

## Safe Church Policies

In adopting these policies, Niles Congregational Church seeks to establish norms and guidelines that will make our congregation a safe space for all, especially those who are most vulnerable in our congregation.

### Definitions of terms used in the Safe Church Policies

**Chartered Organization Representative:** An adult appointed annually by the church council to represent the church in its relationship with the Boy Scouts of America as a “Chartered Organization” of the Boy Scouts of America. The Board of Christian Education will create and annually review the job description of the Chartered Organization Representative.

**Child Abuse:** When a child is injured physically, sexually, emotionally, or through neglect.

- Physical abuse is an injury that is inflicted by other than accidental means on a child by another person (e.g. injuring a child by hitting, shaking, biting, or throwing objects).
- Sexual abuse is an act of sexual assault on and the sexual exploitation of children (e.g. sexual contact with a minor or the use of children in sexual films or pictures).
- Emotional abuse is an attack on a child’s emotional and social development (e.g. belittling, threatening, yelled at, humiliating, ignoring, blaming or otherwise emotionally mistreating an child).
- Neglect is the failing to provide adequate food, clothing, shelter, nurture, and/or supervision.

**Companion Adult:** An adult who does not have any criminal convictions and who has been approved by the Pastor to fill this ministry. A Companion Adult will accompany a registered sex offender while on the property of Niles Congregational Church or while attending an event sponsored by Niles Congregational Church or while representing Niles Congregational Church.

**Minister:** a person engaged by the church to carry out its ministry. Minister includes elected or appointed leaders of the church, employees, and volunteers, as well as Authorized Ministers and Ministers-In-Training.

**Authorized Ministers:** a person who holds ordained ministerial standing or has been commissioned or licensed by an association of the United Church of Christ or region of the Christian Church (Disciples of Christ).

**Ministers-In-Training:** a person who is a student who works at Niles Congregational Church as part of his/her training for authorized ministry, typically as a part of a Master of Divinity program.

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

**Minor:** As used in these policies, the term “minor” means any child or youth living at home who has not graduated from high school. This may include youth who are 18. The terms “child(ren)” and “youth” are used much more loosely; “youth” generally meaning someone in Middle School, Junior High School, or Senior High School; “child” generally meaning those who are 5<sup>th</sup> grade or younger.

**Sexual Exploitation:** sexual activity or contact (not limited to sexual intercourse) in which a minister engaged in the work of the church takes advantage of the vulnerability of a participant by causing or allowing the participant to engage in sexual behavior with the minister.

**Sexual Harassment:** repeated or coercive sexual advances toward another person contrary to his or her wishes. It includes behavior directed at another person with the intent of intimidating, humiliating, or embarrassing the other person, or subjecting the person to public discrimination. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition or circumstance of instruction, employment, or participation in any church activity;
- Submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making personnel or church-related decisions affecting an individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or participation in church activities or creating an intimidating, hostile, or offensive work or church environment.

Prohibited sexual harassment includes unsolicited and unwelcome contact that has sexual overtones, particularly:

- Written contact, such as sexually suggestive or obscene letters, notes, email, or invitations;
- Verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender-specific traits, or sexual propositions;
- Physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement, assault, coercing sexual intercourse; and
- Visual contact, such as leering or staring at another's body, gesturing, or displaying sexually suggestive objects or pictures, cartoons, posters, or magazines.

Sexual harassment also includes continuing to express sexual interest after being informed directly that the interest is unwelcome and using sexual behavior to control, influence or affect the career, salary, work, learning, or worship environment of another. It is impermissible to suggest, threaten, or imply that failure to accept a request for a date or sexual intimacy will affect a person's job prospects, church leadership, or comfortable participation in the life of the church. It is forbidden either to imply or actually withhold support for an appointment, promotion or change of assignment, to suggest that a poor performance report will be given because a person has declined a personal proposition; or to hint that benefits, such as promotions, favorable performance evaluation, favorable assigned duties or shifts, recommendation or reclassifications, will be forthcoming in exchange for sexual favors.

### **Policy Prohibiting Abuse, Exploitation, and Harassment**

As a community of Christian faith, Niles Congregational Church is committed to creating and maintaining programs, facilities, and a community in which members, friends, staff, and volunteers can worship, learn, and work together in an atmosphere free from *all* forms of discrimination, harassment, exploitation, abuse, and intimidation and that such behavior is prohibited by church policy. It is the intention and responsibility of the church to take whatever action may be needed to prevent and correct behavior that is

contrary to this policy and, if necessary, to discipline those persons who violate this policy.

If any person has a concern that this policy has been or is being violated, she/he should make this concern known in writing to the pastor, moderator, or vice moderator. The pastor/church officer then has the responsibility to investigate issue raised, take appropriate action, and monitor the issue through resolution. If not resolved by the pastor/church officer, the issue will then be addressed by the Board of Deacons or the Church Council (or by the Personnel Committee if an employee may be violating this policy).

### **Ministerial Conduct Policy**

The Pastor(s), every employee, all elected and appointed lay leaders, and every volunteer are Ministers of this congregation. As such, each is responsible for understanding the ways in which their words or actions may affect others.

Sexual Exploitation or Sexual Harassment, of parishioners or others, by anyone engaged in the ministry of Niles Congregational Church is unethical behavior and will not be tolerated within this congregation.

All Ministers of the church may sometimes deal with individuals who are emotionally or personally vulnerable in some way. It is important that every Minister of the church be adequately prepared and educated for the ministry in which they serve others, and to understand the ways in which their actions may impact those who may be vulnerable to their use or misuse of power.

It is the policy of Niles Congregational Church to encourage its Ministers to nurture safety within Ministerial Relationships by being attentive to self-care, education, boundary issues, and the importance of referring those in need to supportive and helpful resources.

### **Child and Youth Protection Policy**

Niles Congregational Church is committed to providing a safe and healthy environment in which young people can learn about and experience God's love.

In order to ensure this, we establish the following guidelines:

- All Ministers who work with minors will have been members or associate members of Niles Congregational Church for at least six months, or if not members, have regularly and frequently associated with Niles Congregational Church for at least one year.<sup>1</sup> An exception to this guideline is that Authorized Ministers and Ministers-In-Training may work with minors as soon as they have met the other provisions of this Policy.
- All Ministers who work with minors will sign a "Covenant for Working with Children and Youth" prior to beginning such work. Signed covenants will be kept on file in the Church office. The Board of Christian Education is responsible for developing and modifying said covenant.

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<sup>1</sup> While Niles Congregational Church and First Christian Church are worshiping together and working programmatically as if we were one church, a Minister who works with minors will have been, if not associated with Niles Congregational Church, either a member of First Christian Church of Fremont for at least six months, or a person regularly and frequently associated with First Christian Church of Fremont for at least a year.

- All Ministers who work with children and youth will complete a volunteer clearance review that will include: completing and submitting a Background Screening Agreement; an interview with the pastor; a criminal background check; and a review of the Safe Church Policies and all other relevant policies. Criminal background checks must be repeated every three (3) years for a Minister to continue to work with children and youth. Having a criminal record does not necessarily disqualify someone from Ministering with children and youth except if the criminal record includes crimes against a child or crimes of a sexual nature. If, as a result of the volunteer clearance review the pastor deems it necessary, a volunteer may be refused permission to minister with children and youth or the pastor may limit the type of work a Minister may do.

For ministers wanting to volunteer to drive minors (see Transportation of Minors Policy), the criminal background check that takes place at least every three years will also include a driving record check.

The following paperwork relating to this volunteer clearance will be kept in a locked file cabinet: the signed “Covenant for Working with Children and Youth”; notes from the interview with the pastor; and a form signed by the pastor and either the moderator or the chair of the Board of Christian Education stating that the criminal background check was completed, the date completed, and any notes about the content of the background check that the Pastor and moderator/BCE chair deem appropriate. Other paperwork relating to the criminal background check will be shredded upon review of the Pastor and moderator or chair of the Board of Christian Education, or if the minister so requests will be returned to the Minister by US mail.<sup>2</sup>

- It is the policy of this church to provide adequate supervision and safeguards for all youth activities. Supervision should also be maintained before and after the event until all children are in the custody of their parent or legal guardian. When working with children under the age of 10, adequate supervision for trips or church sponsored activities would usually be a ratio of one adult to five or six children; and no fewer than two adults. When working with children over the age of 10, adequate supervision would usually be a ratio of one adult to nine or ten children, and always at least three people present (at least one adult and two youth or two adults and one youth).

Exceptions to this guideline could occur in the following: while conducting Sunday School for youth 10 and under (when adequate supervision can be one adult and one youth of a minimum age of 15 years of age), while waiting for youth to be dropped off or picked up from an event (one adult supervisor is acceptable), when transporting youth from or to an activity (one adult supervisor is acceptable), or when acting as a mentor for the Confirmation program (it is acceptable, with parent permission, for the mentor to interact with the youth without another adult present).

- For all overnight activities: there will be at least two unrelated adults present; there will be at least one male and one female adult present if both boys and girls

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<sup>2</sup> The reason for returning this paperwork is that it includes personal identification information, the custody for which the church does not want to be responsible.

are present; if only children/youth of one gender are present, only adults of that gender need be present.

- Written consent (in the form of a permission slip/medical release) of one parent or guardian will be required for all activities off the church property and all overnight activities. Youth groups and confirmation classes may each use their own permission slip/medical release that is good for the program year (July through June).

The Board of Christian Education will establish the wording for permission slips/medical releases and modify them as they deem appropriate.

### **Transportation of Minors Policy**

Any person who transports children and youth in their cars as part of the ministry of Niles Congregational Church is a Minister working with children and youth must meet all the requirements of the Child and Youth Protection Policy. In addition, they must

- be at least 21 years of age;
- sign a Transportation of Youth in Privately Owned Vehicles form;
- every three years provide the church with a copy of their driver's license and the front page of their automobile insurance policy that lists their coverages.

This paperwork will be filed with other paperwork relating to the screening of the Minister to work with children and youth. The Pastor will create and maintain a list of people approved to transport minors in their cars.

Safety is the priority while transporting children and youth. Seatbelts must be worn by all individuals at all times. All laws regarding seatbelts, car seats, mobile phones, etc. will be followed. The Board of Christian Education will make and annually review rules and procedures in the case of an accident.

Written consent (in the form of a Transportation Release) of one parent or guardian will be required for each minor to be transported by someone other than his/her parent/guardian. Youth groups and confirmation classes may each use their own transportation release that is good for the program year (July through June). The Board of Christian Education is responsible for developing and modifying said Transportation Release form(s).

Niles Congregational Church will reimburse Ministers who transport children and youth as part of the church's children's and youth ministry at the rate allowed by the IRS.

### **Sunday School and Youth Group Discipline Policy**

An orderly classroom is as essential to learning in the Sunday School and Confirmation Class settings as it is in the academic school system. Similarly, behavior that fosters community and is respectful of others and self is important in youth fellowship activities. If a Minister working with children and/or youth feels that a minor's behavior is disruptive and/or endangers the wellbeing of self or others, that Minister may return the minor to his/her parent or guardian (if present at the time) or may call the minor's parent or guardian so that the child may be picked up. The Ministers will work with the minor and the minor's parents/guardians to allow for a safe return to the activities of the group at a future time.

## **Boy Scouts Policy**

Niles Congregational Church is a “Chartered Organization” of the Boy Scouts of America and currently runs Cub Scout Pack 112 and a Boy Scout Troop 112. Because the BSA has a youth protection program that includes background checks and training that is at least as thorough as that created by the Children and Youth Protection Policy (above), the church creates by this policy an exception from our Children and Youth Protection Policy for the ministers working with Pack 112 and/or Troop 112. Instead, all ministers working with Pack 112 and/or Troop 112 must meet the requirements of the BSA’s youth protection program. In keeping with the BSA structure, it is the Chartered Organization Representative’s responsibility to see that this happens.

Similarly, the BSA has policies regarding the transportation of minors and the church creates with this policy an exemption from our Transportation of Minors Policy from ministers working with Pack 112 and/or Troop 112. Instead, all ministers working with Pack 112 and/or Troop 112 must meet the requirements of the BSA’s transportation policies. It is the Chartered Organization Representative’s responsibility to see that this happens.

## **Policy Regarding Other Requirements for Employment**

- Before an offer of employment is made to any individual, a comprehensive background check, including a criminal records check, will be completed.
- Authorized Ministers and Ministers-In-Training will attend boundary workshops and church safety workshops as required by the Bay Association and/or the NCNC Committee on the Ministry.

## **Internet Safety Policy**

Niles Congregational Church has found that email and the web to be vital tools for ministry. To keep all those who use the Internet safe, we establish these guidelines.

- Persons under 15 years of age using computers owned by the church must be accompanied by an adult during the entire time they are using the Internet.
- Photographs of minors may be published on the church’s website, Facebook page, etc., and in brochures and other publications unless a parent/guardian submits a signed “do not publish” form naming the child whose photograph is not to be published. The Board of Christian Education is responsible for creating this form. Any person of any age and any parent/guardian of any minor may request that a specific picture be removed from the church’s website, Facebook page, etc., and/or that a picture not be used in future brochures or other publications; the church will respond to this request as quickly as possible.
- Any person accessing inappropriate websites on a church computer will be asked to exit the program and may be barred from using the church computer again.
- The Board of Christian Education may limit how their computers can connect to the Internet and/or what sites on the Internet can be accessed.
- The church will install spam blockers on staff computers to minimize the possibility that they will be bothered by offensive emails.
- Email should not be considered a confidential means of communication.

- The church will install virus protection software on the church's computers to help reduce the risk of spreading viruses and worms and to help protect data on the church's computers.

### **Suspected Child/Elder Abuse Reporting and Response Policy**

The child abuse and elder abuse reporting laws in California state that Authorized Ministers are mandated reporters; it is the responsibility of all Authorized Ministers of Niles Congregational Church to report any reasonable suspicion of child or elder abuse to the appropriate authorities. While other Ministers of this congregation may not be mandated reporters of suspected abuse, the reporting laws encourage them to report their suspicions and protects them when they make such a report in good faith. In establishing this policy, Niles Congregational Church hopes to empower such reporting as a matter of gospel justice.

Reasonable suspicion means that it is a suspicion that a reasonable person would have, based on the facts and drawing on that person's experiences and training. Therefore, not all people would necessarily come to the same suspicion. We are not all expected to be experts. It is not our duty to investigate suspicions of abuse. Our duty lies in appropriately reporting so that the vulnerable will be protected.

When a Minister develops, in the course of their ministry, a suspicion of abuse, he/she should report their suspicion to the Pastor (or in the Pastor's absence, the Moderator) as soon as possible. Such a suspicion will be responded to in accordance with the Response Plan below. Any inappropriate conduct or relationship between a Minister and a child or youth should be reported to the Pastor (or in the Pastor's absence, the Moderator) and responded to in accordance with the Response Plan below.

Care should be taken to avoid prejudging the situation, but all suspicions of abuse will be taken seriously. All suspicions of abuse will be handle forthrightly with due respect for the privacy of the individuals involved. All care will be taken to avoid accusatory attitudes and statements.

The church's first responsibility is to the vulnerable and to the potential victims of abuse. Pastoral care will be available to the suspected abuser and his/her family if doing so does not conflict with this first responsibility. Nonetheless, the suspected abuser should be supported and treated with dignity.

This is the Suspected Abuse Response Plan of Niles Congregational Church:

- The Pastor (or in the Pastor's absence, the Moderator) will contact the appropriate governmental agencies (e.g. Child Protective Services, Adult Protective Services, a police department) and make verbal and written reports of the suspected abuse. The police department will always be contacted if there is a suspicion that a child or elder is in immediate danger.
- In a case of suspected child abuse when a parent/guardian is not suspected of committing the abuse, the Pastor (or in the Pastor's absence, the Moderator) will notify the child's parent(s)/guardian(s).
- In a case where the person suspected of abusing another may have done so on church property and/or in conjunction with a ministry of the church, the Pastor (or in the Pastor's absence, the Moderator) will contact the church's insurance company, the church's attorney, and the appropriate member of the Conference staff.

- In a case where the person suspected of abusing another may have done so on church property and/or in conjunction with a ministry of the church, any or all of the following may take place:
  - The person suspected of abusing another may be called upon for a conference with the Pastor.
  - The person suspected of abusing another may be reported to the proper authorities.
  - The person suspected of abusing another may be removed from working with children and youth.
  - The person suspected of abusing another may be asked to absent himself/herself from the church while the suspicion is being investigated by the authorities.
- All members and friends of Niles Congregational Church will cooperate fully with civil authorities under the guidance of an attorney, which will be retained on an as-needed basis.
- If requested, the Pastor (or in the Pastor's absence, the Moderator) will take steps to protect, to the best of his/her ability, the anonymity of the person who brings the suspected abuse to the Pastor's (or in the Pastor's absence, the Moderator's) attention.

### **Registered Sexual Offender Policy**

It is possible that a registered sex offender may desire to attend (and perhaps unite in membership with) Niles Congregational Church. While not all registered sex offenders pose a risk to others,<sup>3</sup> Niles Congregational Church has decided to err on the side of safety and to protect the most vulnerable in our community of faith. Therefore, Niles Congregational Church establishes these guidelines:

- All registered sex offenders are required to make that status known to the Pastor(s) of Niles Congregational Church. This information is not confidential and will be shared by the Pastor with anyone he/she deems necessary, including but not limited to the Moderator, Vice Moderator, Chair of the Board of Christian Education, and the Office Administrator.
- Anyone who is a registered sex offender will always be in the company of a Companion Adult (as defined above) while on the property of Niles Congregational Church or while attending an event sponsored by Niles Congregational Church or while representing Niles Congregational Church in any capacity. It is the responsibility of the registered sex offender to schedule the presence of a Companion Adult when needed.
- Registered sex offenders may not work in any volunteer or paid capacity with our children and youth ministry programs (e.g., Sunday School, youth groups, confirmation class).

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<sup>3</sup> For instance, a middle-aged person who, as a 18 year old, had sexual intercourse with a 16 year old boyfriend/girlfriend, may have been found guilty of statutory rape and need to register as a sex offender. This person would not necessarily be a threat to teenagers today, though he/she could be.

- A person convicted of committing a crime against children may, by vote of the Church Council, be banned from participating in any church activity at which children may be present, including worship services.

### **Updating These Policies**

These Policies, once adopted by the Congregation, may be amended and/or updated by the Church Council.

*These Safe Church Policies replace: the “Volunteer and Child Protection Policy” affirmed by the Congregation on May 3, 1998; the “Transportation Policy” adopted by the Council on December 19, 2005; and the “Church School Discipline” and “Age of Those Who Work with Minors” policies adopted by the Council on December 19, 2005.*

*Recommended by the Church Council on March 19, 2007*

*Adopted by the Congregation on May 6, 2007*

*Amended by the Council on May 19, 2008*

*Amended by the Council on August 17, 2009*

*Amended by the Council on December 14, 2009*

*Amended by the Council on June 20, 2011*