

---

# Called <sup>to</sup> **Right** ***Relationship***

*Policies, Standards and Resources  
for Ensuring that Our Congregations  
are Safe Places for All God's People*

***The Episcopal Diocese of California***

*The Rt. Rev. Marc Andrus, Bishop*

*September 2008*

For policy updates see [www.diocal.org](http://www.diocal.org)







# Letter from the Bishop

## *To the Clergy and People of the Diocese of California –*

**G**reetings in Christ. The Episcopal Church has been working with heart and mind for over twenty years to produce a coherent, fair, transparent, and useable set of policies that promote a healthy and safe environment for all in our Church. This is our commitment to God and to each other, and one significant manifestation of the Beloved Community.

As Christians we strive, both individually and communally, to live the right relationship with God into which we are continually called. Through Holy Baptism we share a common life of faith, a life of service and servanthood, a life rooted in love and faithfulness. We promise at every baptism to strive for justice and peace among all people and to

respect the dignity of every human being. As we celebrate the Holy Eucharist, we seek healing and wholeness for our broken world and for the brokenness in our communities and in ourselves.

*Called to Right Relationship* is a collection of the policies and procedures designed to support the people and congregations of the Diocese of California in this calling. These procedures have been developed in concert with policies adopted at the Episcopal Church-wide level, and at the same time build on the best practices of other dioceses while being adapted to our local context. I commend them to you as a living document to be read, marked and utilized in each congregation of the Diocese.

*Sincerely,*

Mark Handley Andrus

---

© 2008 The Episcopal Diocese of California. [www.diocal.org](http://www.diocal.org)

### **Credits:**

St. Paul's Episcopal Church, Burlingame  
Janie T. Stevens — Episcopal Diocese of Texas  
Sierra Pacific Synod of the ELCA — statement of policy  
Episcopal Diocese of Connecticut  
Kibbie Ruth — Kyros Ministry (<http://kyros.org>)  
Joanne Chadwick — Diocesan Consultant  
Christianity Today International ([www.leadershipjournal.net](http://www.leadershipjournal.net))  
National Center on Elder Abuse ([www.ncea.aoa.gov](http://www.ncea.aoa.gov))

The Sexual Ethics Task Force of the Diocese of California was called to draft a policy by the 142nd Diocesan Convention, October 18 and 19, 1991. Their work was completed with final approval in October 1993.

Current taskforce that produced *Called to Right Relationship* — The Rev. Canon Michael Barlowe, Mr. James Forsyth, Ms. Julia McCray-Goldsmith, Ms. Susan Peek, Ms. Joanne Chadwick, and the Rev. Stacey Grossman, convener.

Editing, design and layout by Sarah C. Jones ([sarahcjones@mindspring.com](mailto:sarahcjones@mindspring.com))  
Text set in Adobe Jenson Pro 11/12. Display type set in Poppl–Laudatio.

# Preface

## *About these policies*

**T**his document — *Called to Right Relationship* — is a statement of general expectations of behavior in the Episcopal Diocese of California for all people, including clergy, lay employees, and volunteers when engaged in church activities. The guidelines are meant to encourage and inform all members of the Diocese. The policies contained herein are mandated for all such activities involving the Episcopal Church in the Diocese of California, the congregations or missions of the Episcopal Diocese of California.

The purpose of these policies is the fostering of the highest standards of ethical behavior, and this document includes resources for —

- standards of conduct;
- prevention of sexual misconduct;
- procedures in the case of suspected violation;
- protection of youth and children; and
- protection of elders and dependent adults.

## *Use of these policies*

Each congregation or institution is required to maintain a current copy of this policy in a place accessible to all people. In addition, this policy may be found on the diocesan Web site.

Local entities may make additions in developing local policy so long as they do not conflict with the requirements of these policies. Any such additions must be submitted to the Bishop's office in writing for the approval of the Chancellor of the Diocese. Nothing contained herein may be omitted from a local policy, although a local policy may place higher standards than those contained herein. Please consult with the Chancellor of the Diocese.

No policy can foresee every possible circumstance to which it may be applied. Local leadership must understand these policies thoroughly enough to make appropriate judgments about local circumstances. If this cannot be done, the local entity should contact the Bishop's office for consultation.

## *Scope and limitations of these policies*

This policy is intended solely for the internal use of the Diocese in performing its functions as a religious body. It is not a contract, agreement, promise, or undertaking by the Diocese to do or refrain from doing anything. It is not intended that the policy described in the statement be imposed as rigid law, binding the Diocese or others; rather, the policy must be interpreted and applied compassionately in accordance with the theological and biblical principles of the Gospel. Any actions or decisions by the Diocese in connection with the policy are to be undertaken in the Diocese's sole discretion, in accordance with the theology and ecclesiology of the Episcopal Church, and in the exercise of the Diocese's constitutional rights as a religious body.

# Table of contents

## LETTER FROM THE BISHOP 2

### PREFACE 3

- About these policies ● Use of these policies ●
- Scope and limitations of these policies 3

### TABLE OF CONTENTS 4

1

### Theological and ethical foundations 5

- Creation ● Incarnation ● Community ●
- Authority ● Imbalance of power 5
- Integrity and intimacy ● Violation and justice 6

2

### Standards of conduct for clergy and lay leaders 7

- Introduction ● The standards 7
- Elaboration of the standards 8

3

### Policy regarding clergy sexual misconduct 13

- Assumptions and concerns 13
- Policy goals and diocesan roles 14
- Complaint procedure in the Diocese of California 14
  - Diagram – Options for a Potential Complainant 15
- Initiating a complaint to the Bishop (or Coordinator designee) 16
  - Glossary – Parties who may be involved in a complaint to the Bishop (or Coordinator designee) 16
- Disclosure 18
- Confidentiality agreements ● When a Respondent is exonerated ● Complaint procedure against the Bishop 19

4

### Policy regarding sexual misconduct by a lay leader 20

5

### Policy for the protection of children and youth 21

- Screening and selection for ministry with children and youth 21
  - Application and screening ●
  - Reference verification and background checking 21
- Education and training 21
  - Level One training: on-site contact with children and youth ● Level Two training: program leadership for children and youth 21
  - Managing congregational expectations 22
- Programs and interactions with children and youth 22
  - Safe ministry practices ●
  - Safe space ● Off-site programming 22
- Guidelines for off-site programs and interactions with children and youth 22
  - Approvals ● Registration and medical release forms ● First Aid and medications ● Supervision ● Pastoral counseling ● Basic needs 23

- Accommodations ● Transportation ●
- Discrimination ● Violence 24

Behavioral standards for adults in ministry with children or youth 24

Exhortations 24

Prohibitions 25

Responding to concerns ● Compliance 25

6

### Policy for the protection of elders and dependent adults 26

Behavioral standards for those in ministry with elders and dependent adults 26

Rights of elders and dependent adults ●

Responding to concerns ● Compliance 27

## Appendices

### TABLE OF APPENDICES 28

#### Definitions 29

A

#### Tip sheets, forms and sample documents 30

B

- Congregational Safe Church Self-Audit 30
- Volunteer Application form 32
- Guidelines for interviewing volunteers 38
- Recommendations for background checking and training 39
- Sample reference check script 40
- Incident Report form 41
- Sample incident reporting form 42
- Confidential Notice of Concern 43
- Field Trip Permission form 44
- Volunteer Driver Information form 45
- Medical/Image Release form 46

#### Pertinent documents referenced 47

C

- Resource on Mandated Reporting in California – Children 48
- Ten Rules for Respect: One Way to Build Trust 49
- Calif. AB 255: the Elder Abuse and Dependent Adult Civil Protection Act 50
- A Citizen's Guide to Preventing & Reporting Elder Abuse 51
- Resolution B008 of the 2003 General Convention 52
- Bishops' Pastoral letter – a 2003 General Convention Resolution 54

#### Contact information 56

D

# Theological and ethical foundations

**S**tandards of behavior for the Church demand the radical overturning of a culture of secrecy in order that the truth be told and heard. The Church must not collude with the silencing of the voices of the offended.

Any discussion of ethics for the Church must assume the prior priestly vocation of the community, which in turn assumes the holiness of human relations and their place in a holy creation.

## Creation

God's Word transformed chaos, ordering and shaping the boundaries and distinctions of the cosmos, and creating humanity in the image of the Divine Freedom.

Therefore, by this act of creation, we are covenanted to a special accounting of all God has made, a priestly stewardship we are to carry out in intimate partnership with God.

To be human is to live with God and the whole of creation in the fullness of freedom, and the challenge of responsibility. When we misuse our freedom, we mar God's image in ourselves, rendering ourselves less than human. When we fail to live into the challenge of responsibility, we fall short of the fullness of life to which God continually calls us.

## Incarnation

God expressed the fullness of humanity in Jesus of Nazareth, whom we worship as the Word made flesh. The pattern of Jesus' life, death, and resurrection resonates unreservedly with God's call to perfect freedom and responsibility.

"And the Word became flesh and lived among us, and we have seen his glory, the glory as of a father's only son, full of grace and truth." — **John 1:14** (NRSV)

## Community

By freedom and loving responsibility Jesus shaped and nurtured a community in the pattern and power of life.

In baptism God, speaking through the Church, claims us in Christ. We become in Christ the community of God's final purpose: justice and peace, love and plenty for the whole creation.

This new community lives in Eucharistic fellowship with God and Creation, as a sign and instrument of God's purpose in the world.

For this dignity and priestly calling the whole people of God are competent, accountable, and responsible and are called to be living reminders of this pattern of the human vocation.

## Authority

The mission and ministry of the whole Church is to proclaim and anticipate the reign of God. The Church is called to minister in and to the world, and such ministry is the vocation of the whole community.

In baptism, laypersons, bishops, priests, and deacons share the ministry to "represent Christ and the Church. Since the ministry is Christ's, there are no fixed territories. However, Episcopal teaching understands the four orders to represent Christ in different ways: lay persons in their daily life and work; bishops as apostles, chief priests, and pastors of Dioceses; priests as pastors to the people; deacons as servants to those in need, bridging church and world.

Each order carries its own responsibilities. In particular, bishops, priests, and deacons are entrusted with and accept authority to speak and act on the Church's behalf in the name of God.

Christian ethics — the obligation to seek and serve Christ in all persons and to respect the dignity of every human being — remain binding for all the baptized. Through ordination, therefore, a covenantal relationship of trust is established between ordained persons and the Church as a whole, its communities, and its individual members.

## Imbalance of power

The authority with which the clergy are entrusted creates an inherent power imbalance in the pastoral relationship. This power imbalance derives from the leadership role and symbolic authority of any ordained person. It is intended to provide occasions for grace. However, its manipulation and abuse is always and unequivocally wrong.

## *Integrity and intimacy*

The pastoral relationship involves a necessary tension between a Gospel-based integrity and a Gospel-based intimacy as modeled by the life of Christ. A rigid adherence to a system of law leads to an unproductive legalism. On the other hand, without the framework of the law, the intimate relationships into which Christ calls us run the risk of losing integrity.

All the people of God are called to live and struggle in this pattern of tension.

The ordained, by virtue of their special trust, are called into account to maintain the integrity of such relationships.

## *Violation and justice*

When a church leader violates the sacred trust and covenant of the community, it is the responsibility of the whole Church to provide support, advocacy, and protection for victims and potential victims; to investigate and adjudicate allegations fairly and thoroughly; and to demand redress, restitution, and amendment of life from offenders.

The Diocese of California is committed to justice.

# Standards of conduct for clergy and lay leaders

## Introduction

The relationship of cleric and parishioner can be a powerful relationship in the lives of both, and can be integral to a parishioner's faith journey. A parishioner puts his or her trust in a cleric. In this relationship of trust, the cleric has a professional and moral responsibility to put the interest of the other person above his or her own needs. This relationship can become complex, and in some cases seriously impaired. It is the cleric's responsibility to maintain the integrity of this relationship.

Lay ministers may be engaged in ministry by serving as elected parish leaders, by serving in leadership roles in worship (chalice bearer, lector, etc.) or by serving in other ministries offered through the Church. All lay ministers are expected to respect the dignity of others. Many of the guidelines offered below for ordained ministry apply to lay ministry as well. For example, lay ministers are expected to maintain appropriate confidentiality, boundaries, and self-care.

Lay leaders<sup>1</sup> likewise have a responsibility to hold themselves to the highest standards of conduct when serving the people of God as leaders in congregations and in the Diocese. As the Diocese of California becomes the Beloved Community, the living out of our baptismal promises, and the sharing of episcopate, priesthood, and diaconate, become sacramental signs of our call to right relationship with God and with one another.

## The standards

The Diocese offers the following standards of conduct to assist and support all members of the Diocese in maintaining the integrity of relationships in which they offer ministry. It is expected that all ordained clergy and lay leaders in the Diocese will be familiar with and will seek to follow these guidelines. These guidelines do not include all diocesan policies or contingencies. An attempt has been made to refer to additional diocesan policies where appropriate.

Clergy and lay leaders are welcome to contact the Bishop and/or members of the Bishop's staff as they

seek to follow these guidelines, particularly if they are encountering struggles in so doing.

*Clergy and lay leaders in the Diocese of California are expected to:*

1. treat themselves with dignity and respect by taking good care of themselves;
2. comply with diocesan policies, including **Behavioral Standards for Adults in Ministry with Children or Youth** (found in **Section 5**);
3. comply with diocesan policies, including **Behavioral Standards for Those in Ministry with Elders and Dependent Adults** (found in **Section 6**);
4. avoid dual relationships and be aware of their consequences;
5. accept only token gifts from parishioners and others to whom you minister;
6. decline to accept loans of any kind from parishioners and others to whom you minister;
7. decline to agree to be named as a beneficiary or to act as an administrator or executor in a parishioner's will or that of anyone to whom you minister;
8. maintain confidentiality of information shared in the pastoral relationship;
9. comply with legally mandated reporting requirements regarding the suspected abuse and/or neglect of children and youth, the elderly, and vulnerable adults;
10. refer instances of mental health issues and substance abuse issues to licensed, insured and certified health care providers;
11. comply with the responsibilities of being an employer;
12. comply with financial practices as set forth by the Diocese of California and the Episcopal Church;
13. bring resolution to relationships with parishioners when ordained ministry at a parish ends; and
14. foster collegiality and accountability by participating in diocesan leadership opportunities, and encourage the people to whom you minister to do likewise.

<sup>1</sup> A lay leader, for purposes of this document, is defined as an elected or appointed lay person (whether paid or volunteer) with leadership responsibilities in the church, when engaged in church activities.

## Elaboration of the standards

An elaboration of each of these fourteen standards follows. If questions arise, clergy and lay leaders should contact the Bishop or member of the Bishop's staff for clarification and counsel.

### 1. Treat themselves with dignity and respect by taking good care of themselves

This includes, but is not limited to, the following:

- a. **Self-care:** Regular and consistent incorporation of wellness and self-care practices in their life. The **Wellness Commission of the Diocese** provides comprehensive resources in this area. The Commission can be found at [www.diocal.org](http://www.diocal.org).
- b. **Accountability:** Clergy and lay leaders are strongly encouraged to have groups and individuals to whom they are accountable, with whom they confer as a matter of ordinary course (e.g., colleague support groups, spiritual directors, psychotherapists, supervision). For new clergy and for clergy in transition to new calls, the Diocese offers **Fresh Start** groups. Diocesan staff is available for consultation on how to form other cohorts.
- c. **Boundaries:** Setting appropriate limits with parishioners as to when they are available, and boundaries in the relationship. If a parishioner violates boundaries by going beyond what is appropriate in the clergy-parishioner relationship (e.g., seeking to romanticize the relationship, demanding inordinate amounts of attention, seeking to meet with you alone, sending you too many and/or inappropriate e-mail or text messages, or does anything that makes you feel uncomfortable or unsafe), firmly and clearly communicate what behavior is acceptable and what is not.

Some parishioners do not change their behavior in spite of a clergy person's efforts to explain why change is needed. In such cases, clergy are welcome to seek consultation by contacting the Bishop or a member of the Bishop's staff.

- d. **Conflict-resolution:** Addressing conflicts that may arise between an ordained minister and a parishioner, or a group of parishioners, or lay leaders, in healthy ways. **Appendix C** includes a helpful article — called **Ten Rules for Respect** — which the Diocese urges you to read, learn, mark, and inwardly digest.

Addressing conflicts includes seeking to maintain appropriate boundaries in relationships, communicating clearly and directly to those with whom you are in conflict, seeking nurture and support for yourself outside the congregation, and possibly seeking assistance from someone trained in conflict resolution. If you are struggling with conflict in your congregation or ministry, you may seek consultation by contacting the Bishop or a member of the Bishop's staff.

### 2. Comply with diocesan policies and behavior standards regarding ministry with children and youth

In the state of California, clergy are mandated reporters for abuse of children and youth.

There is a comprehensive diocesan policy regarding ministry with children and youth (**Policy for the Protection of Children and Youth**). This policy can be found in **Section 5**. It sets forth behavioral standards for all adults engaged in ministry with children and youth throughout the Diocese. This policy also sets standards for screening and selecting staff and volunteers who work with children and youth, monitoring programs for children and youth, and responding to concerns. The policy also sets out in detail the behavioral standards for youth and adults participating in diocesan sponsored youth events.

Ultimately, ordained leadership in each congregation is responsible for compliance with this policy within the congregation. This policy is available on the diocesan Web site at [www.diocal.org](http://www.diocal.org).

While behavior standards are outlined in the policy, the Diocese cannot emphasize strongly enough that it requires its ordained and lay ministers to adhere to a high standard of conduct. The behavior standards applicable to all adults, ordained and lay, for ministry with children and youth are as follows:

*Neither ordained nor lay ministers shall:*

- a. provide children or youth with illegal drugs, pornography, or non-sacramental alcohol;
- b. consume non-sacramental alcohol or illegal drugs, or misuse legal drugs at any children's or youth event;
- c. be under the influence of alcohol, illegal drugs or misused legal drugs at any children's or youth event,
- d. engage in illegal behavior or permit other adults or children or youth to engage in illegal behavior,
- e. engage in any sexual, romantic, illicit or secretive relationships or conduct with any child or youth; or
- f. discuss their own sexual activities or fantasies with children or youth.

### **3. Comply with diocesan policies and behavior standards regarding ministry with elders and dependent adults**

In the state of California, clergy are mandated reporters for abuse of elders and dependent adults.

There is a diocesan policy regarding ministry with elders and dependent adults (**Policy for the Protection of Elders and Dependent Adults**). This policy can be found in **Section 6** of this publication. It sets forth behavioral standards for all adults engaged in ministries with elders and dependent adults throughout the Diocese. This policy also sets guidelines for responding to concerns.

The behavior standards applicable to all adults, ordained and lay, for ministry with elders and dependent adults are as follows:

- a. Focus on ministry that maximizes the vulnerable adult's independence and choice to the extent possible based on the adult's capacity.
- b. Use family and informal support systems first as long as this is in the best interest of the adult.
- c. Maintain clear and appropriate professional boundaries.
- d. Do no harm. Inadequate or inappropriate ministry may be worse than no ministry.

In our church communities, we encounter a wide range of elders and dependent adults who require an extra measure of attention from clergy and lay leaders. Broadly, elder abuse includes physical and emotional abuse, financial abuse, and abuse in long-term care facilities. The Diocese ascribes to the guidelines put forth by the California Attorney General's office in its pamphlet entitled **Citizen's Guide to Preventing and Reporting Elder Abuse** (referenced in **Appendix C**).

### **4. Avoid dual relationships and be aware of their consequences**

Dual relationships in a church setting occur when clergy attempt to relate to a person on two levels at the same time. This can happen when clergy attempt to relate to an individual both personally and professionally (*i.e.*, as cleric and parishioner, and at the same time in some other role such as supervisor and parish employee.) Dual relationships diminish the effectiveness of ministry.

*To avoid dual relationships:*

- a. Discourage hiring parishioners to serve in paid staff positions. If such an arrangement is unavoidable, the clerics and lay leaders should understand the risk to all relationships involved and take steps to mitigate the risk. The employment decision must be ratified by the Vestry or Bishop's Committee, there must be clear guidelines for separation spelled out in the letter of agreement, and alternate arrangements must be made for pastoral support of the employee.
- b. Discourage clergy spouse, partner or family member to serve on parish staff as a lay employee, or as a parish officer or vestry member in the congregation where the related clergy person serves.
- c. Avoid intimate personal relationships with parishioners and others to whom you minister.
- d. Do not sexualize any relationship with parishioners or others to whom you minister.
- e. Develop personal relationships with people outside of the congregation to whom you do not offer ministry.

- f. Cultivate good habits of mind. It is necessary to cultivate certain habits of mind that help prevent the misuse or abuse of clerical privilege and authority.

*These habits include the following practices.*

- i. **Self-questioning:** Am I conscious of my role as an ordained person in this situation?
- ii. **Recognizing danger signals:**
  - a. rationalizations, such as finding excuses for pushing back the usual boundaries; this may be encapsulated in the rationalization: “People put this burden of perfection on me, but I’m only human;”
  - b. the need to be needed—getting a personal thrill from pastoral functions; or
  - c. failure to attend to any obsessive attachment to a pattern of fantasy (sexual, financial, self-aggrandizing, etc.).
- iii. **Cultivating the consciousness of possible problem situations** in which your own history may make you particularly vulnerable.
- iv. **Cultivating a framework of containment:** appropriate behavior, including physical, emotional, advisory: finding a stopping place.
- v. **Aiming for the perspective** that while both cleric and the protected person are engaged in the “good work” of responsible Christian living, it is nevertheless the cleric’s role that puts the burden of responsibility on him or her — particularly with regard to maintaining boundaries.

**5. Accept only token gifts from parishioners and others to whom you minister**

Be cautious of the ramifications of accepting major gifts.

**6. Decline to accept loans of any kind from parishioners and others to whom you minister**

**7. Decline to agree to be named as a beneficiary or to act as an administrator or executor in a parishioner’s will or that of anyone to whom you minister**

**8. Maintain confidentiality of information shared in the pastoral relationship. In plain language, this means that clergy and lay leaders will not tell other people personal information a parishioner shares, unless that parishioner gives permission**

Our goal is to uphold the principle of pastoral confidentiality, which exists to serve the process of healing and reconciliation, and, in the case of sacramental confession, of repentance and amendment of life.

At the same time, there may be occasions when the person providing pastoral care may properly exercise discretion in violating such confidentiality when there is grave danger of harm to the person being offered pastoral care, or to another person.

We wish to alert clergy in particular to the need to seek wise counsel to help them deal with the competing moral claims, the potential conflicts between ordination vows and the laws of the state, and possible legal ambiguities that arise when they become aware of the possibility of physical or sexual abuse of minors, or where there is grave danger of harm to the protected person or to another person. Within this context and in relation to sacramental confession, we cite the **Book of Common Prayer**, which mandates that confidentiality is “morally absolute for the confessor, and must under no circumstances be broken” (BCP, p. 446). This mandate is supported by the **Clergy–Penitent Privilege in California Evidence Code Section 1034**, which defines a penitential communication as

... a communication made in confidence, in the presence of no third person so far as the penitent is aware, to a clergyman who, in the course of the discipline or practice of his church, denomination or organization, is authorized or accustomed to hear such communications and, under the discipline or tenets of his church, denomination or organization, has a duty to keep such communications secret.

The fact that this state of California language refers solely to male clergy does not exclude female clergy from the same requirements.

At the same time, there may be occasions when the cleric involved may properly exercise discretion in violating such confidentiality when there is grave danger of harm to the protected person or to another person.

When clergy learn of abuse in the sacramental **Rite of Reconciliation**, where the obligation to confidentiality is morally absolute, they may well be advised to consider urging self-disclosure as part of the counsel that precedes absolution, and under certain circumstances even withholding absolution until such self-disclosure is accomplished as a sign of penance and radical amendment of life.

Clergy are urged to seek wise and informed counsel to help them work faithfully, legally, and with integrity in this important and difficult area.

### **9. Comply with legally mandated reporting requirements regarding the suspected abuse and/or neglect of children, the elderly and vulnerable adults**

In California, clergy are legally mandated reporters of suspected abuse and/or neglect of children and of elders and dependent adults. This is not a choice, but a legally enforceable responsibility. The Diocese requires its clergy to be familiar with state law, as follows. Questions or need for clarification should be directed to the Bishop's office.

The legal obligation of mandated reporting requires clergy to disclose information to the appropriate state agency in specific situations, except when the cleric learns the information within the bounds of the sacrament of confession.

*Effective January 1, 1997, AB3354 amends Section 11166 of the Penal Code by:*

- a. adding members of the clergy to the list of mandated reporters (“clergy member” means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized religious denomination or organization”);
- b. exempting knowledge or reasonable suspicion of child abuse acquired during a penitential communication from the mandate to report;
- c. defining a “penitential communication” as a “communication, intended to be in confidence, including, but not limited to, a sacramental confession, made to a clergy member who ... is authorized or accustomed to hear those communications, and under the discipline, tenets, customs or practices of his or her church (*sic*), denomination, or organization, has a duty to keep those communications secret”;
- d. specifying that “nothing in this subdivision shall be construed to modify or limit a clergy member’s duty to report known or suspected child abuse when he or she is acting in the capacity of a child care custodian, health practitioner, employee of a child protective agency, child visitation monitor, firefighter, animal control officer, humane society officer, or commercial film print processor”; and
- e. adding clergy members to the list of permissive child abuse reporters for mental or emotional abuse.

### **10. Refer issues of mental health, and substance and domestic abuse issues to licensed, insured or certified health providers**

The line between pastoral care and more specialized care can sometimes be blurry. Clergy are advised to develop their own list of referrals for mental health and substance abuse or domestic abuse problems, and to rely on these experts for support and referral. Clergy who are licensed or certified are not to treat anyone who is a member or attends a parish in which the cleric is serving.

In general, clergy should refrain from meeting with parishioners more than three times before referring them for specialized care. The exceptions to this guideline are spiritual direction, pre-marital counseling and general pastoral care, which clergy offer routinely both formally and informally in the course of their ministry. Please consult with a member of the Bishop's staff if you need clarity in making decisions to refer.

### **11. Comply with the responsibilities of being an employer**

Clerics in charge of paid staff, wardens, members of personnel committees and similar positions are expected to conduct personnel matters in fair, impartial and compassionate ways. This includes making decisions regarding hiring, supervision, record keeping, and termination, either for cause or due to financial restrictions. It also includes responding to

any and all allegations of misconduct by employees in a timely and appropriate manner. Information about the role of employer can be found in the [Diocesan Administrator's Manual](#) or online at [www.diocal.org](http://www.diocal.org).

## 12. Comply with financial practices as set forth by the Diocese of California and the Episcopal Church

This includes conducting an annual audit of all accounts, including clergy discretionary and special ministry funds, and ensuring that the financial systems within your congregation, such as money counters and those authorized to sign checks, are in accordance with the internal practices recommended by the Diocese and the Episcopal Church. (See the [Diocese of California Administrator's Manual](#) and the [Episcopal Church Manual of Business Methods in Church Affairs](#).)

**Discretionary funds:** discretionary funds are never to be used for personal gain or benefit; diocesan and parish guidelines must be strictly followed.

- a. Any money given to a cleric either must be reported as income (as prescribed by the IRS) or deposited in a discretionary fund. (If the congregation or other organization has a rule against gifts, this does not apply.)
- b. Any contribution or gift in excess of \$500.00 must be reported to the treasurer of the congregation or organization.

No cleric or lay leader should use his or her influence with members of the Church for personal financial gain, or engage in some enterprise which would derive benefit from his or her connection with the Church (e.g., selling the parish list).

## 13. Bring resolution to relationships with parishioners when ordained ministry at a parish ends

When it comes time to leave a parish, it is expected that clergy will bring resolution to relationships with all parishioners in a manner that is healthy for the cleric and the cleric's family, as well as for the congregation.

It is expected that once a cleric's service at a parish ends, he or she will no longer perform any clergy functions for any members of that congregation or others affiliated with the congregation, and will not worship at that parish. In addition, it is expected that the cleric will not communicate with former parishioners about matters involving the congregation, and will not meet with any members of the congregation for any reason during the interim period, and until new ordained leadership is fully integrated into the life of the congregation. It is customary and advisable to ask permission of the new ordained leadership if there is a question regarding this. For more information, consult [Leaving Well](#), available through the diocesan Deployment Office.

A special word for interims and for their congregations: it is common for an interim and congregation to "fall in love" with each other and to lose sight of the reason and the importance for a well-defined and limited interim period. It is expected that interim clergy adhere to the guidelines for leaving the congregation given by the [Interim Ministry Network](#) and to work with the congregation to facilitate a good leave-taking.

## 14. Participate in diocesan events

It is a diocesan expectation that clergy attend diocesan convention and other regular diocesan events such as [Clergy Days](#) and [Clergy Conferences](#). New clergy and clergy in transition are required to attend [Fresh Start](#) groups provided by the Diocese. Participation in ordinations and celebrations of new ministry are strongly encouraged.

**T**he Diocese of California is committed to preventing sexual misconduct within the Church and to responding with justice and compassion when such misconduct occurs. The Diocese recognizes that responding to allegations of sexual misconduct requires determination, sensitivity, flexibility and respect for all persons affected, including the Complainant, the clergy person, their families and friends, the congregation, the Diocese and the whole church.

This policy is intended to provide guidance in dealing with these cases while preserving the Diocese's discretion to treat each person and each case in accordance with the Diocese's understanding of the differing facts, circumstances and needs of those affected.

For clarity, this policy shall hereinafter refer to the person reporting knowledge or suspicion of sexual misconduct as "the Complainant" and the Respondent being named as "the Respondent."

## Assumptions and concerns

*Primary concerns and assumptions underlying this policy include the following:*

1. that all persons involved in the life of the Episcopal Diocese of California agree and understand that sexual misconduct by clergy will not be tolerated and that allegations of sexual misconduct should be taken seriously;
2. that in affirming the holiness of a diverse spectrum of sexual identities and orientations, this Diocese values, supports, and needs the ministries of lesbian, gay, transgender and bisexual people, heterosexual people, and people living celibate lives, both ordained and lay;
3. that clergy sexual misconduct is first and foremost an abuse of power, the exploitation of a person with whom the cleric has a ministerial, teaching, or supervisory relationship, and who, therefore, is particularly vulnerable to conduct by the cleric that causes or allows such person to engage in sexual behavior with the cleric;

(In the name of God, through ordination, clergy are vested by the Church with the power of their office. It is a complex power exercised in the roles of teacher, counselor, administrator, employer, and above all, in the special role of sacramental minister. Clergy hold that power as a sacred trust.);

4. that the standards to which this Diocese holds its people, and with particular emphasis its clergy, are the same regardless of one's identity and orientation;
5. that this policy and procedure be widely explained and understood, providing easy and confidential access to anyone desiring to learn about the problem of clergy sexual misconduct, or to discuss issues relating to clergy sexual misconduct, or to make a complaint of clergy sexual misconduct;
6. that justice be done with due process, in compliance with the **Canons of the Episcopal Church** and of the Episcopal Diocese of California, with compassion and with the goals of justice-making and healing for all involved, including the Complainant, the Respondent, and all other affected persons;
7. that the notification and involvement of affected congregations, missions and organizations of the Diocese in this procedure be addressed in ways that reflect their moral and legal roles and responsibilities in the ministry of the Church, and that do everything possible to promote their healing and trust in the Diocese; and
8. that laity and clergy of the Diocese knowledgeable about the problem of clergy sexual misconduct and this procedure will play important roles in the implementation of this procedure. These rules include: a coordinator for the diocesan response to allegations of clergy sexual misconduct; pastoral partners for both the Complainant and the Respondent; members of a team to promote healing in the congregation, mission, or organization; counselors or therapists to assist in the rehabilitation of proven offenders; and others in roles described in **Title IV, the disciplinary canons of the Constitution and Canons of the Episcopal Church**.

## Policy goals and diocesan roles

*Goals of this policy include the following:*

1. to make the congregations, missions, and organizations of the Diocese safe places for all persons;
2. to clarify the boundaries of permissible clergy sexual behavior and the consequences of clergy sexual misconduct;
3. to deter future clergy sexual misconduct, and to promote the discussion and practice of clergy wellness;
4. to provide a rational and fair procedure consistent with **Title IV of the Canons of the Episcopal Church**, which will be of benefit to Complainants, Respondents, and all affected persons by complying with due process, and by protecting the rights and working to effect the healing of all persons involved;
5. to promote discussion of clergy sexual health so that the effect of this procedure will be constructive as well as disciplinary; and
6. to further live into the full inclusion of all people in the life of the Church, and to encourage the people of the Diocese to continue their conversation and commitment to this work.

### The role of the Bishop

The Bishop, as chief pastor, is responsible for providing pastoral care and leadership to the congregations and clergy of the Diocese. Reports and allegations of sexual misconduct invariably create an acute need for such care and leadership.

In addition, the Bishop may be called upon to pronounce sentence upon a Respondent who has voluntarily submitted to the Bishop's discipline within an allegation of sexual misconduct. Because of the tensions inherent in the Bishop's roles, it is incumbent upon the Bishop to remain as neutral as possible since a judgment by the Bishop may be required at any point in the disciplinary proceedings.

In this most difficult role, the Bishop is advised to seek counsel with trusted advisors, experts and pastoral supporters outside the Diocese of California.

### The role of the Diocese

When the Diocese provides pastoral care and leadership under this policy in the wake of alleged clergy sexual misconduct, it is performing acts of ministry. The freedom of the Diocese to decide for itself how God has called it to minister to those affected by sexual misconduct is a precious one, which this Diocese holds very seriously.

Persons who act as advocates, pastors, and coordinators of proceedings under this policy are to be chosen prayerfully, and always with a mind and heart towards justice and healing.

### The role of the congregation

An allegation of sexual misconduct within a congregation, whether ultimately founded or unfounded, is a devastating event which causes extreme disruption, the effects of which may be felt for years. The Diocese is committed to working with congregations that suffer such an event or allegation.

Consultation, pastoral care, and intervention (when needed) are all available from the Bishop's staff. In the Beloved Community, the relationship of Bishop, diocesan staff and congregation, and the trust and communication created between them, is at the heart of the eventual working out and healing of an allegation of sexual misconduct.

## Complaint procedure in the Diocese of California

### Mandated reporting

Any complaint of clergy sexual misconduct against a minor or an incompetent adult shall be first and immediately referred to the proper law enforcement authorities, when required by law, if this has not already taken place.

If possible, the Complainant will be notified before such a report is made. The Diocese shall thereafter cooperate fully with law enforcement authorities in whatever investigation they may make of the allegations of the complaint. Any such allegation will also be raised as per the three options listed immediately below.

### Options in making a complaint

There are two ways to **formally** raise allegations of clergy sexual misconduct, and also an option of **informally** raising a concern about clergy misconduct.<sup>2</sup>

#### 1 – Raising a concern informally

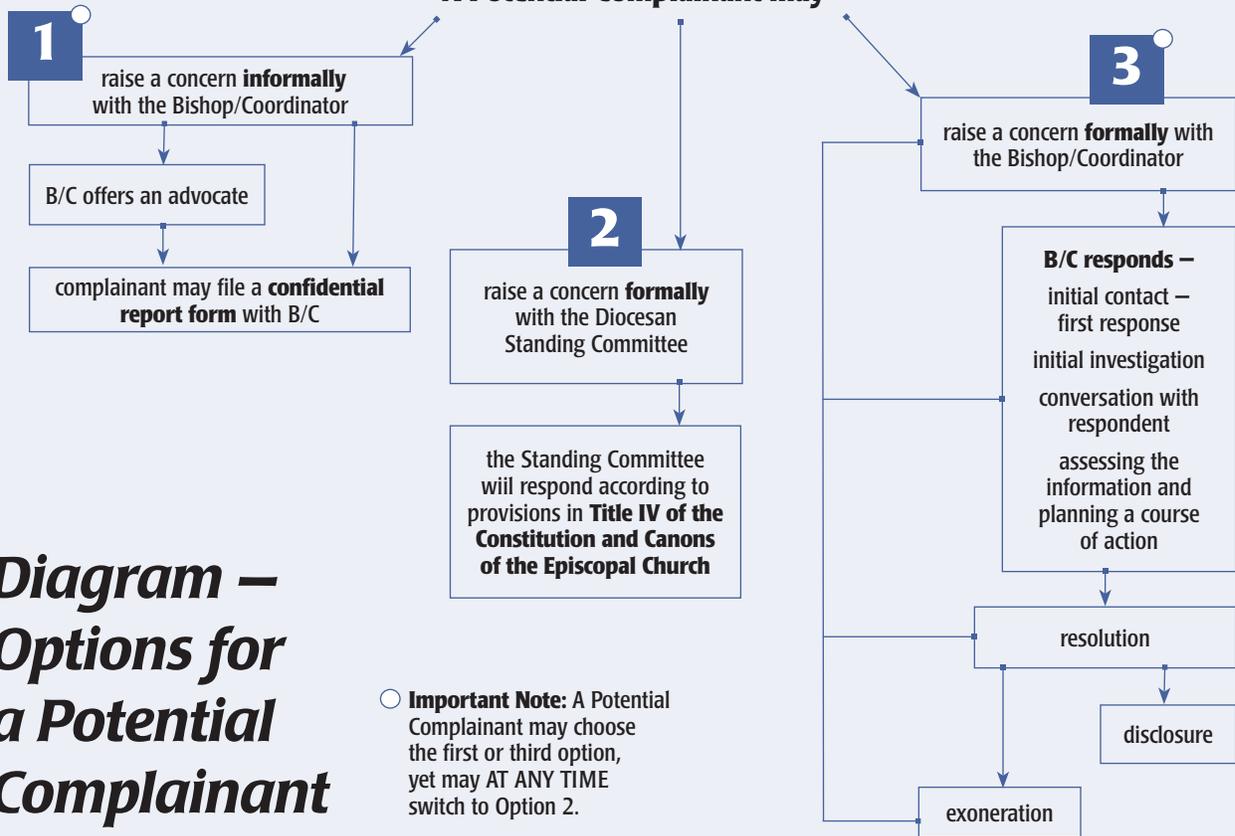
A person may desire initially to raise an allegation of clergy sexual misconduct informally. This desire often relates to the person's working out for him or herself the exact nature of the allegation and/or misconduct and exploring the process that a formal allegation would involve. In such a case, the Bishop

---

<sup>2</sup> While the Diocese cannot recommend or require Complainants to choose a particular option, the first and third options offer for many people and for the Diocese a broader and more flexible process by which to respond.

## Diagram – Options for a Potential Complainant

**A Potential Complainant may –**



or Coordinator will offer an assigned advocate who is skilled in discussing these matters. The advocate and potential Complainant will work together to determine whether a formal complaint will be filed.

In addition, in environments in which a culture of secrecy has been overtly or implicitly created and approved (see **Theological and Ethical Foundations, Section 1** of this document), and in which standards of conduct, policies and consequences of misconduct have not been made clear, clergy and lay persons may find themselves wondering what to do with firsthand knowledge of sexual misconduct by a clergy person or lay person. Further, victims of misconduct in these environments will often be unable to immediately raise a formal allegation, since the environment has proven to be unreliable and dangerous to the victim or victims.

In this case, a person is urged to complete a confidential report and submit it to the Coordinator, who will offer a skilled advocate in discussing these matters and will work together to determine a course of action. The intention here is to create accountability among members of a particular environment and within the Diocese for standards of behavior.

If a Complainant pursues this option, he or she may at any time decide to change and pursue one of the following options.

### 2 – Raising an allegation with the Standing Committee

The Complainant may bring the allegations directly to the Diocesan Standing Committee, by providing the President of the Standing Committee with a verified, written statement of the allegations as specified under the provisions of **Title IV of the Constitution and Canons of the Episcopal Church**.

If this option is invoked, the response to the allegation of misconduct will be made in accordance with the provisions of **Title IV**.<sup>3</sup>

### 3 – Raising an allegation with the Bishop or Coordinator designee

The Complainant may choose to bring the allegations to the Bishop or Coordinator designee either in writing or through a personal meeting. *If a Complainant chooses this option, he or she may at any time decide to change and pursue the second option.*

If this option is invoked, the Diocese will follow the guidelines as outlined below.

<sup>3</sup> For complaints against the Bishop, see the end of this section.

## Initiating a complaint to the Bishop (or Coordinator designee)

### Initial contact—first response

1. **Report:** Anyone who knows or suspects that a Respondent may have been involved in sexual misconduct should report that knowledge or suspicion to the Bishop or Coordinator.

The names, addresses, and telephone numbers of the Bishop and Coordinator are enclosed in **Appendix D**. Alternatively, a current list of these persons may be obtained from the Bishop's office, from the **Diocesan Directory**, or on [www.diocal.org](http://www.diocal.org).

A contact may be made with the Bishop or Coordinator by mail, by telephone, by e-mail, or in person. The Complainant need not identify herself or himself when she or he first contacts the Diocese. The Complainant may anonymously ask questions about how the Diocese would respond to a complaint of misconduct. However, the Diocese can do little about a particular complaint of sexual

misconduct until the Complainant identifies herself or himself and the Respondent involved in the misconduct.

2. **Advocate:** In all meetings with Diocese personnel, the Complainant should be accompanied by a friend, family member, support person, or other advocate (or Diocesan-assigned advocate) of her or his choice. The Bishop or Coordinator may also offer to provide the Complainant with a list of advocates who are available to provide support and to help interpret the Diocese's policies and procedures. The Complainant will be invited to contact an advocate and to be accompanied by that advocate through the reporting, investigative, and, if necessary, disciplinary processes.

If the Complainant requests, the Diocese will contact an advocate for her or him. The Complainant is welcome to use an advocate who does not appear on the list—such as a friend or family member.

3. **Response:** The Bishop or Coordinator contacted by the Complainant may take one or more of the following actions:
  - a. assure the Complainant that the Diocese does not tolerate sexual misconduct and takes seriously all complaints of such misconduct;
  - b. explain the Diocese's process for responding to complaints of sexual misconduct and offer to provide a copy of this policy;
  - c. answer the Complainant's questions about the policies and procedures of the Diocese;
  - d. express care and concern for the Complainant;
  - e. when the Complainant is anonymous, encourage the Complainant to identify herself or himself as well as the Respondent involved in the misconduct.

4. **Interview:** After a complaint of sexual misconduct has been received from an identified Complainant, the Bishop and/or Coordinator will interview the Complainant.

This interview may occur through a combination of meetings, telephone calls, and/or correspondence. The Bishop or Coordinator may ask the Complainant to provide as much information about the sexual misconduct as the Complainant is comfortable sharing.

#### Interview considerations:

- a. The Complainant may be asked to document the complaint in writing or to sign a written statement prepared by the Diocese.

## Glossary – Parties who may be involved in a complaint to the Bishop (or Coordinator designee)

(for more definitions, see Appendix A)

**COMPLAINANT:** A protected person who, either him/herself or through another person, makes a complaint, whether or not in writing, of sexual misconduct pursuant to this policy.

**ADVOCATE:** A friend, family member, support person or other advocate (or Diocesan-assigned advocate), of Complainant's choice, that accompanies the Complainant in meetings with Diocese personnel.

**COORDINATOR:** A person, appointed by the Bishop, who shall be responsible for coordinating the diocesan response to allegations of clergy sexual misconduct and for assisting the Bishop with regard to any proceeding hereunder in any other manner the Bishop may see fit.

**CONTACT PERSON:** A person, knowledgeable about policy and procedures, appointed by the Bishop or Coordinator, who will keep in regular contact with the Complainant and will also be available to respond to the Complainant's questions and concerns about the process.

**RESPONDENT:** A cleric or lay leader against whom a charge is made hereunder.

**STANDING COMMITTEE:** The Standing Committee of the Episcopal Diocese of California, which consists of four clerics and four lay persons.

- b. The Bishop or Coordinator may also ask the Complainant what she or he is seeking in coming forward, and whether the Complainant is prepared to participate in the disciplinary process, if necessary.
  - c. The Complainant should be given a copy of this policy if she or he has not already received it.
  - d. The Bishop or Coordinator may discuss with the Complainant how she or he feels about the possibility that her or his identity may become known to persons other than the accused. Insofar as possible, the Diocese will respect the wishes of the Complainant regarding confidentiality. However, at some point, the Diocese may be required by civil law or by the governing documents or procedures of the Episcopal Church to disclose the identity of the Complainant.
  - e. In certain circumstances, the fact that the Bishop or Coordinator is responsible to the Diocese may require that he or she act contrary to the wishes of the Complainant.
  - f. Finally, it should be understood that the identity of the Complainant may become known despite the best efforts of the Diocese to protect it. The Diocese cannot guarantee confidentiality to a Complainant.
5. **Pastoral care:** The Bishop or Coordinator will discuss with the Complainant her or his needs for pastoral care or professional counseling. If the Complainant requests, the Bishop or Coordinator will help to put the Complainant in touch with persons who can provide such care or counseling. As a general practice, diocesan employees will not function as the Complainant's advocate, pastor, or counselor.
  6. **Contact person:** The Bishop or Coordinator will appoint a contact person within the Diocese. That contact person (who may be the Bishop or Coordinator) will keep in regular contact with the Complainant and will also be available to respond to the Complainant's questions and concerns about the process.

### *Initial investigation*

After interviewing the Complainant, the Bishop or Coordinator will carefully review the complaint provided by the Complainant. If the complaint appears credible and involves sexual misconduct for which the Respondent might be disciplined, the Bishop or Coordinator may conduct a preliminary investigation to determine whether information either supporting or contradicting the report exists.

This preliminary investigation will be conducted as quickly and as discreetly as is possible under the circumstances. All of those contacted will be asked to keep the contact in strictest confidence. If the Diocese or Diocesan Review Committee later determines that the Respondent did not commit sexual misconduct, that conclusion will be communicated to those who were contacted by the Diocese in the course of its preliminary investigation.

### *Conversation with the respondent*

1. **Meet:** The Bishop will usually meet with the Respondent before the preliminary investigation begins. The Bishop should be accompanied by the Coordinator or another person. At the meeting, the Bishop will clarify that the meeting and any communications regarding the complaint are not confidential, and that the Bishop may disclose anything that he or she is told.  
  
At their meeting, the Bishop will provide the Respondent with information regarding the complaint.
2. **Respondent response:** At their meeting, the Bishop will ask the Respondent to respond to the complaint. The Bishop may ask the Respondent to respond to the complaint in writing.
3. **Bishop's response:** The Bishop will also:
  - a. assure the Respondent that, while the Diocese does not tolerate sexual misconduct, the Diocese will give any Respondent who denies an allegation of sexual misconduct a full and fair opportunity to contest it;
  - b. explain the Diocese's process for responding to reports of sexual misconduct and provide a copy of this policy statement;
  - c. answer the Respondent's questions about the policies and procedures of the Diocese;
  - d. express care and concern for the Respondent, the Respondent's family, and the affected congregation; and
  - e. strongly discourage the Respondent from having any contact with the Complainant, either directly or indirectly.
4. **Advocate:** In all meetings with Diocese personnel, the Respondent may be accompanied by a friend, family member, support person, or advocate of her or his choice (who may be the assigned advocate or some other person). The Bishop or Coordinator may also offer to provide the Respondent with a list of advocates who are available to provide support and to help interpret the Diocese's policies and procedures. The Respondent will be invited to contact an advocate and to be accompanied by that

advocate through the reporting, investigative, and, if necessary, disciplinary processes.

If the Respondent requests, the Diocese will contact an advocate for her or him. The Respondent is welcome to use an advocate who does not appear on the list — such as a friend or family member.

5. **Pastoral care:** The Bishop or Coordinator will discuss with the Respondent his or her needs for pastoral care or professional counseling, as well as the care of the Respondent's family. If the Respondent requests, the Bishop or Coordinator will help to put the Respondent in touch with persons who can provide such care or counseling. Under no circumstances will any employee of the Diocese function as advocate or counselor to the Respondent or his or her family.
6. **Contact person:** The Bishop or Coordinator will appoint a contact person within the Diocese. That contact person (who may be the Bishop or Coordinator) will keep in regular contact with the Respondent and will also be available to respond to the Respondent's questions and concerns about the process.

### *Assessing the information and planning a course of action*

After meeting with the Respondent and conducting a preliminary investigation, the Bishop and Coordinator will carefully review information provided by the Complainant, discovered during the preliminary investigation, and provided by the Respondent. The Bishop will then decide upon a course of action.

*Among options available to the Bishop are the following:*

1. take no further action;
2. conduct further investigations;
3. request the Complainant and Respondent to participate in a mediation facilitated by a person skilled in mediation (The goal of this option would be to seek to resolve the controversy through recommendations that are pastoral and therapeutic and will eliminate the need for disciplinary proceedings if they are accepted by all concerned.);
4. make a request of the Respondent to undergo a psycho-diagnostic evaluation;
5. temporarily inhibit the Respondent (**Canon IV.1.2 (a)**); or
6. refer the matter to the Diocesan Standing Committee for investigation (**Canon IV.3.5**).

### *Resolution*

For a variety of reasons, a resolution often takes more time than any person involved would prefer. However, in the interest of justice and fairness for all involved, time is often necessary.

Whether an allegation of sexual misconduct culminates in formal disciplinary action (which may take several forms, all part of **Title IV of the Constitution and Canons of the Episcopal Church**), complete exoneration of the accused cleric, or somewhere in between, the Diocese will always work to ensure that care and support are offered to all parties involved, including congregations.

### *Disclosure*

Except in unusual circumstances, the Diocese will disclose all serious allegations of sexual misconduct. Decisions regarding who will make what disclosure when and to whom will vary from case to case. In general, though, the Diocese will abide by the following guidelines:

1. Disclosure of sexual misconduct will be made to the leadership of the Respondent's congregation, the members of the Respondent's present congregation, the members of the Respondent's family, and some of the clergy of the Diocese. In some situations, wider disclosure — to previous congregations, to the news media, or to all the clergy of the Diocese or the Episcopal Church — may be made as well.
2. Disclosure will be made when:
  - a. the Respondent admits to committing sexual misconduct;
  - b. the Respondent resigns his or her call after being accused of sexual misconduct;
  - c. the Respondent is placed on leave of absence or temporarily inhibited in response to an allegation of sexual misconduct;
  - d. the Respondent is inhibited or removed from their position as a result of formal disciplinary proceedings; or
  - e. secular legal proceedings (civil or criminal) are initiated against the Respondent.
3. The Diocese intends to work closely with the congregational leaders regarding appropriate disclosure to the members of the congregation. Disclosure to the members will usually be made by the Bishop or by a member of the Bishop's staff.

4. To protect the privacy of those harmed by the misconduct, only the following will be disclosed:
  - a. the fact that the Respondent has been accused of, admitted to, resigned, or been found guilty of committing sexual misconduct;
  - b. the gender of the Complainant;
  - c. whether the Complainant was an adult or a minor at the time of the misconduct; and
  - d. whether the Complainant was a member of the Respondent's congregation or a person to whom the Respondent was providing pastoral care. Disclosure usually does not include the name of the Complainant or facts from which she or he could readily be identified. If the Respondent has denied the allegations, that fact will also be disclosed.
5. Persons who believe that they have been harmed (directly or indirectly) by the Respondent will be invited to contact the leaders of the congregation, the Diocese, or others who have agreed to be available to those persons.

### *Confidentiality agreements*

In the past, allegations of sexual misconduct were most often dealt with by negotiation. As part of these negotiations, confidentiality agreements were often signed by members of the clergy and congregational leaders (wardens, vestry members, Bishop's committee members, the Complainant and Respondent). These agreements bind people to never speak of the allegation or its subsequent outcome. Sometimes these agreements were signed without the consent or even knowledge of the Diocese and the Bishop.

Because of the nature of these agreements, the misconduct, and the allegations thereof, becomes a secret in the congregation. The congregation never has a chance to address the problem and their response to it, so the damage caused by the allegation and/or the misconduct itself remains unresolved.

*Clergy of this Diocese and congregations shall not sign such agreements* without the prior written permission of the Bishop and the Chancellor. In the rare cases when these agreements are signed, the documents shall become part of the congregation's diocesan file and shall be revealed to all future clergy in charge of the congregation.

### *When a Respondent is exonerated*

The Bishop or Diocesan Coordinator shall place a letter stating that there are not sufficient grounds for formal disciplinary proceedings, or the adjudication of innocence, as the case may be, in the exonerated Respondent's diocesan personnel file.

The Bishop or Coordinator shall meet with the exonerated Respondent to discuss publicizing the report, which publicity shall include a public statement by the Bishop, and to arrange for pastoral support for the exonerated cleric and the exonerated cleric's family.

The Bishop or the Bishop's representative shall meet with the affected congregation, mission, or organization and with any other affected person if there are issues of healing that need to be attended.

The Bishop shall meet with the Complainant to discuss the report and arrange for pastoral support.

### *Complaint procedure against the Bishop*

Any complaint alleging clergy sexual misconduct against a Bishop shall be referred to the Presiding Bishop of the Episcopal Church under the provisions of **Title IV of the Constitution and Canons of the Episcopal Church**.

# 4

## Policy regarding sexual misconduct by a lay leader

**A**t the time of this writing (February 2008), the Episcopal Church's **Title IV** disciplinary canons apply only to ordained leaders.

However, in the spirit of the Beloved Community and the vows all Christians make at baptism, the Diocese of California affirms the same high standards for its lay leaders as for its ordained leaders.

A *lay leader* is defined as an elected or appointed lay person (whether paid or volunteer) with leadership responsibilities in the church, when engaged in church activities.

If an allegation of sexual misconduct is made against a layperson in this Diocese, the person will be asked to voluntarily submit to an investigation by the Bishop's office. This investigation will be similar in scope to the investigation of an ordained person; please review the policies for clergy in **Section 3** of this document.

If substantiated, the person will be removed from their ministry and may be asked to restrict their activities. If voluntary submission is not forthcoming, the person may be asked to leave the congregation.

# Policy for the protection of children and youth

This policy is adopted in compliance with **2003 General Convention Resolution B008** (attached in **Appendix C**). The aim of this policy is to make our Church a safe place, safe for those who worship, safe for those who minister, safe for those who come in need, safe for children and safe for all who seek or serve Christ. This policy helps us live out our Baptismal Covenant to respect the dignity of every human being.

## Screening and selection for ministry with children and youth

The Diocese will do background checks on all clergy who are deployed or licensed to officiate within the Diocese. The Diocese is also responsible to conduct background checks on any diocesan employees who regularly work with children or youth.

### Application and screening

Lay employees and volunteers whose work includes regular contact with children and youth must be screened, using at least the following mechanisms, before being offered employment or the opportunity to minister with children and youth:

1. written application that includes verifiable personal information;
2. personal interview;
3. screening (reference verification and background checking); and
4. signature indication that they have received a copy of this policy, including any local procedures or variations.

### Reference verification and background checking

Congregations are required to verify personal information and check all references as made available in the application process, and maintain these records as part of their compliance and auditing requirements.

In addition, potential employees and volunteers must submit to a public records (background) check. Congregations shall use a provider approved by the Diocese as outlined in **Recommendations for Background Checking and Training** in **Appendix B** to conduct public records checks, and such checks must be completed before the employee begins programmatic interaction with children or youth.

## Education and training

Congregational employees and volunteers who work with children or youth must attend diocesan-approved training on how to prevent child abuse and promote healthy boundaries in church settings. Training must be appropriate to their level of responsibility as outlined below, and certification must be renewed every three years. Each congregation must maintain a record of those who have attended such training and report their compliance with training requirements as part of the **Safe Church Self-Audit** process.

The Diocese requires all clergy and employees and volunteers who work with children or youth at diocesan events to attend training on how to prevent child abuse and promote healthy boundaries in church settings. Individuals serving in ministry with children and youth at diocesan events are required to maintain their own current training certification and provide evidence thereof during the application and screening process.

### Level One training: on-site contact with children and youth

All paid employees (including clergy) and volunteers whose ministries include regular contact with children and youth — and all others as specified above — must attend diocesan-approved training which will include understanding, recognizing, and responding to potential abuse. This training must be completed within one month of a person's employment or commencement of volunteer activities, and before they have regular programmatic contact with children and youth. Current clergy, employees, and volunteers are required to complete this training. Options for completing Level One training are found in **Appendix B** and **online**.

### Level Two training: program leadership for children and youth

All paid employees (including clergy) and volunteers whose ministries include program supervision and/or off-site programmatic contact with children and youth (Sunday School directors, youth leaders, mission trip chaperones and camp counselors) must attend diocesan-approved training that will include safe program design, monitoring and responding to violations. As these requirements will vary according to the context and practice of ministry, the Diocese will offer a variety of timely and ministry-specific Level Two training venues.

Those eligible for Level Two training must complete the requirement within three months of employment or commencement of volunteer activities, and before they assume programmatic responsibility for children and youth. Options for completing Level Two training are indicated online and through diocesan publicity as they are scheduled.

### *Managing congregational expectations*

All members of a congregation are impacted by safe church policies and should be given adequate opportunity to understand this policy, its local application, and their responsibility for meeting its requirements. This policy strongly encourages a congregation-wide program of awareness-building and education — including but not limited to preaching, adult education, parenting education, use of communications media such as newsletters, bulletins and Web site — to ensure that all members of the community have a chance to support the safe church practices as they are implemented.

## *Programs and interactions with children and youth*

### *Safe ministry practices*

There should be at least two unrelated adults present at ministry settings and events designed for children and youth. If unanticipated circumstances result in an adult being alone with children or youth, that adult shall report those circumstances to the rector/vicar, senior warden, or person in charge of the event as soon as possible.

In well-monitored, visually-accessible program space on the church grounds, such as a Sunday School classroom, it may be acceptable to have only one adult in the room, provided that another adult can maintain visual contact with the adult program leader. These exceptional circumstances must be specifically described in the congregational safe church policies.

All adults who have ongoing contact with children and youth through programmed church activities, including musical practices and intergenerational activities, must meet the screening and training requirements for volunteers working with children and youth as outlined in this policy document and adhere to the behavior standards outlined below.

### *Safe space*

It is important to anticipate and avoid circumstances in which children and youth may be exposed to inappropriate consumables, materials, or unmonitored adult contact on the church grounds. Some specific risks to minimize are given below.

1. ***Alcoholic beverages.*** Alcohol — sacramental or otherwise — should not be stored in publicly accessible areas of the church buildings.
2. ***Computers.*** Congregations should have adequate supervision (by congregation staff or authorized persons) of anyone using a congregation computer to access the Internet. Congregation computers should have adequate password protection.
3. ***Persons with keys and access to locked spaces.*** Anyone with keys to church buildings must meet all the requirements for screening and training of volunteers as outlined in this policy.

### *Off-site programming*

Programs, trips and events away from the church site are a welcome and often necessary means for spiritual, social and emotional development of children and youth. They also present additional challenges for maintaining best practices for safe and healthy ministry. The expectations for safe space, as outlined above, should be observed in venues used for off-site trips or events that involve children or youth. In the event of uncertainty about safety of off site meeting space and accommodations, the program leader should be in touch with their diocesan ministry liaison about options for reducing risk.

All such off-site programs must be given prior approval by the Vestry/Bishop's Committee and are subject to the **Guidelines for Off-site Programs**, below, which details the expectations for registration, transportation, accommodations, wellness, justice and safety.

## *Guidelines for off-site programs and interactions with children and youth*

Christian leaders must be capable of using discretion in planning programs. Off-site programming with children and youth presents unique opportunities for spiritual growth as well as unique risks that cannot all be anticipated or described in detail. In addition, there are times when it may be appropriate to include sexually explicit materials — portions of an "R" rated movie, photographs or frank conversation about intimate subjects — in a program facilitated by

appropriate personnel in a safe space for the purposes of teaching. For this reason it is important to obtain permissions and manage documentation as described below.

### *Approvals*

1. New programs, trips or events that involve children or youth should be given prior approval by the rector/vicar and the Vestry/Bishop's Committee.
2. No event for children or youth shall take place in a private residence without prior approval by the Vestry/Bishop's Committee.
3. Written parental approval must be acquired for "R" rated movies and sexually explicit conversation or program content.

### *Registration and medical release forms*

1. All participants and staff (of any age) should complete and sign a registration form and medical release form before participating in any program. A **Medical Release form** can be found in **Appendix B**.
  - a. There must be a parent/guardian's signature on the completed medical information and release form of a minor.
  - b. Registration/medical release forms kept on file are good for a year before a new one is required.
2. Permission slips for specific events should be provided and signed by the guardian/parent of a minor.
3. Permission for a minor to be photographed or recorded on film, video tape, audio tape, or other electronic media is required before use in a public forum. An **Image Release form** can be found in **Appendix B**.

### *First Aid and medications*

1. Current certification in First Aid and CPR is strongly encouraged for those who work with children and youth.
2. A stocked First Aid kit should be made available in an easily accessible location.
3. A First Aid Log should be filled out any time first aid is administered.
4. All medications (prescription and over the counter) belonging to minors must be given to an adult leader unless otherwise agreed upon by the parents and person in charge. Exceptions may include inhalers and epi-pens.
5. Only the designated adult leader should administer medications.

### *Supervision*

1. There should always be at least two adults (at least two years older than the eldest participant) at any gathering of children or youth, preferably male and female adults where children or youth of both genders are present.
2. The adult to child/youth ratio should be 1:5.
3. All leadership teams should have a reasonable number of experienced adult leaders to support new leaders-in-training.

### *Pastoral counseling*

1. When one-on-one conversation or pastoral care is advisable between an adult leader and a child or youth, another adult is to be present, or at least aware of, the place of consultation and who is being counseled.
2. There are times when it is appropriate or necessary for an adult leader to be alone with a young person (e.g., pastoral counseling or transportation.) This standard advises the adult to arrange pastoral meetings in public places such as restaurants or a corner away from the action but in full view. Always inform other responsible adults about the appointment or plans. Spontaneous or secretive activity with a single young person may foster a high-risk situation.
3. Seclusion is to be avoided.

### *Basic needs*

1. No one is to be deprived of the basic human needs of food, shelter, sleep, safety and clothing at any event.
2. *Every program will provide:*
  - a. three substantial meals each full day and access to hydration;
  - b. access to restrooms (and showers, when possible);
  - c. at least eight hours for sleep each 24-hour period;
  - d. some time set aside each full day for rest or free time; and
  - e. separate sleeping areas and restrooms for males and females.

## Accommodations

1. Overnight programs will provide safe, supervised sleeping arrangements. In most cases, this will mean gender-specific sleeping areas.
2. A single adult and a single youth will never sleep alone in the same space.
3. In addition, separate bathroom/shower facilities will be provided by gender (or specific times will be assigned to use a single facility.)
4. Adults should either have separate shower facilities or shower at other times than the youth. Separate dressing facilities should also be provided.
5. If private dressing rooms, bathrooms and adult supervision are provided, there may be situations in which it is best for male and female participants to sleep in the same open area.

## Transportation

1. Although anyone with a valid California driver's license may legally transport passengers, a congregation may be found liable if a driver under the age of 21 "officially" transports other minors to/ from a church-sponsored event and any mishap occurs.
  - a. To avoid the risk, church leaders should never organize transportation using drivers under the age of 25 which originates or terminates at the church.
  - b. Each driver should be required to provide proof of insurance and a current Driver's License.

A **Volunteer Driver Information form** may be found in **Appendix B** and **online**.

2. Young people who are under 18 are expected to have **written permission from their parent or guardian** to drive to an event.
3. If young people under the age of 18 are transporting other young people to and from a youth event, written permission must be provided for driver and passenger from both sets of parents or guardians, which acknowledges who is driving and who is being driven.  
  
A **Field Trip Permission form** is available in **Appendix B** and **online**.
4. All drivers and riders must comply with California law regarding seat belts and cell phone usage.

## Discrimination

No one will be intentionally discriminated against at any program on the basis of her/his race, color, gender, sexual orientation, physical disability, origin, ancestry, religion, or class.

## Violence

1. No one is to strike, hit or otherwise physically threaten anyone at any time.
2. No weapons of any kind (concealed or otherwise) are to be brought to an event.
3. Anyone in possession of a weapon will be sent home and the weapon will be confiscated.
4. Any person possessing a weapon will be sent home upon confiscation.

*A rector or vicar may make special exceptions for off-duty police officers or others required to carry firearms.*

## Behavioral standards for adults in ministry with children or youth

Adults who work with children or youth within a church setting are expected to model the patterns of healthy relationship that children and youth deserve in all settings. Interactions should meet the safe personnel and safe space requirements outlined above and in the appendices, and adults should be discouraged from having a private relationship with any unrelated child from the church away from sanctioned on- or off-site church activities. When one-on-one conversation or pastoral care is advisable between an adult leader and a child or youth, another adult is to be present, or the meeting space should be visually accessible to another adult.

## Exhortations

Adults are encouraged to:

1. spend time with and listen to children and youth, and advocate for their ministries; and
2. offer appropriate physical expressions of affection, which may include:
  - a. high fives and hand slapping,
  - b. hand-holding while walking with small children or in prayer,
  - c. touching shoulders, hands, or arms,
  - d. group "huddle," and
  - e. brief hugs and arms around shoulders.

"... [T]he most important safe touch of all really isn't a touch. We call it 'Eye Touch' and it means looking at each of your kids in the eye, on the same level. Most kids today don't get a lot of eye contact from adults unless it is direction or scolding, and fewer still get looked directly in the eye from an adult who is not towering over them. Get to their level, look them in the eye and let them know that they are an important part of God's plan.

— Monte Lysne, *Faith Inkubators*

## Prohibitions

Adults shall not under any circumstances:

1. provide children or youth with non-sacramental alcohol, illegal drugs (including cigarettes) or pornography;
2. consume non-sacramental alcohol or illegal drugs or misuse legal drugs at any children's or youth event, or when they are in a role of responsibility for children or youth at a congregational event;
3. be under the influence of alcohol, illegal drugs or misused legal drugs at any children's or youth event or when they are in a role of responsibility for children or youth at a congregational event;
4. engage in illegal behavior or permit other adults or children or youth to engage in illegal behavior;
5. engage in any sexual, romantic, illicit or secretive relationship or conduct with any child or youth; or
6. discuss their own sexual activities or fantasies with children or youth.

## Responding to concerns

Anyone who knows of a violation of these policies shall immediately report the violation to the rector/vicar and senior warden. Anyone who knows of a violation of these policies by a clergy person shall immediately report the violation to the Bishop's office. A sample **Confidential Notice of Concern** is included in **Appendix B**.

Anyone who has reason to suspect that child abuse has taken place at church, or that a child from the church may have been abused in another setting, should inform his or her rector or vicar immediately. Any mandated reporter (including the rector/vicar so informed) who has reason to suspect that child abuse has taken place shall report it to the appropriate civil authority.

Rectors/vicars hearing reports of violations of this policy shall be responsible for providing appropriate pastoral care to all those affected and appropriate remedial and/or disciplinary action up to and including termination of employment or volunteer ministry with the Church.

The Bishop, hearing reports of violations by clergy, or by adults at diocesan events, shall be responsible for providing appropriate pastoral care to all those affected and appropriate remedial and /or disciplinary action, up to and including canonical disciplinary action.

## Compliance

Each congregation is required to conduct a **Safe Church Self-Audit** annually to confirm compliance with diocesan safe church policies within the congregation. The audit form is found in **Appendix B**.

Procedures to be confirmed by audit will include (but are not limited to):

1. application forms and relevant records for screening and verification of volunteers and paid employees (sample **Volunteer Application** form in **Appendix B**);
2. background and reference checking procedures (see **Recommendations for background checking** and **Sample reference check script** in **Appendix B**);
3. individual records of compliance with relevant diocesan "safe church" training requirements;
4. incident reporting procedures (**Incident Report form** and **Sample incident reporting form** in **Appendix B**);
5. diocesan and site-specific behavior signed by all staff and volunteers covered by their provisions; and
6. evidence of compliance with "safe space" requirements.

Congregations may adopt local safe church procedures that are consistent with and/or exceed the requirements in this policy. Site-specific variations from diocesan policies — where permitted — should be described in detail and should include the circumstances under which those variations should be permitted.

Congregational safe church policies should be posted in areas where activities for children and youth take place, and should be given to parents, guardians, and all paid persons and volunteers whose ministries include contact with children and youth.

Congregational policies should include the names and phone numbers of the rector/vicar or priest, senior warden, and contact person in the Bishop's office, and outline the procedures for reporting incidents or suspected policy violations.

## Policy for the protection of elders and dependent adults

The Diocese of California takes seriously the welfare, respect and care of its elders and dependent adults. In addition to the pastoral care responsibilities for elders and dependent adults that all Christians are called to observe, our Baptismal Covenant calls us to strive for justice and peace among all people, and respect the dignity of every human being.

Our elders are often the most overlooked group of people in our society, the very people who depend most on the church and its leaders for guidance and protection. The church is thus responsible for a high level of care, attention and compassion in this area. Clergy are mandated reporters for elder abuse, which involves not only physical and emotional abuse and harassment, but financial abuse as well.

In the state of California, mandated reporters (which include all ordained clergy) are expected to comply with the following:

"Any mandated reporter who, in his or her professional capacity, or within the scope of his or her employment, has observed or has knowledge of an incident that reasonably appears to be physical abuse, as defined in Section 15610.63 of the Welfare and Institutions Code, abandonment, abduction, isolation, financial abuse, or neglect, or is told by an elder or dependent adult that he or she has experienced behavior, including an act or omission, constituting physical abuse, as defined in Section 15610.63 of the Welfare and Institutions Code, abandonment, abduction, isolation, financial abuse, or neglect, or reasonably suspects that abuse, shall report the known or suspected instance of abuse by telephone immediately or as soon as practicably possible, and by written report sent within two working days...."<sup>4</sup>

<sup>4</sup> From Section 15630(b)(1) of the State of California Welfare and Institutions Code.

### *Behavioral standards for those in ministry with elders and dependent adults*

Care must be taken to balance the duty to protect the safety of the vulnerable adult with the adult's right to self-determination. In addition, older people and people with disabilities who are victims of abuse, exploitation or neglect should be treated with honesty, caring and respect.

- Focus on ministry that maximizes the vulnerable adult's independence and choice to the extent possible based on the adult's capacity.
- Use family and informal support systems first as long as this is in the best interest of the adult.
- Maintain clear and appropriate professional boundaries.
- Do no harm. Inadequate or inappropriate intervention may be worse than no intervention.

## Rights of elders and dependent adults\*

*Ministers must respect the rights of elders and dependent adults, including:*

1. the right to be safe;
2. the right to accept or refuse help;
3. the right to confidentiality;
4. the right to individual differences — including cultural, historical and personal values;
5. the right to receive information about their choices and options in a form or manner that they can understand;
6. the right to have decision-making capacity (unless a court adjudicates otherwise);
7. the right to make decisions that do not conform with societal norms as long as these decisions do not harm others; and
8. all their civil and constitutional rights (unless restricted by court action).

## Responding to concerns

Anyone who knows of such an incident in the congregation is expected to immediately report the violation to the rector/vicar /priest in charge and senior warden. Anyone who knows of a violation of these policies by a clergy person shall immediately report the violation to the Bishop's office.

Rector/vicars hearing reports of violations of this policy shall be responsible for providing appropriate pastoral care to all those affected and appropriate remedial and/or disciplinary action up to and including termination of employment or volunteer ministry with the Church.

The Bishop, hearing reports of violations by clergy, or by adults at diocesan events, shall be responsible for providing appropriate pastoral care to all those affected and appropriate remedial and/or disciplinary action, up to and including canonical disciplinary action.

## Compliance

Each congregation is required to conduct a **Safe Church Self-Audit** annually to confirm compliance with diocesan safe church policies within the congregation. The **Congregational Safe Church Self-Audit form** is found in **Appendix B**.

Procedures to be confirmed by audit will include (but are not limited to):

1. application forms and relevant records for screening and verification of volunteers and paid employees (a **Volunteer Application form** may be found in **Appendix B**);
2. background and reference checking procedures (see recommendations and samples in **Appendix B**);
3. individual records of compliance with relevant diocesan "safe church" training requirements;
4. incident reporting procedures (**Incident Report form** and sample in **Appendix B**);
5. diocesan and site-specific behavior signed by all staff and volunteers covered by their provisions; and
6. evidence of compliance with "safe space" requirements.

Congregations may adopt local safe church procedures that are consistent with and/or exceed the requirements in this policy. Site-specific variations from diocesan policies — where permitted — should be described in detail and should include the circumstances under which those variations should be permitted.

Congregational safe church policies should be posted in areas where activities for elders and dependent adults take place, and should be given to guardians and all paid persons and volunteers whose ministries include contact with elders and dependent adults.

Congregational policies should include the names and phone numbers of the rector/vicar or priest, senior warden, and contact person in the Bishop's office, and outline the procedures for reporting incidents or suspected policy violations.

\*Adapted from "Ethical Principals and Best Practice Guidelines" found online at the National Center on Elder Abuse ([www.ncea.aoa.gov](http://www.ncea.aoa.gov))

---

# Table of appendices

## **A** *Definitions* 29

## **B** *Tip sheets, forms and sample documents* 30

*Congregational Safe Church Self-Audit* 30

*Volunteer Application form* 32

*Guidelines for interviewing volunteers* 38

*Recommendations for background checking* 39

*Sample reference check script* 40

*Incident Report form* 41

*Sample incident reporting form* 42

*Confidential Notice of Concern* 43

*Field Trip Permission form* 44

*Volunteer Driver Information form* 45

*Medical/Image Release form* 46

## **C** *Pertinent documents referenced* 47

*Resource on Mandated Reporting in California – Children* 48

*Ten Rules for Respect: One Way to Build Trust* 49

*Calif. AB 255: the Elder Abuse and Dependent Adult Civil Protection Act* 50

*A Citizen's Guide to Preventing & Reporting Elder Abuse* 51

*Resolution B008 of the 2003 General Convention* 52

*Bishops' Pastoral letter – a 2003 General Convention Resolution* 54

## **D** *Contact information* 56

# Definitions

A

The Diocese of California adopts the **70th General Convention of the Episcopal Church** definitions on sexual misconduct as follows:

**ADVOCATE:** A friend, family member, support person or other advocate (or Diocesan-assigned advocate), of Complainant's choice, that accompanies the Complainant in meetings with Diocese personnel.

**COMPLAINANT:** A protected person who, either him/herself or through another person, makes a complaint, whether or not in writing, of sexual misconduct pursuant to this policy.

**COORDINATOR:** A person, appointed by the Bishop, who shall be responsible for coordinating the diocesan response to allegations of clergy sexual misconduct and for assisting the Bishop with regard to any proceeding hereunder in any other manner the Bishop may see fit.

**DIocese:** The Episcopal Diocese of California.

**DOMESTIC ABUSE:** A pattern of physically, sexually and/or emotionally abusive behaviors used by one individual to maintain power over or to control a partner in the context of an intimate or family relationship.

**LAY LEADER:** An elected or appointed lay person (whether paid or volunteer) with leadership responsibilities in the church, when engaged in church activities.

**ORGANIZATION(S):** the Cathedral Church and all diocesan departments, commissions, institutions, charter organizations, religious orders, schools, ecumenical associations and other organizations listed under the heading "Organizations in the Diocese" in the **Diocesan Directory of the Episcopal Diocese of California**.

**PASTORAL SUPPORT TEAM:** A team appointed by the Bishop, in consultation with the Diocesan Coordinator, trained for sensitivity to the issue of clergy sexual misconduct. The Pastoral Support Team includes men and women, lay and ordained, heterosexual and LGBT persons, and persons of color, who can serve as pastors and canonical advisors to Complainants and Respondents.

**RESPONDENT:** A cleric or lay leader against whom a charge is made hereunder.

**SACRAMENTAL USE:** Consecrated or unconsecrated wine used in the setting of Eucharist.

**SEXUAL ABUSE:** Sexual involvement or conduct by a cleric or other church employee or volunteer with a person who is a minor or is legally incompetent.

**SEXUAL EXPLOITATION:** A betrayal or trust in a pastoral relationship by the development, or the attempted development, of a sexual or romantic relationship between the cleric or other church worker and a person with whom she or he has a pastoral or fiduciary relationship, whether or not here is apparent consent from the individual.

**SEXUAL HARASSMENT:** Unwelcome or unwanted sexually oriented humor or language, questions or comments about sexual behavior or preference, physical contact, inappropriate comments about clothing or physical appearance, or repeated requests for social engagements, in a situation where there is an employment, mentor or colleague relationship between persons involved.

**STANDING COMMITTEE:** The Standing Committee of the Episcopal Diocese of California, which consists of four clerics and four lay persons whose powers, functions, and duties are prescribed by the **Constitution and Canons of the Episcopal Church** and the **Constitution and Canons of the Diocese of California**.

# Congregational Safe Church Self-Audit

## Screening of Ministry Leaders

- There is a well-understood process for screening staff and volunteers who minister with children, youth and homebound elders, which includes:
  - A written application;
  - A personal interview;
  - Verification of personal references; and
  - Criminal records check (describe): \_\_\_\_\_.
- Individual records of these procedures are located \_\_\_\_\_ and \_\_\_\_\_ have access to them.

Notes:

## Training of Ministry Leaders

- All paid employees, and any volunteers whose ministry includes regular contact with children, youth or homebound elders, have completed Level One "Safe Church" training within the past three years.

Records of completion of this training are located \_\_\_\_\_.

Notes:

## Safe Program Space

- There are always two or more unrelated adults present in ministry settings and events designed for children and youth.
- All program space whose primary use is for children and youth is visually accessible.
- Alcoholic beverages are not stored in publicly accessible areas of the church buildings.
- Publicly accessible computers with internet access are password protected and children and youth use church computers only with supervision.
- Keys to church spaces are limited to people who have met all the requirements for screening and training of volunteers who work with children, youth and homebound elders.

Notes:

---

## *Program Documentation*

**There is documented vestry/Bishop's Committee approval, and individual parental approval, for:**

- ☛ all programs for children and youth that are hosted off-site or in private residences; and
- ☛ sexually explicit conversation or program content and the screening of "R" rated movies.

**The following documents are on file for all programs involving children and youth:**

- ☛ registration forms;
- ☛ medical release forms.
- ☛ image release forms. and
- ☛ field trip and transportation permission forms for off-site programming.

Records of these procedures are located\_\_\_\_\_.

Notes:

## *Congregational Education*

**There is one or more annual communication to the entire congregation explaining the provisions and requirements of the "Called to Right Relationship" policy.**

Notes:

**The "Called to Right Relationship" policy is posted in public areas, along with names and phone numbers of the rector/vicar, the diocesan safe church contact, and a description of the procedures for reporting incidents or suspected policy violations.**

# Volunteer Application form – personal data

Print or Type – Fill Out Completely

page 1 of 6

PERSONAL DATA				
LAST NAME	FIRST NAME	MIDDLE NAME	SOCIAL SECURITY #	DRIVER'S LIC. #/STATE
STREET ADDRESS		CITY	STATE ZIP CODE	HOME TELEPHONE
			BEST TIME TO CONTACT YOU:	BUSINESS OR CELL TEL.:
Have you ever been convicted of a criminal offense (misdemeanor or felony)? Exclude minor traffic violations. If yes, give details. <i>(A conviction will not necessarily disqualify you from volunteering).</i>			Yes	No
Have you ever been accused of physically, sexually or emotionally abusing a child or an adult? If yes, please explain:			Yes	No
PLEASE LIST YOUR ADDRESSES IN THE PAST 7 YEARS:      DATES                      LOCATION				
POSITION				
For which position(s) are you applying?				
What interests you about the position?				
What has prepared you for the position?				

Adapted from the Volunteer Application form, St. Paul's Burlingame

# Volunteer Application form – references

Print or Type – Fill Out Completely

page 2 of 6

<b>Volunteer/Civic/Professional References</b>				
Please list <b>at least two (2) volunteer, civic or professional references</b> . It is preferable that your references be individuals from previous volunteer, elected or employment organizations who can provide information regarding your job-related capabilities.				
NAME	RELATIONSHIP	POSITION	COMPANY	BUSINESS ADDRESS/ TELEPHONE NUMBER

<b>Personal References</b>				
Please list two (2) personal references.				
NAME	RELATIONSHIP	HOW LONG HAVE YOU KNOWN THIS PERSON	ADDRESS	Daytime Phone Evening Phone

<b>Family Reference</b>			
Please list at least one (1) family reference			
NAME	RELATIONSHIP	ADDRESS	Daytime Phone Evening Phone

Adapted from the Volunteer Application form, St. Paul's Burlingame

September 2008

Questions? Call 415.673.5015. Go to [diocal.org](http://diocal.org) for updates.

# Volunteer Application form – experience

Print or Type – Fill Out Completely

page 3 of 6

Please include all experience working with children and youth, as well as any other relevant volunteer experience.			
<b>Organization</b>	Address		
Contact	Phone		
Duties	<b>Dates:</b>	From	To
<b>Organization</b>	Address		
Contact	Phone		
Duties	<b>Dates:</b>	From	To
<b>Organization</b>	Address		
Contact	Phone		
Duties	<b>Dates:</b>	From	To
<b>Organization</b>	Address		
Contact	Phone		
Duties	<b>Dates:</b>	From	To
<b>Organization</b>	Address		
Contact	Phone		
Duties	<b>Dates:</b>	From	To

Adapted from the Volunteer Application form, St. Paul's Burlingame

# Volunteer Application form – employment

Print or Type – Fill Out Completely

page 4 of 6

<b>Employment</b>			From	To
Please list your employment history beginning with your most recent position for the last 10 years.			(Mo./Yr.)	(Mo./Yr.)
<b>Previous Employer (Most Recent Position)</b>	Address			
Last Position	Starting Position			
Supervisor's Name	Title	Telephone Number		
Brief Description of Present or Last Position				
Reason for Leaving				
<b>Previous Employer</b>	Address		From	To
			(Mo./Yr.)	(Mo./Yr.)
Last Position	Starting Position			
Supervisor's Name	Title	Telephone Number		
Brief Description of Present or Last Position				
Reason for Leaving				
<b>Previous Employer</b>	Address		From	To
			(Mo./Yr.)	(Mo./Yr.)
Last Position	Starting Position			
Supervisor's Name	Title	Telephone Number		
Brief Description of Present or Last Position				
Reason for Leaving				
<b>Previous Employer</b>	Address		From	To
			(Mo./Yr.)	(Mo./Yr.)
Last Position	Starting Position			
Supervisor's Name	Title	Telephone Number		

Adapted from the Volunteer Application form, St. Paul's Burlingame

September 2008

Questions? Call 415.673.5015. Go to [diocal.org](http://diocal.org) for updates.

# Volunteer Application form – agreement

**IMPORTANT: Please read the following statement carefully before signing –**

page 5 of 6

\_\_\_\_\_ Church, \_\_\_\_\_  
(Parish) (City)

## CODE OF CONDUCT AND ACKNOWLEDGMENT, RELEASE AND SIGNATURE

### CODE OF CONDUCT FOR THE PROTECTION OF CHILDREN AND YOUTH

Please read and initial each item to signify your agreement to comply with the statement.

\_\_\_\_\_ I agree to do my best to prevent abuse and neglect among children and youth involved in church activities and services.

\_\_\_\_\_ I agree not to physically, sexually or emotionally abuse or neglect a child or youth.

\_\_\_\_\_ I agree to comply with the **Behavioral Standards for Adults in Ministry with Children or Youth** as defined in the diocesan publication, *Called to Right Relationship*.

\_\_\_\_\_ In the event that I observe any inappropriate behaviors or possible policy violations with children or youth, I agree to immediately report my observations.

\_\_\_\_\_ I understand that the church will not tolerate abuse of children and youth and I agree to comply in spirit and in action with this position.

To the best of my knowledge, the information contained in this application is complete and accurate. I understand that providing false information is grounds for not hiring me or choosing me for a volunteer position or for my discharge if I have already been hired or chosen.

I authorize any person or organization, whether or not identified in this application, to provide any information concerning my previous driving record, criminal conviction record, sexual offender registry or other qualifications for my volunteering. I also authorize \_\_\_\_\_ Church, \_\_\_\_\_ to request and receive such information.

\_\_\_\_\_  
Initial Page

Adapted from the Volunteer Application form, St. Paul's Burlingame

---

# Volunteer Application form – agreement

*Print or Type – Fill Out Completely*

*page 6 of 6*

I also understand that my volunteering may be terminated, or any offer or acceptance of volunteering withdrawn, at any time, with or without cause, and with or without prior notice at the option of \_\_\_\_\_ Church,  
\_\_\_\_\_ or myself.

Nothing contained in this application or in any pre-volunteering communication is intended to or creates a contract between myself and \_\_\_\_\_ Church,  
\_\_\_\_\_ for either volunteering or the providing of any benefit.

If chosen I agree to be bound by the \_\_\_\_\_ Church, \_\_\_\_\_'s policies and procedures, including but not limited to its **POLICY FOR THE PROTECTION OF CHILDREN AND YOUTH** and **CODE OF CONDUCT FOR THE PROTECTION OF CHILDREN AND YOUTH**. I understand that these may be changed, withdrawn, added to or interpreted at any time at \_\_\_\_\_ Church,  
\_\_\_\_\_ 's sole discretion and without prior notice to me.

**I HAVE READ AND UNDERSTAND THE ABOVE PROVISIONS.**

\_\_\_\_\_  
(Name – Print)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

# Guidelines for interviewing volunteers

Federal and state laws apply to volunteer interviews in California. Under California law there is no distinction between interviewing a potential employee or volunteer.

## Components of an interview

1. **Introduction:** Welcome applicant and help him/her feel comfortable.
2. **Get acquainted:** Tell applicant about yourself and what you do in this ministry. Ask applicant, in an open ended way, to tell you about him- or herself.
3. **Discussion of applicant's interest in volunteering:** Ask applicant about his or her interest in volunteering and past volunteer experience.
4. **Describe the current volunteer opportunity:** Be as specific as possible about such things as number of people served, driving requirements, schedule, special circumstances or conditions, and knowledge or skills needed.
5. **Discussion of prior training and experience:** Using open-ended questions, ask applicant to tell how his or her prior training and experience would be effective in the situation you have described.
6. **Discuss training and support resources:** Describe any training plan, the name of the supervisor, available supplies and budget, and other related issues. In an open-ended way, ask how he or she might need further training or support to do the work.
7. **Follow-up:** For clarification about any specific information provided in the application or interview, use open-ended questions: "Tell me more about your experience at...".
8. **Offer opportunity for applicant to query:** Ask applicant if he or she has questions or would like clarification about anything discussed.
9. **Closing:** End the interview on a positive note. Set a follow-up date or deadline.

## Do's and don'ts of interviewing

### Things you CAN AND SHOULD discuss during an interview –

- A person's knowledge, skill, education, and experience related to the job.
- Conditions of the job (e.g., late nights, time commitment, background check).
- Reason(s) applicant is applying for this particular position at this particular time.
- Interests, hobbies, and areas of expertise.

- What the applicant is expecting from the volunteer experience.
- Applicant's fears and concerns about volunteering.
- Whether the applicant thinks there is anything that might interfere with his or her ability to successfully do the job.

### Things you MAY OR MAY NOT be able to discuss during an interview –

- The applicant's religion and religious values. This depends entirely on whether or not it is relevant to the position (e.g., the religion of a food pantry volunteer is probably not relevant, but probably quite relevant for a youth minister). Consider the relevance carefully before asking questions and then try to keep the questions open-ended.
- Applicant's gender — unless the position requires a specific gender (e.g., girls' chaperone.)
- Applicant's age — unless for legal or programmatic reasons the applicant must be 18 or older. Then you may ask if the person is at least 18 years old.
- Direct questions about personality, intelligence, aptitude, judgment, or leadership skills. However, situational questions, such as "Tell me how you would handle..." can be useful in helping assess the applicant's capabilities and potential.

### Things you CANNOT ask about during an interview –

- Applicant's race, color, national origin, height, weight, marital status, military record, economic status, or medical condition. If applicant brings up one of these factors, it should not be pursued unless he or she asks if it is a barrier to the job. Then it should be discussed only in the context of how the applicant perceives it to be a barrier.
- Arrests. You can say, "Have you ever been convicted of a crime? Tell me about it."
- If the applicant can drive, unless a valid driver's license is required for the job.
- If applicant speaks a language other than English, unless the ability to speak another language is required in the job title/job description.
- Applicant's child care arrangements.

As a general rule, if you aren't sure whether you can ask a particular question, tell the applicant about particular requirements or conditions of the situation. He or she may well ask you follow-up questions to which you may then provide informational answers.

# Recommendations for background checking and training

The Diocese of California is aware that the requirements for screening and training employees and volunteers for ministry with children and youth are significant, and is committed to sourcing and —insofar as may be possible — providing these services in a manner that is convenient and affordable for our congregations.

**SHIELD**  
the vulnerable

A SERVICE OF LAWROOM IN SUPPORT OF THE  
CALLED TO RIGHT RELATIONSHIP INITIATIVE



## CALLLED TO RIGHT RELATIONSHIP INITIATIVE

At Episcopal congregations and institutions throughout the Diocese of California, clergy, laity, employees and volunteers, educators, parents, youth and children are being trained to do ministry safely together.

Training for the protection of children and youth from abuse is mandated by 2003 General Convention Resolution B003, and Called to Right Relationship is our diocesan response in policy and procedure. We take our common mandate from the 1997 Children's Charter for the Church, which calls the church to love, shelter, protect and defend children within its own community and the world.

## ABOUT THE TRAINING

In response to the Called to Right Relationship Initiative, Shield the Vulnerable created "Recognize, Report & Prevent Child Abuse," an individualized, interactive online course. No special hardware, software, or training necessary. Just a PC or Mac and Internet access. **The course takes 1 to 1.5 hours** and you can pause and return anytime to the same place and finish the course. Just remember your Login-ID & Password.

## HOW TO TAKE THE ONLINE COURSE

- 1 Go To: [shieldthevulnerable.org](http://shieldthevulnerable.org)
- 2 Click "1st Time Diocese Signup" tab
- 3 Click "Adult Courses" radio (round) button
- 4 Select your diocese from list of dioceses
- 5 Complete the Registration:
  - ▶ **User/Login Tab:** fill in the requested information and create your own login. Only one person can be named on the registration.
  - ▶ **Diocesan Affiliation Tab:** Select who you are employee, volunteer, or parent.
  - ▶ **Occupation Tab:** whatever your diocesan affiliation you MUST identify whether you're mandatory or ethical reporter.
  - ▶ **Background Check Tab:** If your diocese requires a background check, this tab will appear.
  - ▶ **Summary Tab:** review your registration and if correct and you "Accept" the license, click "Confirm Registration."
- 6 Click "Start" button on My Course page.
- 7 Acknowledge Diocesan Policies and print your Certificate of Completion

## WHAT ADULTS WILL LEARN

- ▶ What are the different types of abuse & neglect
- ▶ How to recognize the signs of abuse & neglect
- ▶ How to protect a child who is a victim of abuse
- ▶ What constitutes 'reasonable suspicion'
- ▶ When & how to make a report under state law
- ▶ Potential penalties for not reporting
- ▶ What are the Diocesan standards of conduct

The online course will challenge and engage adults to help them learn, build, and retain valuable skills to save children from abuse and neglect. Besides the text-based teaching, the course uses interactive techniques and role-play around real-world situations.

**SHIELD**  
the vulnerable

Outline Our Policy My Notepad Instructor Help A A A

### Challenge

Imagine that you're supervising a youth group during an overnight outing.

After a few hours with the children, you begin to suspect that one child, Samantha, age 15, may be a victim of abuse or neglect.

Based on things Samantha has said ("I hate myself"), her behavior (she's timid, quiet, and shy), and poor physical condition (she's thin, her clothes are old and dirty, and she needs a bath) you suspect Samantha may be an abused or neglected child.

You're thinking about calling local Child Protective Services about Samantha. Which of the following statements is true?

- 1. If you call the agency but are wrong (i.e., Samantha isn't being abused), you can go to jail for making a false report.
- 2. If you don't call the agency but are right (i.e., Samantha is being abused), you can go to jail for failing to make a report.
- 3. Neither of the above is true.

**Are you sure about 1? We'd like you to consider your answer as you read through the course. We'll keep track of your answer. Near the end, we'll return to this Challenge to give you a chance to answer it again and see if your answer changes!**

**For Help:** Please call Shield the Vulnerable at 800-652-9546.

© 2007 Shield the Vulnerable, a service of LawRoom

Walnut Creek, California

---

# Sample reference check script

## *Volunteer, civic or professional reference*

Hello, this is [name, role] from name Episcopal Church...

Our church has a screening process for all persons who volunteer to work with children, youth or other vulnerable people. Name has offered to work with children/youth as a [Sunday School teacher/ youth leader/ other].

I am calling you because applicant indicated in her/his application that s/he has volunteered/worked with you/your organization in the past ... [state specific role].

1. Can you verify this information?

Would you be willing to answer a few questions about applicant? [If willing to answer only one question, ask: Would you invite this person to work with you again?]

2. How long have you known her/him?

3. Did applicant follow the rules/procedures/policies at your organization?

4. Did anyone ever complain about applicant's interactions with children or youth?

5. Do you have any reservations about applicant's working with children, youth or other vulnerable people?

6. Does applicant hold any other jobs or do any other volunteer work with children?

7. Is there anything you would care to add?

Thank you very much for your help.

## *Personal reference*

Hello, this is [name, role] from name Episcopal Church...

Our church has a screening process for all persons who volunteer to work with children, youth or other vulnerable people. Name has offered to work with children/youth as a [Sunday School teacher/ youth leader/ other].

I am calling you because applicant listed you as a personal reference. Would you be willing to answer a few questions?

1. How long have you known her/him?

2. To your knowledge, has anyone ever complained about applicant's interactions with children or youth?

3. Do you have any reservations/concerns about applicant's working with children, youth or other vulnerable people?

4. Does applicant hold any other jobs or do any other volunteer work with children?

5. Is there anything you would care to add?

Thank you very much for your help.

Adapted from the Volunteer Reference Verification form, St. Paul's Burlingame

---

# Incident Report form

*Date of incident*

*Date report filed*

*Person filing report*

**Instructions:** As close as possible to the time the incident occurred, a copy of this report must be filled out by the person in charge. Other eyewitnesses to the incident (preferably adults) may also fill out additional copies of this form. You may use a separate sheet of paper.

**Location, date and time of the incident**

**Description of the incident**

**Your involvement in the incident**

**Individuals who were injured and a description of the injuries**

**Description of action taken on behalf of injured**

**Names of others involved in the incident or witnesses**

**Name of adult in charge at time of the incident**

**Cause of the incident (in your opinion)**

**Additional comments**

Adapted from the Incident Form, diocesan Department of Youth and Young Adult Ministries

September 2008

Questions? Call 415.673.5015. Go to [diocal.org](http://diocal.org) for updates.

---

# Sample incident reporting form

Date of incident *February 25, 2000*  
Date report filed *March 2, 2000*  
Person filing report *Kit D. Pastor*

**Instructions:** As close as possible to the time the incident occurred, a copy of this report must be filled out by the person in charge. Other eyewitnesses to the incident (preferably adults) may also fill out additional copies of this form. You may use a separate sheet of paper.

## Location, date and time of the incident

*St. Thomas Aquinas, parish hall, ~ 8 p.m., February 25, 2000*

## Description of the incident

*During a game of dodge ball, a 14-year-old took a closely-thrown ball to the head. He fell to his knees, was disoriented. Play stopped, boy was removed from the game, attended.*

## Your involvement in the incident

*I was onsite but did not see the incident. I was at the far end of the hall talking with another youth.*

## Individuals who were injured and a description of the injuries

*Brian N. Jury was the boy who took the blow to the head. No bruising or swelling visible. Just complaints of a sore head.*

## Description of action taken on behalf of injured

*Ice, examination of contact area (no bruising or swelling), asked standard questions (number of fingers, date, name, etc.)—no problems there, 2 ibuprofen.*

## Names of others involved in the incident or witnesses

*Many youth, and two other adult leaders: Joe Blow and Harry Larry. Ball thrower was Mark Ball.*

## Name of adult in charge at time of the incident

*Myself: Kit D. Pastor*

## Cause of the incident (in your opinion)

*Normal play. According to witnesses, no apparent intent on behalf of thrower to injure youth.*

## Additional comments

*None.*

---

# Confidential Notice of Concern

Once completed, please enclose in sealed, confidential envelope and deliver or mail to the Rector or Wardens in the parish office or fax to the confidential fax line in the Bishop's Office (415.673.4863).

Individual(s) of concern: \_\_\_\_\_

Congregation: \_\_\_\_\_

Date of occurrence: \_\_\_\_\_ Time of occurrence: \_\_\_\_\_

## Type of concern –

- Inappropriate behavior with a child or youth
  - Policy violation with a child or youth
  - Possible risk of abuse
  - Other concern: \_\_\_\_\_
- 

**Please describe the situation –** *(What happened? Where and when? Who was involved, present, notified? If reported to the State, what was their recommendation about investigating? Attach additional sheets if needed.)*

**Has this situation ever occurred previously?** *(Attach additional sheets if needed.)*

**What action was taken?** *(How was the situation handled? Who was involved? Who was questioned? Were police called? Attach additional sheets if needed.)*

**What is the follow-up plan?** *(Does anyone else need to be notified? Will the situation need monitoring? Would you like someone to call you to discuss this situation? Attach additional sheets if needed.)*

Submitted by \_\_\_\_\_  
(Please print)

Date \_\_\_\_\_

Location/Address \_\_\_\_\_

Signature \_\_\_\_\_

Reviewed by \_\_\_\_\_

Telephone #s \_\_\_\_\_

Adapted from the Confidential Notice of Concern, St. Paul's Burlingame

---

# Field Trip Permission form

## Dear Parent or Legal Guardian,

Your son/daughter is eligible to participate in a parish-sponsored activity requiring transportation to a location away from the parish grounds. This activity will take place under the guidance and supervision of adult chaperones. A brief description of the activity follows:

Name of Event \_\_\_\_\_

Destination \_\_\_\_\_

Designated Supervisor of Activity \_\_\_\_\_

Date and Time of Departure \_\_\_\_\_

Date and Anticipated Time of Return \_\_\_\_\_

Method of Transportation \_\_\_\_\_

Participant Costs \_\_\_\_\_

**If you would like your son/daughter to participate in this event, please complete, sign and return the following statement of consent and release of liability. As parent or legal guardian, you remain fully responsible for the actions and conduct of your child.**

I hereby consent to participation by my son/daughter \_\_\_\_\_ in the event described above. I understand that this event will take place away from the parish grounds and that my son/daughter will be under the supervision of designated parish employees on the stated dates. I further consent to the conditions stated above on participation in this event, including the method of transportation.

In consideration of my child being allowed to participate in this field trip, I hereby agree on behalf of myself and my child, to release \_\_\_\_\_ Parish, the Diocese of California, and any and all affiliated organizations, their employees, agents and representatives, including volunteer drivers (collectively "Releases") from any and all claims, including negligence, which may be asserted by me or my child, or on behalf of my child, arising from or relating to my child's participation in the field trip. In the event this release on behalf of myself and/or my child is held to be invalid or unenforceable, I hereby agree to indemnify and hold harmless Releases from any and all claims, including negligence, which may be asserted by me or my child, or on behalf of my child, arising from or relating to my child's participation in the field trip. This release or indemnification does not apply to claims for intentional misconduct or gross negligence; nor does this release or indemnification apply to the extent of commercial insurance coverage for any claim, but this Release or Indemnification shall apply to the extent of any self-insurance or deductible applicable to any claim.

\_\_\_\_\_  
(Parent or Guardian's Name -- Print)

\_\_\_\_\_  
(Parent or Guardian's Signature)

\_\_\_\_\_  
(Date)

**Please return this entire form by \_\_\_\_\_ to \_\_\_\_\_**  
(Date) (Person)

Adapted from the Parent Permission Form For Field Trip Participation of the Diocese of Marquette, Michigan

---

# Volunteer Driver Information form

## I. Driver

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_  
Address \_\_\_\_\_ Social Security # \_\_\_\_\_  
\_\_\_\_\_ Cell Phone # \_\_\_\_\_  
Driver's License # \_\_\_\_\_ Home Phone # \_\_\_\_\_

## II. Vehicle(s)\* That Will Be Used

Name of Owner \_\_\_\_\_ Year and Make \_\_\_\_\_  
Address of Owner \_\_\_\_\_ Model \_\_\_\_\_  
\_\_\_\_\_ License Plate # \_\_\_\_\_  
Date Registration Expires \_\_\_\_\_

\*If more than one vehicle is to be used, required information must be provided for each vehicle.

## III. Insurance Information (NOTE: When using a privately owned vehicle, the insurance coverage is the limits of the insurance policy covering that specific vehicle.†)

Insurance Company \_\_\_\_\_  
Policy Number \_\_\_\_\_  
Expiration Date \_\_\_\_\_  
Liability Limits of Policy† \_\_\_\_\_

†Please note: The minimal acceptable liability limits for privately owned vehicles is \$500,000 CSL (Combined Single Limit).

## IV. Certification

I certify that the information given on this form is true and correct to the best of my knowledge. I understand that as a volunteer driver, I am 21 years of age or older, hold a valid non-probationary driver's license, have no physical disability that may impair my ability to drive safely, and have required insurance coverage in effect on any vehicle used to transport students.

\_\_\_\_\_  
(Driver's Name – Print)

\_\_\_\_\_  
(Driver's Signature)

\_\_\_\_\_  
(Date)

Adapted from the Recommended Volunteer Driver Information Sheet of the Diocese of Marquette, Michigan

September 2008

Questions? Call 415.673.5015. Go to [diocal.org](http://diocal.org) for updates.

Episcopal Diocese of California 45

---

# Medical/Image Release form

## Participant information

Event name: \_\_\_\_\_ Event date: \_\_\_\_\_

Participant's name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Grade: \_\_\_\_\_ Church: \_\_\_\_\_

Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Parent(s)/guardian(s) —

**NAME(s):**

\_\_\_\_\_ / \_\_\_\_\_

**TELEPHONE NUMBER(s):**

day: \_\_\_\_\_ / day: \_\_\_\_\_

night: \_\_\_\_\_ / night: \_\_\_\_\_

*In case of an emergency, where the above persons cannot be reached, please notify:*

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

City of residence: \_\_\_\_\_

Telephone (day): \_\_\_\_\_ (eve): \_\_\_\_\_

## Medical authorization

I/we, the parent(s) or legal guardian(s) of \_\_\_\_\_, a minor, hereby authorize and consent to any x-ray examination, anesthetic, medical or surgical diagnosis or treatment and hospital care which is deemed advisable by, and is to be rendered under the general or special supervision of any licensed medical personnel on staff of any licensed hospital. This authorization is given in advance of any specific diagnosis, treatment, or hospital care required, but is given to provide authority and power to render care, which is deemed advisable in the best judgement of the physician.

**DATE:**

**SIGNATURE:**

**RELATIONSHIP:**

\_\_\_\_\_  
\_\_\_\_\_

Birthdate of minor: \_\_\_\_\_ Last tetanus shot: \_\_\_\_\_ Social security number: \_\_\_\_\_

Allergies: \_\_\_\_\_

Medications: \_\_\_\_\_

Special needs: \_\_\_\_\_

Family physician: \_\_\_\_\_ / Phone: \_\_\_\_\_

Insurance Co.: \_\_\_\_\_ / Policy #: \_\_\_\_\_

## Photo and audio release

I give the Episcopal Diocese of California permission to take photographs, videotape and/or record the voice of \_\_\_\_\_, a minor and to use those images and recordings in diocesan publications only.

**DATE:**

**SIGNATURE:**

**RELATIONSHIP:**

\_\_\_\_\_  
\_\_\_\_\_

Adapted from the Participant Form, diocesan Department of Youth and Young Adult Ministries

---

# Pertinent documents referenced



*Resource on Mandated Reporting in California – Children  
(A summary of changes made by AB3354 to the Calif. Penal Code)* 48

*Ten Rules for Respect: One Way to Build Trust* 49

*Calif. AB 255: the Elder Abuse and Dependent Adult Civil Protection Act* 50

*A Citizen’s Guide to Preventing & Reporting Elder Abuse* 51

*Resolution B008 of the 2003 General Convention* 52

*Bishops’ Pastoral letter –  
a 2003 General Convention Resolution* 54

---

# Resource on Mandated Reporting in California – Children

Summary of the law © Kyros Ministry <http://kyros.org>. Used by permission.  
Visit [www.diocal.org](http://www.diocal.org) to view the full document.



AB3354 amends Section 11166 of the Penal Code by:

- (1) adding members of the clergy to the list of mandated reporters ('clergy member' means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized religious denomination or organization").
- (2) exempting knowledge or reasonable suspicion of child abuse acquired during a penitential communication\* from the mandate to report.
- (3) defining a "penitential communication" as a "communication, intended to be in confidence, including, but not limited to, a sacramental confession, made to a clergy member who ... is authorized or accustomed to hear those communications, and under the discipline, tenets, customs or practices of his or her church (sic), denomination, or organization, has a duty to keep those communications secret."
- (4) specifying that "nothing in this subdivision shall be construed to modify or limit a clergy member's duty to report known or suspected child abuse when he or she is acting in the capacity of a child care custodian, health practitioner, employee of a child protective agency, child visitation monitor, firefighter, animal control officer, humane society officer, or commercial film print processor."
- (5) Adding clergy members to the list of permissive child abuse reporters for mental or emotional abuse.

Advantages to Clergy as Mandated Reporters:

- (a) Clergy shall now be able to find out the "results of the (child abuse) investigation and of any action the (child protective or law enforcement) agency is taking with regard to the child or family"  
(existing law cited in AB3354, page 1).
- (b) Clergy shall now be protected from "civil or criminal liability" for reporting child abuse (existing law cited in AB3354, page 2).
- (c) Congregations or supervisors shall not be allowed to sanction clergy who report [11166(h) provides that "no person making a report shall be subject to any sanction for making the report."]

\*Evidence Code Section 1032 provides:

As used in this article "penitential communication" means a communication made in confidence, in the presence of no third person so far as the penitent is aware, to a clergyman (sic) who, in the course of the discipline or practice of his (sic) church (sic), denomination, or organization, is authorized or accustomed to hear such communications and, under the discipline or tenets, of this church (sic), denomination, or organization, has a duty to keep such communications secret.  
(Stats. 1965, c. 299)

The underlined language of the Evidence Code definition, requiring that no third person may be present when the penitential communication is made, is not provided for in the definition of AB 3354.

---

# Ten Rules for Respect: One Way to Build Trust

By Charles W. Christian

When I came to this church five years ago, many of my board members had grandchildren older than I was. Most of the rest had children my age. At age 23, I was their pastor. That was intimidating.

I was told by a mentor that I would have to have some rules of the road for communicating with my congregation. How would I get people so much older than I to talk to me rather than among themselves?

The list I drew up has evolved into ten principles that have transformed the way our church communicates. They now form a covenant signed each year by all the leaders, including me.

- ☛ If you have a problem with me, come to me (privately).
- ☛ If I have a problem with you, I'll come to you (privately).
- ☛ If someone has a problem with me and comes to you, send them to me. (I'll do the same for you.)
- ☛ If someone consistently will not come to me, say, "Let's go to the pastor together. I am sure he will see us about this." (I will do the same for you.)
- ☛ Be careful how you interpret me—I'd rather do that. On matters that are unclear, do not feel pressured to interpret my feelings or thoughts. It is easy to misinterpret intentions.
- ☛ I will be careful how I interpret you.
- ☛ If it's confidential, don't tell. (This especially applies to board meetings.) If you or anyone comes to me in confidence, I won't tell unless (a) the person is going to harm himself/herself, (b) the person is going to physically harm someone else, (c) a child has been physically or sexually abused. I expect the same from you.
- ☛ I do not read unsigned letters or notes.

- ☛ I do not manipulate; I will not be manipulated; do not let others manipulate you. Do not let others try to manipulate me through you. I will not preach "at" you on Sunday mornings. I will leave conviction to the Holy Spirit (he does it better anyway).
- ☛ When in doubt, just say it. The only dumb questions are those that don't get asked. We are a family here and we care about each other, so if you have a concern, pray, and then (if led) speak up. If I can answer it without misrepresenting something or breaking a confidence, I will.

While they have not eliminated every problem, the principles have provided a strong foundation for loving, Christlike communication.

\* \* \*

Recently two members asked a longtime leader to "tell the pastor" about some idea that was not working. At first, this leader agreed to speak with me. Then, she called the two members back and said, "I've thought about what you asked me to do. I know that the pastor would appreciate it if you told him yourself. He always wants to hear what church members think. If he does not respond, then call me and you and I will go together."

That afternoon, the members sat with me in my office, and we worked through their problem. I did not know about their request of the person who sent them to me.

"I'm so glad you came to me personally," I closed our conversation. "Around here, all of our leaders believe in open communication, even about difficult matters."

Later, when I learned the rest of the story, I knew our adherence to the road rules had given that leader an opportunity to communicate her confidence in me. And I was allowed to cement two other relationships that might have presented roadblocks later on.

---

# Calif. AB 255: the Elder Abuse and Dependent Adult Civil Protection Act

*(The full document – 18 pages – may be found online at [www.diocal.org](http://www.diocal.org).)*

## Assembly Bill No. 255

### CHAPTER 54

An act to amend Sections 15601, 15610.17, 15610.23, 15610.37, 15610.50, 15610.55, 15610.57, 15630, 15633.5, 15634, 15659, 15701, 15760, 15763, and 15765 of, to amend and renumber Section 15751 of, to amend, renumber, and add Section 15750 of, to amend and repeal Section 15653.5 of, to add Sections 15610.19, 15610.39, and 15655.5 to, to repeal Sections 15701.1, 15701.15, 15701.2, 15701.35, 15752, 15753, 15753.5, and 15761 of, and to repeal the heading of Chapter 13.5 (commencing with Section 15760) of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to elder abuse.

[Approved by Governor June 17, 2002. Filed with Secretary of State June 17, 2002.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 255, Zettel. Elder abuse.

(1) Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, establishes various procedures for the reporting, investigation, and prosecution of elder and dependent adult abuse. These procedures require certain persons, called mandated reporters, to report known or suspected instances of elder or dependent adult abuse. Under existing law, care custodians of elder or dependent adults and local law enforcement agencies are mandated reporters. A violation of the reporting requirements by a mandated reporter, as defined, is a misdemeanor.

This bill would revise the provisions setting forth the purposes of the act, would revise the definition of mandated reporter by including a "clergy member," as defined, and would redefine "care custodian" to include certain employees of humane societies, animal control agencies, fire departments, and offices of environmental health and code enforcement. The bill would also add abduction to the conduct that is required to be reported under the act, would redefine "multidisciplinary personnel team," and "neglect," and would define "imminent danger." It would also exclude from the definition of "health practitioner" religious practitioners who diagnose, examine, or treat elders or dependent adults.

(2) Existing law authorizes various entities to receive information relevant to an incident of elder or dependent adult abuse and applies confidentiality requirements and liability limitations to those entities.

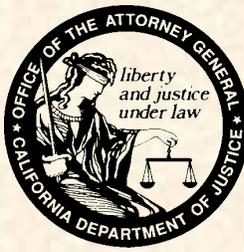
# A Citizen's Guide to Preventing & Reporting Elder Abuse

(The full document –38 pages – may be found online at [www.diocal.org](http://www.diocal.org).)



**A Citizen's Guide To Preventing & Reporting Elder Abuse**

Brought to you by the  
**California Department of Justice**



Co-sponsored by **AARP**

---

# Resolution B008 of the 2003 General Convention

## *Resolution B008, Protection of Children and Youth From Abuse, 74th General Convention (2003)*

**Topic/Title:** *Children: Protection of  
Children and Youth from Abuse*

**Proposer:** *The Rt. Rev. Thomas  
Clark Ely (Vermont)*

**Resolved,** the House of Bishops concurring, That the 74th General Convention of the Episcopal Church recommit itself to the vision of the role of children in the church as articulated in A Children's Charter for the Church as adopted by the 72nd General Convention in 1997. The Charter, among other things, calls the church to:

- Receive, nurture and treasure each child as a gift from God;
- Love, shelter, protect and defend children within its own community and in the world, especially those who are abused, neglected or in danger; and
- Advocate for the integrity of childhood and the dignity of all children at every level of our religious, civic and political structures; and be it further

**Resolved,** That this Church acknowledges that the times and circumstances demand that the church articulate a clear and firm commitment to the safety of all, especially children; that we support this commitment with clear and firm policies and procedures for the well being of all; and that we commit this Church to being and becoming a place where children and youth are safe, especially from abuse and neglect; and be it further

**Resolved,** That each diocese develop and adopt policies for the protection of children and youth from abuse that address the following:

1. A screening and selection process for all clergy, lay employees and volunteers who regularly work with children or youth. Dioceses are encouraged to consider:
  - a. A written application
  - b. A public records check
  - c. An interview
  - d. Reference checks
  - e. A general provision that volunteers not work with children or youth until they have been known to the clergy or congregation for at least six months

- 
2. The articulation of behavioral standards for clergy, lay employees, and volunteers working with children or youth. Dioceses are encouraged to consider:
    - a. Respect for the privacy and dignity of children and youth by not putting them in inappropriate unmonitored one-to-one situations
    - b. Age-appropriate arrangements for sleeping, bathing, dressing, or showering
    - c. The prohibition of dating, romantic involvements, or sexual contact with a child or youth
    - d. The prohibition of any sexually oriented materials (magazines, cards, videos, films, clothing, etc.) in the presence of children and youth except as expressly permitted as part of a pre-authorized educational program
    - e. Guidelines for physical contact and expressions of affection that define appropriate and inappropriate behaviors
    - f. The prohibition of discussing their own sexual activities and fantasies with children or youth
    - g. The prohibition of the non-sacramental use, possession, distribution or being under the influence of alcohol, illegal drugs, or the misuse of legal drugs
  3. The monitoring of programs and interaction with children and youth. Dioceses are encouraged to consider:
    - a. The prohibition of the development or initiation of new activities for children or youth without prior approval from the appropriate decision-maker(s)
    - b. The recognition that the ordinary standard is the presence of two unrelated adults for any activities involving children or youth
  4. Education and training. Dioceses are encouraged to consider:
    - a. Child abuse prevention for clergy, lay employees and volunteers who regularly work with children or youth
    - b. Specialized training for those who recruit, screen or select persons to work with children or youth
  5. Guidelines for responding to concerns. Dioceses are encouraged to consider:
    - a. Inappropriate behavior with children or youth
    - b. Violation of policies for the protection of children or youth
    - c. Suspected abuse of children or youth; and be it further

*Resolved,* That each diocese shall report to the House of Bishops Committee on Pastoral Development prior to the Spring 2006 meeting of the House of Bishops with a copy of its adopted and implemented policy and an evaluation of the history of its use. A summary report shall be made to the House of Bishops Spring 2006 meeting and a full report made to the 75th General Convention.

---

# Bishops' Pastoral Letter – a 2003 General Convention Resolution

## *Resolution X031, House of Bishops Letter on Child Sexual Abuse 2003*

**Topic/Title:** *Procedural: Pastoral Letter*

**Proposer:** *Ken Price – A Pastoral Letter  
From the Bishops of the Episcopal Church*

*To be read or cause to be distributed in every  
congregation, mission, preaching station, and church-  
related institution which works with children and youth.*

### **Dear Brothers and Sisters in Christ,**

We your bishops are steadfastly committed to seeing that the Episcopal Church is a community of safety and health for all people. The Body of Christ, the Church, must be a place where adults, children, and young people find the love and blessing of God, and where no one might be hurt and where their hurts may be healed. We are all aware of the reports in the media, during the past year and more, of incidents of sexual misconduct in churches. Many of these tragedies have involved children and young people. While the Roman Catholic Church has most often been mentioned in news reports and accusations, the rest of the Church and many secular agencies have also been caught up in trying to address the damage done to our children by sexual predators. The Episcopal Church is not immune to this scourge in our society and we must respond to it honestly and forthrightly.

Our Church has repeatedly upheld our mandate to be a haven of safety for all. The Scriptures teach us that every human being is made in the image of God; and our Lord enjoins us to receive and serve the least among us as we would receive and serve him. The mandates of our baptismal covenant include seeking and serving Christ in all persons, loving our neighbors as ourselves, striving for justice and peace for all people, and respecting the dignity of every human being.

Because of these mandates of love, respect, service, and justice, we have acknowledged our obligation to articulate clear standards about sexual harassment

and misconduct, and to ensure that all our work and ministry is guided by them. We have been committed to sexual conduct training and abuse prevention for all our clergy and lay leaders. We have been clear that exploitation and abusiveness are always unacceptable in our common life. We have made efforts to become aware of the spiritual and emotional damage that is done by sexual misconduct, and to do our best to guarantee that none who come to us will suffer such harm. In spite of our best efforts, it is sad when we discover that we have not done enough.

While we were in conference together at Kanuga, North Carolina in the spring, many of us had the opportunity to learn more about pedophilia, a form of predatory sexual behavior that has caused untold harm in our society and in the Body of Christ. It is especially important that we as a church focus on understanding and preventing pedophilia.

While we need to be aware that pedophilia is a reality in our society, which can be manifest in the church, we must be very clear about the nature of this tragic problem. Pedophilia is pervasive; one in eight males and one in four females will be molested before they reach the age of eighteen. Of reported cases in the general population, sixty percent (60%) of abusers are known to their victims, thirty percent (30%) are family members or relatives, and ten percent (10%) are strangers. We must be aware that the Church is a community which offers predators the opportunity to become known and trusted by parents and their children.

We also know that offenders are predominantly male and heterosexual. We must take great care not to equate pedophilia with homosexuality in our minds or our conversation, and we must never assume that only men molest children in this way.

What we have learned most recently about the repetitive nature of pedophilia makes it imperative that we take very clear steps together to do the screening necessary to ensure that our children encounter God's love among us, and that we do all in our power to protect them from the distorted perceptions of love offered by predators.

---

In a Mind of The House resolution passed at Kanuga in March of 2003, we committed ourselves to support the development of church-wide policies to safeguard our children; and until such time as these policies are adopted, to revisit and revise our diocesan policies to ensure that ministries provided to the children among us will be life-giving and free from abusiveness of any kind.

Among the basic provisions we have committed to implement, delineated in Resolution B008 on the "Protection of Children and Youth from Abuse" adopted at the 74th General Convention in 2003, are:

1. Thorough screening and selection of clergy, lay employees and volunteers who work with children and youth;
2. Articulation of clear behavioral standards for interactions between clergy, lay employees, volunteers and children and youth
3. Careful, continuous monitoring of all programs and interactions involving children and youth;
4. Provision for education and training of clergy, lay employees and volunteers for work with children and youth; and
5. Guidelines for responding to concerns about behavior or allegations of abuse. In addition we asked the Presiding Bishop to create a working group from among our members to partner with the Church Pension Group, the Church Insurance Corporation and other agencies and appropriate organizations to develop the materials necessary to provide the Church with consistent expectations and standards.

We realize that in many of our congregations, persons who offer to take on ministries with children and youth are a blessing to an understaffed education or formation program for children or youth. The overwhelming majority are trustworthy and caring persons whose ministry will bear great good fruit.

But we must acknowledge that there are times when predators use the church as an opportunity for sexual abuse of children and adolescents who can suffer

severe spiritual, emotional, and sometimes physical damage as a result. In response to such times we are called to acknowledge two truths: that human sin and failure are very real, and that God's grace, mercy and power are always strong enough to heal and transform our pain.

We have no intention to call our members to suspicion and mistrust. We do recognize the need to call our members beyond the naiveté of unquestioning confidence and into the care and discipline which must characterize our choices where children are concerned. Jesus called us to be as wise as serpents and as gentle as doves. In the case of pedophilia, our consistency in carefully screening, choosing and training all who work with children and youth will serve to allay any concerns about favoritism or carelessness, prohibiting those who have harmed children from ministries involving children, while providing the ability to firmly guide those who might harm children into other areas of ministry which serve the Church and contribute to our mission.

Some helpful materials will be available through your diocesan office by the first of November. We ask that as you make use of them you will remember the challenge our Lord provided to his followers, "unless you become as children you cannot enter the kingdom of God." We renew our commitment to ensure that our church is a community of love and care for every person. We ask that you join us in doing all in our power to see that all our members find among us a safe place where they can be open and trusting and able to know the reconciling love of God in Christ that makes all things new.

### **A Collect for the Care of Children**

*Almighty God, heavenly Father, you have blessed us with the joy and care of children: Give us calm strength and patient wisdom as we bring them up, that we may teach them to love whatever is just and true and good, following the example of our Savior Jesus Christ. Amen. (BCP 829)*

Bishops of the Episcopal Church Gathered at General Convention, Minneapolis, MN August 6, 2003, The Feast of the Transfiguration

# D

## Contact information

### *For information about this policy and resources to support its implementation –*

President, Diocesan Council  
Diocese of California  
1055 Taylor Street  
San Francisco, CA 94108  
415.673.5015

*NOTE: The name and specific contact information for the President may be obtained by calling the diocesan office at the telephone number above, or may be found at [www.diocal.org](http://www.diocal.org). (Go to Organizations and search the Organizations list.)*

Ms. Julia McCray–Goldsmith  
[juliam@diocal.org](mailto:juliam@diocal.org) or 415.869.7826

### *For complaints and allegations of misconduct under this policy –*

The Rt. Rev. Marc Andrus  
Bishop of California  
[bishopmarc@diocal.org](mailto:bishopmarc@diocal.org) or 415.673.0606

The Rev. Cn. Michael Barlowe  
[michaelb@diocal.org](mailto:michaelb@diocal.org) or 415.869.7804

Ms. Julia McCray–Goldsmith  
[juliam@diocal.org](mailto:juliam@diocal.org) or 415.869.7826

Diocesan Complaint Coordinators  
President, Standing Committee  
Diocese of California  
1055 Taylor Street  
San Francisco, CA 94108  
415.673.5015

### *Additional information and resources about safe church practice –*

[www.kyros.org](http://www.kyros.org)

A helpful listing of resources for creating safer churches, developed by a local nonprofit consulting firm with a practice in the same.

[www.shieldthevulnerable.org](http://www.shieldthevulnerable.org)

Online training course for recognizing, reporting and preventing child abuse in congregational settings.

[www.oxforddoc.com](http://www.oxforddoc.com)

A commercial background checking service with a specialized practice in clergy and church employees, Oxford Document Management Company (Oxford Docs) offers several levels of screening at varying prices.

[www.churchvolunteercentral.com](http://www.churchvolunteercentral.com)

A subscription service which provides a large database of resources for managing programs and volunteers in a congregational setting.

[www.registeredoffenderslist.org](http://www.registeredoffenderslist.org)

Searchable database of sexual offenders registered under the provisions of Megan's Law.

[www.kyros.org/PDF%27s](http://www.kyros.org/PDF%27s)

A number of useful documents in PDF.

"Fingerprinting Q&A" describes how to access criminal background checking services through the Department of Justice.

[http://download.cpg.org/insurance/publications/pdf/larg\\_font\\_model\\_policies.pdf](http://download.cpg.org/insurance/publications/pdf/larg_font_model_policies.pdf)

Sample safe church policies and resources developed under the auspices of the Episcopal Church Pension Group (many of which are already incorporated into this policy).

[www.cpg.org](http://www.cpg.org)

Under **Products and Services>Preventing Sexual Misconduct**, find a variety of resources for congregational teaching and training, and copies of the "Model Policies for Protecting Children and Youth from Abuse."

[www.teenhealthrights.org](http://www.teenhealthrights.org)

Under the **Child Abuse Reporting** section, find extensive resources on mandatory reporting of child abuse.

See also **Recommendations for background checking and training in Appendix B** of this document.





---

Called <sup>to</sup>  
**Right**  
***Relationship***

