

**Diocese of Northwestern Pennsylvania
Policies for the Prevention of Sexual Exploitation of Adults
and of Sexual Harassment of Church Workers**

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Introduction

In 2009 the Diocese of Northwestern Pennsylvania adopted the following mission statement: One Church of miraculous expectation under the Lordship of Jesus Christ equipping transformational leaders for transformational ministry through our missionary outposts—our congregations. A key component of transformational leadership is the attention to and defense of freedom from violence in our congregations and in our guidance. In the gospels, Jesus invokes, "Peace be with you!" (Lk.24:36; John 20:19). Jesus also calls for our compassion, sympathy, and empathy for one another in Matthew's gospel:

Come, O blessed of my Father, inherit the reign prepared for you from the foundation of the world; for I was hungry and you gave me food, I was thirsty and you gave me drink, I was a stranger and you welcomed me, I was naked and you clothed me, I was sick and you visited me, I was in prison and you came to me.'...Truly, I say to you, as you did it to one of the least of these my sisters and brothers, you did it to me. (Mt.25:34-40)

If we are to follow Christ's teachings of non-violence, then we have to be diligent in our prevention of violence in our midst, as well as create environments which are safe and secure where our faithful and visitors can gather in peace and comfort, free from any fear of being threatened or abused. Harassment in any form is violence, and sexual harassment in particular has the potential to drastically impede our work in ministry and permanently damage the faith of those who have been entrusted to our care.

National, State and Local Laws and Regulations

The policies proposed for adoption and implementation comply with federal, state and local laws and regulations governing sexual harassment in the workplace. All laws are subject to change from time to time by action of Congress, state legislatures, local units of government, and federal and state courts. Therefore, this policy will be periodically reviewed with assistance from persons knowledgeable in these laws.

Important Information about the Legal Difference Between "Employees" and "Volunteer" Church Workers Under This Policy

As a matter of general policy, laws protecting workers from sexual harassment or other harassment in the workplace only apply to "employees" and not to "volunteers." Federal, state, and local laws, where applicable, provide various legal rights to employees who have been subjected to illegal sexual harassment. Some of those rights may include: the right to file a complaint with a government regulatory body; the right to have a government regulatory body investigate the complaint and negotiate a remedy with the employer; the right to have the government sue the employer on the employee's behalf; and the right for the employee to sue the employer for such damages as back pay, reinstatement, lost future wages, and attorneys' fees. The rights available to employees may vary under applicable federal, state, and local laws.

While volunteer church workers are not protected by sexual harassment laws, General Convention Resolution A156 (2006) (see Appendix B) specifically states that all church workers, **both paid and volunteer**, must be protected by diocesan and congregational policies. What this means is that both paid and volunteer workers will have the same rights to an environment free from sexual harassment under the organization's policies BUT volunteer workers **do not** have the same **legal** rights given to paid employees under federal, state and local sexual harassment laws. A church employer must work to prevent the sexual harassment of volunteer workers, stop any harassment that is occurring and protect

the volunteer worker from retaliation but the volunteer worker will not have a legal right to back pay, reinstatement, lost future wages, attorneys' fees or any other remedy provided by law. Similarly, a volunteer church worker **does not** have the **legal** right to file a complaint with a government regulatory body; or to have a government regulatory body investigate the complaint and negotiate a remedy with the Church; or to have the government sue the Church on the volunteer's behalf; or have the right to sue the Church for damages under the sexual harassment laws.

Sexual Exploitation Policy

Prohibition against Sexual Exploitation

The Diocese of Northwestern Pennsylvania does not tolerate sexual exploitation in any form. Sexual exploitation is the development or attempted development of a sexual relationship between a person in any ministerial position, lay or ordained, and an individual with whom he or she has a Pastoral Relationship. A Pastoral Relationship is a relationship:

Between any clergy person and any person:

- who attends a congregation or other ministry setting in which the clergy person serves;
- who seeks ministry from the clergy person

OR

Between any clergy person or any duly-appointed lay person, whether employee or volunteer, who is authorized to provide and does provide:

- counseling;
- pastoral care;
- spiritual direction or spiritual guidance;
- ministration of any Sacrament (other than the distribution of the Bread and Wine by a lay person at a public service of Holy Communion);
- life/leadership/peer coaching
- hearing a person's confession, in the course of the duly-authorized ministry

OR

The following ministers licensed under Canon III.4: Pastoral Leaders, Worship Leaders, Preachers, Eucharistic Ministers and Visitors, and Catechists and those they serve in the course of these ministries.

Sexual exploitation includes but is not limited to the following actions:

1. Verbal: such as sexual innuendo, indecent proposals, sharing sexual stories, jokes or fantasies, or making inappropriate comments about someone's appearance.
2. Behaviors: such as inappropriate touching, sending or posting communications with sexual content (correspondence, email, text messages, instant messages, photographs, attachments, phone conversations, voice mail, etc.)

3. Sexualizing a Pastoral Relationship or relationship between a clergy or lay person and anyone to whom he or she provides ministry (e.g., requesting dates, giving unwanted attention, etc.).

Reporting Suspected Sexual Exploitation

If you believe that you or someone else has been subjected to sexual exploitation, actions that violate this policy or inappropriate behavior, you may make your concerns known to the offending person if you are comfortable doing so, or you may report your concerns in accordance with the following:

Reports of suspected or known sexual exploitation must be reported to:

- The rector or clergy person in charge of the congregation
- The Senior Warden of the congregation
- The Bishop
- The Canon to the Ordinary

Via any of the following:

- Telephone call
- Letter
- Email
- Fax
- In-person meeting
- Filing a Notice of Concern

Church Personnel are required to report any suspected or known policy violations to the rector or clergy person in charge of the congregation.

All reports of sexual exploitation, policy violations, or inappropriate behavior under this policy will be taken seriously.

General Definitions

A. Church Personnel

1. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church.
2. All paid personnel whether employed in areas of ministry or other kinds of services by the diocese, its congregations, schools or other agencies.
3. Those who contract their services to the diocese, its congregations, schools, or other agencies.
4. Volunteers, including any person who enters into or offers him or herself for a church related service, or who actually assists with or performs a service, whether or not they have been selected or assigned to do so. Volunteers include members of advisory boards, Vestries, Bishop's Committees, boards of directors and advisory boards.

B. Persons Who Have Pastoral Relationships

For purposes of this policy, the following Church Personnel are included in the definition of Persons Who Have Pastoral Relationships:

1. All clergy whether stipendiary, non-stipendiary, or otherwise.
2. All persons who have Pastoral Relationships.
3. The following ministers licensed under Canon III.4: Pastoral Leaders, Worship Leaders, Preachers, Eucharistic Visitors, and Catechists.

C. Supervisors and Decision-Makers

1. All persons who supervise Persons Who Have Pastoral Relationships.
2. All members of decision-making bodies who have the authority to approve the creation of ministries, programs, church activities, or policies involving Pastoral Relationships or who
3. Standing Committees, Diocesan Councils/Executive Boards, Vestries, and Bishop's Committees who appoint or approve Persons Who Have Pastoral Relationships as defined in this policy including all Standing Committees, Commissions on Ministry, Vestries, Boards of Directors for Schools, Bishops Committees and other related committees, commissions, agencies, or boards.

Safeguards for Preventing Sexual Exploitation of Adults

A. Screening and Selection

Any and all Persons Who Have Pastoral Relationships shall be screened and selected using the following tools and procedures:

Persons Who Have Pastoral Relationships shall be screened before engaging in Pastoral Relationships.

1. Applicants shall be known to the leadership of the congregation for at least six (6) months to a year.
2. Background Screening
 - a. An appropriate **Application** form [or church deployment form] completed by the applicant that includes an authorization for the release of information to conduct background screening and reference checks (See Appendix A) and that also includes the **Code of Conduct** (Appendix F).
 - b. **Criminal Records Check** for people who will be working with vulnerable adults in the home of the vulnerable adult in any state where the applicant has resided during the past seven (7) years, and other states, if any, as determined by the congregation or diocese.
 - c. **Sexual Offender Registry Check** in any state where the applicant has resided during the past seven (7) years.
 - d. **FBI Fingerprint Check** for all employees and for all volunteers who have not lived in Pennsylvania for 10 or more years. For those volunteers living in Pennsylvania for 10 or more years, a form as supplied by the diocese is to be retained.
 - e. **Individual Interview** with the applicant.
 - f. **Reference Checks** of applicants should include at least one relative outside the congregation and at least one other person outside the congregation.
3. All information gathered about an applicant will be carefully reviewed and evaluated to make a determination, in consultation with others as necessary, of whether or not the person is appropriate to engage in Pastoral Relationships.
4. Persons Who Have Pastoral Relationships must have a personnel file that is kept where other church records are kept.
5. Criminal records checks and sexual offender registry checks will be conducted every three (3) years on Persons Who Have Pastoral Relationships.
6. Persons Who Have Pastoral Relationships who transfer within the Diocese of Northwestern Pennsylvania and apply for or are asked to or who do undertake a position in which they have Pastoral Relationships are required to undergo the same screening and selection process

specified above. This requirement may be met through a transfer of a copy of their personnel file to the new congregation, school, agency, or program together with completion of a new application, individual interview and reference checks with the congregations, schools, agencies or other programs for which the applicant has had Pastoral Relationships since the screening was last done as shown in the applicant's personnel file.

B. Education and Training Requirements Persons Who Have Pastoral Relationships

Before any person engages in Pastoral Relationships s/he are required to take Safeguarding God's People training with a diocesan certified trainer before they start work in their Church position. If that is not possible, the Policy must be reviewed and discussed with them before s/he has Pastoral Relationships and the training must be completed within three (3) months of beginning to have Pastoral Relationships. Diocesan approved refresher courses must be completed every three years.

Supervisors and Decision-Makers of Persons Who Have Pastoral Relationships

Within three months of becoming a Supervisor or Decision-Maker, individuals are required to take Safeguarding God's People training through a diocesan approved online course or with a diocesan certified trainer before they start at their position. If that is not possible, the Policy must be reviewed and discussed with them before s/he begins and the training must be completed within three (3) months of beginning. Diocesan approved refresher courses must be completed every three years.

C. Activities for Monitoring and Supervising Pastoral Relationships

The monitoring and supervision of programs and activities involving Pastoral Relationships is important for safeguarding adults from sexual exploitation. Monitoring and supervision should include, but are not limited to:

1. Maintaining an up to date list of approved Persons Who Have Pastoral Relationships in the church office or other place where church records are kept.
2. Requiring that all new activities that include Pastoral Relationships have the approval of the rector or canonical equivalent before they start. Requests to develop new activities should be submitted in writing to the rector. The rector will consider whether the plan for a new activity includes adequate monitoring and supervision.
3. Requiring that all Persons Who Have Pastoral Relationships be approved to do so by the rector or canonical equivalent in accordance with the Screening and Selection process above.
4. Settings where Pastoral Relationships take place:
 - should, whenever possible, be places where casual monitoring by others is convenient (for example along well-traveled hallways or in areas where other Church Personnel work nearby)
 - in open, visible spaces or in closed spaces that have windows that remain unobstructed by closed blinds, furniture, plants, or other adornments
 - should convey safety and comfort without the use of couches, loveseats, beds, futons or other furniture that would encourage close seating between the persons in the Pastoral Relationship

D. Behavioral Guidelines for the Prevention of Sexual Exploitation of Adults

When creating safe boundaries for Persons Who Have Pastoral Relationships, it is important to establish what types of interactions are appropriate and inappropriate. Stating which behaviors are appropriate

and inappropriate allows Church Personnel to comfortably show positive affection in ministry, and yet identify individuals who are not maintaining safe boundaries with other adults. These Guidelines are:

- based, in large part, on avoiding behaviors known to be used by those who have engaged in sexual exploitation of adults
- intended to assist Church Personnel and Congregants in monitoring and supervising behaviors and interactions of Persons Who Have Pastoral Relationships to help maintain appropriate boundaries at all times
- intended to be used to make decisions about interactions of Persons Who Have Pastoral Relationships with those with whom they have a Pastoral Relationship
- to be carefully followed by all who are involved in Pastoral Relationships

Some **appropriate** interactions, as long as they are welcomed by the recipient, are listed below:

- brief hugs
- pats on the shoulder or back
- kisses on the cheek
- handshakes
- holding hands during prayer

Some **inappropriate** interactions in Pastoral Relationships and other ministries with adults include:

- inappropriate or lengthy embraces
- kisses on the mouth
- touching sexual areas of the body
- showing affection while in isolated areas such as bedrooms, closets, staff-only areas or other private rooms
- any form of unwanted affection comments or compliments (spoken, written, or electronic) that relate to a person's body or appearance that are at all suggestive. Examples would be, "You should wear that outfit more often," or "You look really hot in those jeans."
- giving gifts or money to favored individuals
- repeated and/or private meetings with individual adults, especially meetings that occur away from church property and during non-business hours
- repeated electronic communications, such as email or texts, especially those that contain personal disclosures or solicitations of an intimate relationship
- seeking excessive private time with a specific adult
- changing one's manner of dress when in the company of a specific adult
- providing a specific adult with personal access such as one's personal e-mail address or cell phone number if that is not the norm

Sexual Harassment Policy

The Diocese of Northwestern Pennsylvania prohibits sexual harassment of Church Personnel by anyone (including supervisors or decision-makers, co-workers, consultants, vendors and other non-employees). Such sexual harassment is prohibited. The behavior of individuals engaging in such conduct, or supervisors or decision-makers who knowingly allow such behavior to continue, will not be tolerated. All church personnel, whether supervisory or non-supervisory, and whether paid or volunteer, are prohibited from engaging in the conduct prohibited by this policy.

A. Prohibited Behavior

As noted above, the Church prohibits all forms of sexual harassment in the Church. Specific definitions and examples of sexual harassment are set forth below.

1. Sexual Harassment

Sexual harassment is prohibited by this Policy. Sexual harassment includes unwelcome sexual advances and requests for sexual favors. Other unwelcome conduct which may constitute sexual harassment includes, but is not limited to, the following:

Verbal:

- repeated sexual innuendos, sexual epithets, derogatory slurs, off-color jokes (for example, jokes that include sexual language, innuendo, references, scenarios, etc.);
- propositions, threats, or suggestive or insulting sounds (for example, comments about body, sexuality, etc., including insults and innuendo) even if the comment is about someone else;
- inappropriate e-mail (for example, e-mail that includes sexual jokes or other references of a sexual nature about any person, gossip or speculation about a person's sexuality, sexual practices, sexual health, pregnancy, virility, etc.). This includes e-mail that was sent accidentally, for example by hitting the "forward" button instead of "reply," or forgetting that a particular individual or worker is on one of your group lists.

Visual/Non-Verbal:

- derogatory posters, cartoons or drawings (for example, cartoons and calendars that include nudity, sex acts, provocative poses, innuendo, sexual language, etc.);
- suggestive objects or pictures (for example, photographs that include nudity, sex acts, provocative poses; wallpaper, Screensavers, or other electronic displays of a sexual nature);
- graphic commentaries; leering; or obscene gestures (for example, vulgar gestures, gestures simulating sexual acts, "shooting the finger," kissing the air toward someone or licking the lips in a sexually suggestive or provocative manner).

Physical:

Unwanted physical contacts (including touching, interference with an individual's normal work movement, unwelcome displays of romantic or sexual affection, aggressive physical contact or assault); and

Other:

Making or threatening reprisals to an individual who opposes, objects to or complains about sexual harassment; possession of inappropriate material of a sexual nature in the Church or its display, duplication, or transmission.

Such verbal and physical conduct may constitute harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or other Church work;
2. Submission to or rejection of such conduct by an individual is used as a basis for employment or other Church work decisions affecting such individual;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

2. Retaliation

The Church will not take any action in retaliation against any Church Personnel who, in good faith and with a genuine belief that he/she has been sexually harassed, brings or voices a complaint pursuant to this Policy or otherwise opposes sexual harassment. In addition, the Church will not tolerate any retaliatory acts by other individuals.

Retaliation is a serious violation of Church policy and applicable law. If you believe you have been subjected to retaliation in violation of this Policy, you should report your complaint immediately in the manner specified in Section B below. Individuals will be subject to discipline, up to and including termination if they are found to have retaliated against an individual because such individual (1) in good faith and with a genuine belief that he/she has been subjected to sexual harassment, made an honest complaint about such conduct, (2) participated honestly and in good faith in any investigation into a sexual harassment complaint, and/or (3) in good faith opposed acts of sexual harassment.

B. Procedure for Reporting Suspected Sexual Harassment and/or Retaliation

1. General Procedures Applicable to All Church Personnel

If you believe that the actions or words of a supervisor/manager, co-worker, customer, vendor, volunteer, or other individual in the Church constitutes illegal or prohibited sexual harassment, you have a responsibility to promptly report that behavior to the Church's management. Prompt reporting enables the Church to stop the sexual harassment, before it becomes severe or pervasive.

If you believe you have been the victim of any form of sexual harassment or retaliation, you must promptly give notice of your complaint to one or more of the following:

1. Your supervisor;
2. Anyone in your supervisory chain;
3. The rector or clergy person in charge of the congregation;
4. A warden of the congregation;
5. The Bishop and/or
6. The Canon to the Ordinary

You are not required to complain to your supervisor or within your chain of command. In addition, to reporting the offending behavior to one of the people listed above, you are encouraged to speak directly to the individual whose conduct you find objectionable. You are not required to do this and it is suggested for you to consider doing only if you are comfortable doing so. If you decide to speak directly to the person involved, you may find that clear communication can sometimes resolve an issue immediately, as well as build greater understanding between individuals in the Church.

You may formally or informally complain to any of the above personnel via any of the following:

1. Telephone call
2. Letter
3. E-mail
4. Fax
5. In-person meeting and/or
6. Filing a "Notice of Concern" (Appendix G)

All supervisors and decision-makers are required to report all formal and informal complaints, as well as any suspected or known policy violations, immediately to the rector or clergy person in charge of the congregation (for congregations) or Canon to the Ordinary, Safe Church Coordinator, or bishop (for dioceses), even if you ask the supervisor or decision-maker to keep the complaint confidential, or indicate that you do not wish to file a formal complaint. Church Personnel are required to report immediately any suspected or known policy violations to the rector or clergy person in charge of the congregation.

All supervisors and decision-makers are expected to act promptly and appropriately to prevent (1) sexual harassment in the Church, and (2) retaliation against those who make a good faith complaint of sexual harassment, or those who participate honestly and in good faith in either an investigation of a complaint or oppose illegal or prohibited sexual harassment in the Church.

All complaints of sexual harassment will be reviewed and investigated promptly and impartially by the Church's management and/or its designee. Complaints may be made orally or in writing. Once Church management receives notice of any complaint of sexual harassment it will swiftly determine whether or not a fact-finding investigation is necessary. If it is determined that a fact-finding investigation is necessary, it will be launched promptly. If necessary, intermediate measures may be taken before completing the investigation to ensure that further sexual harassment does not occur.

Moreover, the Church will protect the confidentiality of the allegations to the extent possible; however, no individual can be promised or guaranteed strict or absolute confidentiality. For example, information may have to be disclosed to those officials and/or Church Personnel with a need to know in order to carry out the purpose and intent of this Policy.

Corrective or disciplinary action will be taken against any Church Personnel found to have engaged in sexual harassment. Such action may include counseling and/or appropriate disciplinary measures, up to and including termination.

As the complaining party, you will be given notice, in a timely fashion, of the outcome of the investigation of any formal or informal complaint.

2. Additional Options for Church Employees, Not Volunteers

This section provides additional options for Church **employees, not volunteers**, who believe they have been the victim of any form of sexual harassment, as prohibited by federal, state or local law.

If you are a Church **employee, not a volunteer**, as defined under this Policy and you believe you have been the victim of any form of illegal sexual harassment, in addition to the procedure set forth above, you also have the option of consulting with an attorney and/or filing a complaint with the Pennsylvania Human Relations Commission as well as pursuing any other remedies permitted by law.

As a general matter, the time frame for filing a complaint with the Pennsylvania Humans Relations Commission is 180 days from the date of the alleged act of unlawful sexual harassment.

In _____, name of city/locality, a complaint must be filed with the _____ [name of local agency] within _____ from the date of the unlawful sexual harassment. [In _____, name of city/locality, a complaint must be filed with the _____ [name of local agency] within _____ from the date of the unlawful discrimination, including harassment.]

The Church employee must note that these time limits typically do not run from the date that the complaint made to the Church is resolved but from the date the act of sexual harassment is alleged to have occurred. **Please note that this is not legal advice.** Individual employees are responsible for confirming the time frames for filing a complaint with these administrative agencies by contacting the agencies themselves and/or counsel.

Nothing in this posting or in the Church’s sexual harassment policy creates any legal rights that did not otherwise exist nor does the Church admit that it is covered by or subject to any federal, state, or local laws.

C. General Definitions

1. Church Personnel

For purposes of this Policy, the term “Church Personnel” shall mean:

- a. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the Church;
- b. All paid personnel (including Church employees) whether employed in areas of ministry or other kinds of services by the diocese, its congregations, schools or other agencies.
- c. Those who contract their services to the diocese, its congregations, schools, or other agencies;
- d. Volunteers, including any person who enters into or offers him or herself for a Church related service, or who actually assists with or performs a service, whether or not they have been selected or assigned to do so. Volunteers include members of advisory boards, vestries, Bishop’s committees, boards of directors and advisory boards.
- e. All interns, persons in the ordination process, persons serving in field education assignments, and other related positions.

2. Church Employees

For purposes of this Policy, the term “Church employees” shall mean all individuals hired by the Church who are employees of the Church for purposes of federal, state and/or local discrimination and harassment laws

3. Supervisors and Decision-Makers

For purposes of this Policy, the term “supervisors and decision-makers” shall mean:

- a. All persons who have the express authority to hire, select, supervise, discipline, promote, demote, terminate, set compensation or other terms and conditions of employment;
- b. All persons who have the express authority to recruit, duly appoint, select, license, discipline, supervise, terminate, or set terms and conditions of volunteer service;

c. All members of decision-making bodies who have the authority to approve the creation of ministries, programs, Church activities, or personnel policies.

d. Standing Committees, Diocesan Councils/Executive Boards, Vestries, and Bishop's Committees who appoint or approve Persons Who Have Pastoral Relationships as defined in this Policy including all Standing Committees, Commissions on Ministry, Vestries, Boards of Directors for Schools, Bishops Committees and the like.

D. Education and Training Requirements

1. Church Personnel

Church Personnel are required to take Safeguarding God's People training through a diocesan approved online course or with a diocesan certified trainer before they start work in their Church position. If that is not possible, the Policy must be reviewed and discussed with them before they start work and the training must be completed within three (3) months of starting. Diocesan approved refresher courses must be taken every three years.

2. Supervisors and Decision-Makers

Supervisors and decision-makers are required to take Safeguarding God's People training through a diocesan approved online course or with a diocesan certified trainer before they start work in their Church position. If that is not possible, the Policy must be reviewed and discussed with them before they start work and the training must be completed within three (3) months of starting. Diocesan approved refresher courses must be taken every three years.

Appendices

Appendix A1: Sample Application Form for Volunteers, with Acknowledgment, Release and Signature

INSTRUCTIONS

Please complete all of the questions accurately and fully. Attach additional sheets if needed.

Today's date:

PERSONAL DATA

Name:

Street address:

City:

State:

Zip:

How long at current address:

Home phone:

Work phone:

Best time to contact you:

Email address:

Driver license number:

State:

Are you currently a resident in Pennsylvania?

Have you been a resident of Pennsylvania for the past ten years?

_____ Please submit completed Act 34 and Act 151 forms with this application.

_____ If you have not been a resident of PA for the past 10 years, or you are not currently a resident of PA, please submit an FBI fingerprint clearance in addition to completed Act 34 and Act 151 forms.

For what position(s) are you volunteering?

VOLUNTEER EXPERIENCE

Include all experience working with children or youth

ORGANIZATION:

Contact:

Phone:

Duties:

Dates:

ORGANIZATION:

Contact:

Phone:

Duties:

Dates:

ORGANIZATION:

Contact:

Phone:

Duties:

Dates:

ORGANIZATION:

Contact:

Phone:

Duties:

Dates:

PERSONAL OR PROFESSIONAL REFERENCE

NAME:

Address:

City:

State:

Zip:

Daytime phone:

How long have you known this person?

Relationship to you:

Have you ever been accused of physically, sexually or emotionally abusing a child or an adult?

Yes No

If yes, please explain.

POLICY FOR THE PROTECTION OF CHILDREN AND YOUTH

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 policies for GENERAL CONDUCT FOR THE PROTECTION OF CHILDREN AND YOUTH defined in the Policy for the Protection of Children and Youth from Abuse.
- _____ I agree to comply with the GUIDELINES FOR APPROPRIATE AFFECTION with children and youth.
- _____ 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 acknowledge my obligation and responsibility to protect children and youth and agree to report known or suspected abuse of children or youth to appropriate church leaders and state authorities in accordance with the POLICY FOR THE PROTECTION OF CHILDREN AND YOUTH FROM ABUSE.
- _____ 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.

ACKNOWLEDGMENT, RELEASE AND SIGNATURE

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 choosing me for a volunteer position or for my discharge if I have already been chosen. I authorize any person or organization, whether or not identified in this application, to provide any information concerning my previous employment, driving record, criminal conviction record, sexual offender registry or other qualifications for my volunteering. I also authorize _____ [Congregation] to request and receive such information.

If hired or chosen, I agree to be bound by _____ [Congregation's] policies and procedures, including but not limited to its POLICY FOR THE PROTECTION OF CHILDREN AND YOUTH FROM ABUSE and POLICY FOR THE PROTECTION OF CHILDREN AND YOUTH and its POLICIES FOR THE PREVENTION OF SEXUAL EXPLOITATION OF ADULTS and CODE OF CONDUCT FOR PERSONS HAVING PASTORAL RELATIONSHIPS. I understand that these may be changed, withdrawn, added to or interpreted at any time at the _____ [Congregation's] sole discretion and without prior notice to me. 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 _____ [Congregation] or myself.

Nothing contained in this application or in any prevolunteering communication is intended to or creates a contract between myself and _____ [Congregation] for either volunteering or the providing of any benefit.

I HAVE READ AND UNDERSTAND THE ABOVE PROVISIONS.

Signature

Date

Appendix A2: Sample Employment Application Form, with Acknowledgment, Release and Signature

INSTRUCTIONS

Please complete all of the questions accurately and fully. Attach additional sheets if needed.

Today's date:

PERSONAL DATA

Name:

Street address:

City:

State:

Zip:

How long at current address:

Home phone:

Work phone:

Best time to contact you:

Email address:

Driver license number:

State:

Social Security number:

Are you legally eligible to work in this country? [] Yes [] No

Note: If you are chosen for a paid position, you will be required to show documents verifying your employment eligibility and identity to complete the INS Form I-9 as required by the Immigration Reform and Control Act.

Are you currently a resident in Pennsylvania?

Have you been a resident of Pennsylvania for the past ten years?

_____ Please submit completed Act 34 and Act 151 forms with this application.

_____ If you have not been a resident of PA for the past 10 years, or you are not currently a resident of PA, please submit an FBI fingerprint clearance in addition to completed Act 34 and Act 151 forms.

Please list your addresses in the past five years:

For what position are you applying?

What interests you about the position for which you are currently applying?

What has prepared you for the position for which you are currently applying?

EMPLOYMENT HISTORY

Please complete for your prior employers, covering the past TEN years.

CURRENT EMPLOYER

Company name:

Address:

City: State: Zip:

Immediate supervisor name:

Immediate supervisor phone number:

Position held:

Dates of employment:

Reason for leaving position:

PREVIOUS EMPLOYER

Company name:

Address:

City: State: Zip:

Immediate supervisor name:

Immediate supervisor phone number:

Position held:

Dates of employment:

Reason for leaving position:

PREVIOUS EMPLOYER

Company name:

Address:

City:

State:

Zip:

Immediate supervisor name:

Immediate supervisor phone number:

Position held:

Dates of employment:

Reason for leaving position:

PREVIOUS EMPLOYER

Company name:

Address:

City:

State:

Zip:

Immediate supervisor name:

Immediate supervisor phone number:

Position held:

Dates of employment:

Reason for leaving position:

VOLUNTEER EXPERIENCE

Include all experience working with children or youth

ORGANIZATION:

Contact:

Phone:

Duties:

Dates:

ORGANIZATION:

Contact:

Phone:

Duties:

Dates:

ORGANIZATION:

Contact:

Phone:

Duties:

Dates:

ORGANIZATION:

Contact:

Phone:

Duties:

Dates:

EDUCATIONAL HISTORY

NAME OF SCHOOL:

Address:

City: State: Zip:

Type of school:

Name of program or degree:

Program completed?

NAME OF SCHOOL:

Address:

City: State: Zip:

Type of school:

Name of program or degree:

Program completed?

NAME OF SCHOOL:

Address:

City: State: Zip:

Type of school:

Name of program or degree:

Program completed?

PROFESSIONAL/CIVIC REFERENCES

NAME:

Address:

City: State: Zip:

Daytime phone:

How long have you known this person?

Relationship to you:

NAME:

Address:

City: State: Zip:

Daytime phone:

How long have you known this person?

Relationship to you:

PERSONAL REFERENCES

NAME:

Address:

City: State: Zip:

Daytime phone: Evening:

How long have you known this person?

Relationship to you:

Have you ever been accused of physically, sexually or emotionally abusing a child or an adult?

Yes No

If yes, please explain.

POLICY FOR THE PROTECTION OF CHILDREN AND YOUTH

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 policies for GENERAL CONDUCT FOR THE PROTECTION OF CHILDREN AND YOUTH defined in the Policy for the Protection of Children and Youth from Abuse.
- _____ I agree to comply with the GUIDELINES FOR APPROPRIATE AFFECTION with children and youth.
- _____ 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 acknowledge my obligation and responsibility to protect children and youth and agree to report known or suspected abuse of children or youth to appropriate church leaders and state authorities in accordance with the POLICY FOR THE PROTECTION OF CHILDREN AND YOUTH FROM ABUSE.
- _____ 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.

ACKNOWLEDGMENT, RELEASE AND SIGNATURE

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 for my discharge if I have already been hired. I authorize any person or organization, whether or not identified in this application, to provide any information concerning my previous employment, education, credit history, driving record, criminal conviction record, sexual offender registry or other qualifications for my employment. I also authorize _____ [Congregation] to request and receive such information.

If hired, I agree to be bound by _____ [Congregation's] policies and procedures, including but not limited to its POLICY FOR THE PROTECTION OF CHILDREN AND YOUTH FROM ABUSE and POLICY FOR THE PROTECTION OF CHILDREN AND YOUTH and its POLICIES FOR THE PREVENTION OF SEXUAL EXPLOITATION OF ADULTS and CODE OF CONDUCT FOR PERSONS HAVING PASTORAL RELATIONSHIPS. I understand that these may be changed, withdrawn, added to or interpreted at any time at the _____ [Congregation's] sole discretion and without prior notice to me. I also understand that my employment may be terminated, or any offer or acceptance of employment withdrawn, at any time, with or without cause, and with or without prior notice at the option of _____ [Congregation] or myself.

Nothing contained in this application or in any pre-employment communication is intended to or creates a contract between myself and _____ [Congregation] for either employment or the providing of any benefit.

I HAVE READ AND UNDERSTAND THE ABOVE PROVISIONS.

Signature

Date

Appendix B. Specialized Questions for the Interview

The following are sample questions that may help you screen out someone who is unable to maintain healthy boundaries with adults.

1. Please tell me about the last time a member of your (congregation, youth group, office staff, etc.) demanded too much of your time. How did you handle that?
2. Please give an example of a time in your work or volunteer history when you thought the policies were too rigid. How did you handle that?
3. Please describe a time when you felt a special bond or friendship between yourself and a member of your (congregation, youth group, office staff, etc.).
4. Please give an example of a “boundary violation.” Has that ever happened to you, or has anyone ever said that you violated a boundary of some sort?
5. Has disciplinary action of any sort ever been taken against you by a licensing board, professional association, ecclesiastical body or educational or training institution? Have there been complaints against you that did not result in discipline? Are there complaints pending against you before any of the above-named bodies? If yes, please explain.
6. Have you ever been asked to resign or been terminated by a training program or employer? If yes, please explain.
7. Have you ever had a civil suit brought against you about your professional work or is any such action pending? Have you ever had professional malpractice insurance suspended or revoked for any reason? If yes, please explain.
8. Have you ever been charged (formally or informally) with any ethics violations, sexual exploitation, sexual abuse or sexual harassment? Are any such actions or complaints pending against you? If yes, please explain.
9. Are you now or have you ever had sexual contact or attempted sexual contact (sexual intercourse of any kind, intentional touching, or conversation for the purpose of sexual arousal) with any person you were/are seeing in any professional context or in a Pastoral Relationship (i.e. parishioner, client, patient, employee, student)? If yes, please explain.
10. Are you now or have you ever been involved in the production, sale, or distribution of pornographic materials? If yes, please explain.
11. Have you ever had a restraining order, injunction, order for protection or the like issued against you? Have you ever had your parental rights restricted, suspended or terminated or have any of your children ever been in foster care? Have you ever been accused of domestic violence? If so, please explain.

Appendix C. Specialized Questions for References

1. Please give me an example of how _____ maintains good boundaries with adults.
2. Have you ever heard _____ tell a joke or say something that made you or others uncomfortable?
3. Would you be comfortable referring a vulnerable friend of yours to _____ for pastoral counseling? Why? Why not?
4. The position for which _____ has applied requires that s/he be able to work closely with people whose lives may be in turmoil and who may not have good judgment at that point in time. Can you think of any reason that _____ should not be allowed to do this work?

Appendix D. Guidelines for Office Decor

Spaces where Pastoral Relationships occur should be a relaxing and productive setting ready at all times for use for Pastoral Relationships. The following are recommendations that will help create an environment that is peaceful and private while allowing appropriate supervision.

Furniture

Comfortable chairs set at a 45 degree angle from each other create a good area for conversation. Couches and loves seats are discouraged but if they are used Persons Who Have Pastoral Relationships should not sit on them with parishioners or other visitors. Having furniture that allows reclining can leave persons open to false allegations of inappropriate behavior.

Artwork

Artwork should be tasteful without offending the staff or other visitors.

Windows

Windows in walls or doors should be unobstructed by blinds, furniture, curtains, or posters so that the space is always available to casual monitoring. A sense of privacy can be maintained by arranging the furniture so that Persons Who Have Pastoral Relationships are always visible, but the parishioner or visitor does not feel exposed.

Entrances

If the space has a private entrance, and it is used, be sure staff knows when someone is in the space and when it is being used for Pastoral Relationships.

Appendix E. Guidelines for Providing Counseling

- Limited number of sessions, generally no more than 4 or 5 on any particular life issue

- Do not go outside your area of expertise. Refer to a psychologist, credentialed professional, medical doctor, or mental health professional.

- Even if you are separately credentialed and/or licensed as a mental health professional (psychologist, marriage and family therapist, substance abuse counselor, etc.) while you are functioning on behalf of the church you should:
 1. Make it clear to those you are serving that you are NOT serving in that role.
 2. If you function in that role while you are also functioning on behalf of the church, you should clearly separate those two roles by where you practice each and clearly communicate to all concerned of when you are functioning in each role.
 3. You must maintain in full force separate professional insurance coverage at all times for any work you do outside your church role. The insurance must have per occurrence limits of at least \$1,000,000 and aggregate limits of at least \$2,000,000 including coverage for Sexual Misconduct, however defined in the policy(s) in with limits of at least \$1,000,000 and name your church employer or church for which you function in Pastoral Relationships as an additional insured.
 4. You must provide evidence of such insurance to your church employer or church for which you function in Pastoral Relationships annually.

Appendix F. Code of Conduct for Persons Who Have Pastoral Relationships

Persons Who Have Pastoral Relationships:

- understand that the church will not tolerate the sexual exploitation of adults it serves.
- agree to not attempt to or to sexually exploit any person they serve or work with on behalf of the church.
- agree to comply with the policies for general conduct with adults as defined in these *Policies for the Prevention of Sexual Exploitation of Adults*.
- agree to comply with the Diocese of Northwestern Pennsylvania's Code of Conduct for Persons Who Have Pastoral Relationships.
- agree, whenever appropriate and possible, to have one-to-one meetings with adults during regularly/publicly scheduled hours and by appointment on church property while others are present in the building or in other appropriate professional settings where they can be observed.
- agree to maintain clear and appropriate boundaries and avoid even the appearance of impropriety.
- agree to immediately end any sexual or inappropriate relationship with a person with whom he/she has a Pastoral Relationship or when he/she has questions about the implementation of these policies and immediately seek advice from the bishop, a trusted colleague or mental health professional.
- agree to immediately report any inappropriate behaviors, boundary violations or possible policy violations they observe under these policies.
- acknowledge their obligation and responsibility to prevent sexual exploitation of adults and agree to report known or suspected sexual exploitation of adults to church leaders and state authorities in accordance with these policies.

Persons Who Have Pastoral Relationships are prohibited from:

- dating or becoming romantically involved with those with whom they have a Pastoral Relationship as long as the Pastoral Relationship continues. The Pastoral Relationship must be terminated for at least two years before any dating or romantic involvement is permissible. Any exceptions to this must be made by the bishop in writing.
- having sexual contact with any person with whom he/she has a Pastoral Relationship
- possessing any sexually oriented materials (magazines, cards, videos, films, clothing etc.) on church property or using such materials in the conduct of their ministry unless the materials are part of a pre-approved education program or curriculum and are used only for that purpose
- using the Internet to view or download any sexually oriented materials on church property or from having it on church-owned computers, and from bringing such materials onto church property
- discussing their own sexual activities, including dreams or fantasies, or discussing their use of sexually oriented or explicit materials such as pornography, videos or materials on or from the Internet, with any person with whom they have a pastoral relationship

Signed and agreed upon: _____

Date: _____

Appendix G. Confidential Notice of Concern

Individual(s) of Concern:

Date of occurrence:

Time of occurrence:

Type of Concern:

- Inappropriate behavior within a Pastoral Relationship
- Policy violation with those served in ministry
- Possible risk of an inappropriate relationship between adults of unequal power
- Other concern:

Describe the situation: What happened, where it happened, when it happened, who was involved, who was present, and who was 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:

Telephone number:

Location and address:

Signature:

Once completed, please fax to the confidential fax line 814.456.8703

Date:

Reviewed by:

Appendix H. General Convention Resolution B052 (1991)

Resolution Number: 1991-B052

Title: Establish a Committee on Sexual Exploitation

Legislative Action Taken: Concurred As Amended

Final Text:

Resolved, the House of Deputies concurring, That the 70th General Convention of the Episcopal Church declares that sexual abuse, exploitation, coercion, and harassment of adults and minors by clergy and church employees are abuses of trust, a violation of the Baptismal Covenant, contrary to Christian Character, and are therefore wrong; and be it further

Resolved, That the 70th General Convention of the Episcopal Church establish a Committee on Sexual Exploitation to be appointed by the Presiding Bishop and the President of the House of Deputies to work with the Office of Pastoral Development. It shall be the duty of the Committee on Sexual Exploitation to study, educate, develop curriculum, and propose policy and standards of conduct on sexual abuse, exploitation, coercion, and harassment, and to advise the Office of Pastoral Development as resource persons. The membership of the committee is to be representative as to sex, race and ethnic diversity. The Committee will report to the 71st General Convention.

Citation: General Convention, *Journal of the General Convention of...The Episcopal Church, Phoenix*, 1991 (New York: General Convention, 1992), p. 783.

Appendix I. General Convention Resolution A156 (2006)

Resolution Number: 2006 - A156

Title: Sexual Exploitation

Final Text:

Resolved, That the 75th General Convention of The Episcopal Church affirm the work already occurring in many dioceses and at the same time recommit itself to the positions taken by previous General Conventions that sexual misconduct (encompassing both sexual harassment and sexual exploitation) of adults by clergy, church employees, and volunteer workers has been and continues to be of deep concern to this Church, is an abuse of trust, a violation of the Baptismal Covenant, contrary to Christian character and is, therefore, wrong; and be it further *Resolved*, That each diocese adopt policies for the protection from sexual misconduct of those served by diocesan programs, those who volunteer in the work of the diocese or are employed by the diocese, and that dioceses assist congregations in the development of such procedures and policies, including using the many resources that already exist, that address the following:

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

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