Any guardian or conservator of an adult;

5. Any person employed by or contracted with a public or private agency or facility and working with adults in an administrative, supportive or direct care capacity;

6. Any person providing full, intermittent or occasional care to an adult for compensation, including, but not limited to, companion, chore, homemaker, and personal care workers;

7. Any law-enforcement officer; and

8. Any person who engages in the practice of behavior analysis, as defined in § 54.1-2900.

703-324-7450

888-832-3858

Report of Alleged Abuse or Misconduct

Date of report _____

Time & Location of disclosure_____

Names, titles & contact information for all those receiving the disclosure _____

_____

_____

Contact information of person making the complaint & relationship to church _____

_____

If they are reporting for a child, their relationship with the child _____

Child's name & address _____

Names of persons responsible for their care_____

If known, names of **others** living in the minor's home, especially other children

_____

Child's age, sex, and race _____

Name of the school the minor attends if known _____

Date(s), time(s), location(s) of the misconduct or abusive behavior. When did it start?

_____

_____

Other facts related to the disclosure, including visible injuries, witnesses, others who may have heard the complaint who are not present at the moment?_____

_____

_____

The name and address of the alleged abuser (if known), and their relationship to the minor, if known _____

_____

Are there any other suspected victims of abuse? _____

_____

**Actions Taken**

Was a parent or guardian contacted? Details including who, when, how

_____

Was CPS called? Police? _____

Have the rector & diocese been contacted? Who else has been contacted?

_____