



*Episcopal*  
DIOCESE OF MICHIGAN

## Creating a Healthy Environment Sexual Conduct Policy

April 2006

*Have always therefore printed in your remembrance, how great a treasure is committed to your charge. For they are the sheep of Christ, which he bought with his death, and for whom he shed his blood. The Church and Congregation, whom you serve, is his Spouse, and his Body. And if it shall happen the same Church, or any Member thereof, to take any hurt or hindrance by reason of your negligence, ye know the greatness of the fault.*

*The 1549 Book of Common Prayer*

*For I tell you, unless your righteousness exceeds that of the scribes and Pharisees, you will never enter the kingdom of heaven. Matthew 5:20 (NRSV)*

The Episcopal Diocese of Michigan establishes the following policies (including the standards and protocols contained herein) regarding sexual conduct. All Church Personnel are responsible for knowing and following the policy. All Church Members are encouraged to be familiar with these policies and offer their participation in the community of faith in accordance with them as well.

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## POLICY STATEMENT

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**It is the policy of the Episcopal Diocese of Michigan that sexual misconduct (abuse, harassment, or exploitation; see definitions) by any Church Personnel will not be tolerated. To protect against sexual misconduct, the following procedures will be followed:**

All Church Personnel covered by this policy will be provided with a copy of it and expected to complete and submit the acknowledgement form shown at the end of the Appendix to the indicated recipient. Church Personnel who are employees who do not or will not submit the acknowledgement form as expected will have a note to that effect placed in their permanent personnel file, and may be subjected to disciplinary action, including discharge; Church Personnel who are not employees who do not or will not submit this acknowledgement form may be required to relinquish any responsibilities which they have assumed.

All individuals seeking employment or volunteer assignment (who would become Church Personnel) with the Episcopal Diocese of Michigan following adoption of this policy will be provided with a copy of it and must sign the acknowledgment statement before their services may be engaged.

With regard to congregations and church agencies, the governing body of each shall adopt this policy by formal resolution on or before June 1, 2006 and shall inform the Bishop's Office in writing of its adoption, and any additional addenda they have added for their own particular situation.

All clergy and wardens of congregations, and persons with responsibility for oversight of church agencies whose adoption of this policy is not recorded in the Bishop's Office, will receive a letter from the Bishop stating particular consequences.

Each congregation and church agency must also, on or before March 1, of each year:

- Review its sexual conduct policy and evaluate its implementation within the congregation, recording in its permanent records a summary of the evaluation, and
- Require Church Personnel who regularly supervise youth activities, who have not previously done so, to receive a copy of the adopted policy and sign a form acknowledging its receipt.

Each congregation and church agency shall retain its resolution adopting a sexual conduct policy and forms from covered individuals among its permanent records. All policies must be periodically updated to reflect canonical changes.

## **GENERAL STANDARD OF CONDUCT**

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All Church Personnel in the Episcopal Church in the Diocese of Michigan are expected to govern their behavior in accordance with the following principles:

### **CHURCH PERSONNEL ARE ACCOUNTABLE TO THE CHURCH FOR THEIR BEHAVIOR.**

- All Church Personnel will have received a copy of and will be expected to be aware of the Sexual Conduct Policy which has been adopted by the Diocese or by that institution.
- All Church Personnel (clergy and others) who provide counseling or spiritual direction are required to have ongoing professional supervision or to refer each individual to professional counseling after six sessions have been held. Those engaged in spiritual direction are expected to submit that ministry to regular review by a spiritual advisor approved by the Bishop.
- The behavior of Church Personnel is expected to conform at all times to the principles and standards described in this policy. Any ordained person who believes that this policy should not apply to his or her pastoral situation will work with the Bishop to define precisely what modification in the stated policy may be made in his/her case. Any Church Personnel (employee or volunteer) who believes that this policy should not apply to his or her situation will seek and follow the guidance of the Bishop.
- These expectations apply to all clergy (retired or active, canonically resident or licensed, paid or non-stipendiary) as well as to all postulants and candidates for Holy Orders and Church Personnel in pastoral or supervisory relationships.

### **PASTORAL CONDUCT MUST BE GOVERNED BY FIDUCIARY RESPONSIBILITY**

Within the community which is the church, human beings (lay and clergy alike) support and depend upon one another. A pastoral role, however, carries with it a responsibility to be attentive to the pains and needs of others without any expectation that that attentiveness will be reciprocated. It is not appropriate for the deeper emotional and relationship needs of clergy or others engaged in pastoral care to be directed toward those among whom they minister. No one can be both pastor/supervisor and lover. Where dual relationships are attempted, one relationship or the other is inevitably sacrificed. Therefore, once a pastoral relationship has been initiated, it is only with great care and under particular conditions that it will be permissible to redefine that relationship as a personal one.

Dating between an ordained person and a member of the congregation in which he or she ministers may be permissible when the ordained person:

- Reports the fact of a social-dating relationship with a parishioner both to the Bishop or the Bishop's designee and to either the rector or other priest-in-charge (if the ordained person is not the rector or priest-in-charge) or at least one Warden of the congregation, and
- Makes alternate provision for the pastoral care of the member of the congregation.

In this Diocese, dating between a bishop, priest or deacon and a member of the community in which he or she ministers is not permissible with:

- Any person to whom the ordained person has given or is giving counseling, spiritual direction or guidance.
- Any employee of the community in which he or she ministers.
- Any person from whom the ordained person has received confession or confidential information.
- Any patient, resident or student in an institution at which the ordained person currently serves as a teacher, counselor, administrator, or chaplain. Where such a relationship has included counseling, dating between an ordained person and a counselee is not permissible at any time after formal counseling has ended, even if one or both parties have departed from the institution in which the counseling relationship was established.

**In all cases, clergy are bound to protect the pastoral relationship regardless of their own personal needs.**

#### **PASTORAL AND SUPERVISORY RELATIONSHIPS MAY NOT BE SEXUALIZED.**

- A sexual relationship between a pastor (lay or clergy, paid or volunteer) and a member of the group within which that pastor ministers is not permissible. Suggestive behavior – behavior that presumes an intimacy which cannot be part of a pastoral relationship – is also prohibited. Whether or not the other person indicates that an advance will be welcome, the pastor may not engage in verbal or physical conduct of a sexual nature, such as: significant glances, standing too close for another's comfort, intimate voice tone, lingering hugs or handshakes, sexual allusions, "teasing" or "joking" which is an expression of sexual energy.
- It is the pastor's responsibility to see that pastoral relationships are not sexualized and to maintain appropriate boundaries even when others express eagerness to cross them. In addition, pastors must understand that conduct which is not intended to be of a sexual nature may nonetheless be interpreted in that way. Accordingly, those subject to this policy must take great care to avoid any conduct which can be misunderstood as sexual.
- In the church, as in any workplace, a positive work environment is one in which the dignity of each person is respected. Sexual harassment is therefore not permissible.

## **FURTHER STANDARDS OF CONDUCT FOR PROTECTION OF CHILDREN AND YOUTH**

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- Church Personnel agree to do their best to prevent abuse and neglect among children and youth involved in church activities and services.
- Church Personnel agree to not physically, sexually or emotionally abuse or neglect a child or youth.
- Church Personnel agree to comply with the policies for general conduct with children and youth as defined in these Policies for the Protection of Children and Youth from Abuse.
- All Church Personnel agree to comply with the Guidelines for Appropriate Affection with children and youth.
- In the event that Church Personnel observe any inappropriate behaviors or possible policy violations with children or youth, church personnel agree to immediately report their observations.
- All Church Personnel acknowledge their 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 these policies.
- Church Personnel understand that the church will not tolerate abuse of children and youth and agree to comply in spirit and in action with this position.

## **SCREENING BEFORE EMPLOYMENT, APPOINTMENT, OR VOLUNTEER SERVICE – GENERAL STANDARD**

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Before any individual may be granted ordination, acceptance of letters dimissory, church employment, license to function, supervisory responsibility, or responsibility for supervision of youth which extends beyond the Sunday School classroom; the Diocese, congregation, or diocesan institution responsible for granting that status will conduct a background check (within the confines of permissible law) to determine current or past sexual misconduct allegations, litigation (civil or criminal) involving such allegations, including allegations of paraphiliac behavior (“Paraphiliac” refers to a condition in which unusual or bizarre images or acts are necessary for sexual arousal. This category includes, but is not limited to, such disorders as pedophilia, exhibitionism, voyeurism, sexual masochism and sadism.) Background checks will include inquiries of all bishops having past or present authority over the individual, a criminal records check, reference checks, sexual offender registry checks, all schools attended during the past ten years, and all employers during the past ten years. If an individual has had one employer for over ten years, inquiries will be made of the two most recent employers.

Background checks are to be initiated through the Office of the Bishop. Any exceptions must be pre-approved in writing by the Bishop with a copy of the approval placed in the congregational file. Records of all background checks are to be kept on file in the Office of the Bishop.

The cost of background checks are, generally, the obligation of the institution or organization desiring the services of the individual. In the case of postulants, candidates, or those otherwise in a formal discernment process the cost is, generally, the obligation of the individual.

In no case will an individual with a civil or criminal record of conviction of child sexual abuse or who has admitted prior sexual abuse of children, or anyone known to have a paraphiliac diagnosis, be given responsibilities which permit interaction with children or youth nor are they eligible for election or appointment to bodies with policy-making or policy-oversight authority (e.g., vestries, Bishop's Committees, boards of directors, Standing Committee, Diocesan Council, etc.). Where evidence indicates that an individual has engaged in sexual misconduct other than with children, that individual might be considered for employment or appointment within the Episcopal Diocese of Michigan, its congregations or agencies, *only* when the Bishop is satisfied that amends have been made and professional rehabilitation has taken place.

## **SCREENING BEFORE EMPLOYMENT, APPOINTMENT OR VOLUNTEER SERVICE – CHILDREN AND YOUTH**

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Any and all Church Personnel who **Regularly** Work With or Around Children or Youth shall be screened and selected utilizing at least the following:

- A standard application completed by the applicant that includes an authorization for the release of information to conduct background checks and the Code of Conduct (Appendix C).
- Criminal records check in any state where the applicant has resided during the past seven (7) years, and other states, if any, as determined by the church.
- Sexual offender registry check in any state where the applicant has resided during the past seven (7) years.
- Individual interview with the applicant.
- Reference checks of persons outside the congregation or organization who know the applicant, preferably who know how the applicant works with children.
- Driving or Motor Vehicle records check if the person may be transporting children or youth.

Any and all Church Personnel who **Occasionally** Work With or Around Children or Youth shall be screened and selected utilizing at least the following:

- A standard application completed by the applicant that includes an acknowledgment for the release of information to conduct background checks and the Code of Conduct (Appendix C).
- Individual interview with the applicant.

- At least one Reference Check of a person or persons outside the congregation who know the applicant, preferably who know how the applicant interacts with children.
- Driving or Motor Vehicle records check if the person will be transporting children or youth.

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 work with children or youth.

Church Personnel who work with or around children or youth must have a personnel file that is kept where other church records are kept.

Criminal records checks and sexual offender registry checks will be conducted every five (5) years for Church Personnel who **Regularly** Work With or Around Children or Youth.

To the extent possible, no person will be permitted to supervise an immediate family member when working with or around children or youth. For the purpose of this policy, immediate family member is defined as spouse, partner, child, parent, sister, brother, similar in-law relationship, stepchild, stepparent, stepsibling, grandparent, or co-habitant.

Church Personnel who transfer within the Diocese of Michigan and apply for or are asked to or who do undertake a position working with or around children or youth are required to undergo the same screening and selection process outlined 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 worked with or around children or youth since the screening was last done as shown in the applicant's personnel file.

## **EDUCATION & TRAINING:**

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To assist in their understanding, attendance at the following educational sessions will be mandatory:

1. Within six months of beginning church employment in any capacity, Church Personnel, including Volunteers with supervisory authority, will participate in training on prevention, identification and response to sexual harassment in relationships, mentor and colleague relationships, and sexual exploitation in pastoral relationships. (While this training is not required of non-supervisory office workers, and others, such as maintenance workers, it is highly recommended for those who come in contact with the public.) This requirement applies to all clergy, regardless of employment status or particular responsibilities.
2. Within six months of beginning church employment and/or licensure, all clergy and paid staff, and any volunteer involved in the supervision of youth activities, will participate in training which will include prevention, identification, and response to child sexual abuse in

church settings. This requirement applies to all clergy, regardless of employment status or particular responsibilities. The training to meet the following minimum standard:

1. Three hours of child abuse prevention education and training is required for all Church Personnel Who Regularly Work With or Around Children or Youth before they start their work with children or youth or, if that is not possible, one hour of child abuse awareness training before they start their work and the rest of the training within three months of starting.
  2. One hour of child abuse awareness education and training is required for all Church Personnel Who Occasionally Work With or Around Children or Youth before they start their work with children or youth.
  3. Church Personnel who are responsible for screening, selection and supervision of others in programs for children and youth are required to complete an additional three (3) hours of specialized education and training in screening, selection and monitoring every two years.
- Normative training and standards are to be established by the Office of the Bishop. Requests that alternative forms of training be accepted in place of the Diocesan educational programs are to be reviewed by the Bishop's Office. **Renewal or Refresher training to occurs at least every 5 years.**

## **MONITORING AND SUPERVISION OF PROGRAMS**

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The monitoring and supervision of programs and activities involving children or youth is important for safeguarding children and youth and involves several aspects. One aspect involves having structural guidelines or standards for the programs and activities for children and youth. These include such things as who approves new programs, how many adults need to be present and the like. In addition to setting structural guidelines and standards, church leaders must make sure the structural safeguards are followed. Programs and activities have to be monitored and supervised to do that.

Another aspect of monitoring and supervision is that supervisory personnel and others monitor and supervise the behavior of adults, youth and other children with children and youth so that inappropriate behaviors and interactions can be detected and stopped. Some behaviors and interactions are potentially harmful to children or youth in and of themselves. Examples include providing alcohol or drugs to children or youth or actually having sexual contact with a child or youth. Other behaviors and interactions are not necessarily harmful in and of themselves but are the same behaviors and interactions known to be used by those who abuse children or youth to "groom" them or their parents for eventual abuse or which provide the privacy child molesters need in order to abuse children or youth. Examples of those behaviors and interactions include holding children over the age of three on the lap, transporting a child or youth alone, and the like.



The structural guidelines and standards are covered in both this **Monitoring and Supervision** section and in the following section, **General Conduct for the Protection of Children and Youth**.

The behaviors and interactions of persons with children and youth that need to be monitored and supervised are covered in the section on General Conduct for the Protection of Children and Youth and in the Guidelines for Appropriate Affection.

1. Every program for children and youth must have established ratios for adults and children. Compliance with the established ratio is required at all times, including activities that occur off church premises.
2. Church Personnel are prohibited from being alone with a child or youth or multiple children or youth where other adults cannot easily observe them.
3. Church Personnel over the age of 21 must directly supervise Church Personnel under the age of 18 and be physically present during all activities.
4. An up to date list of approved congregation-sponsored programs for children and youth will be maintained in the church office or other place where church records are kept.
5. Church Personnel are not permitted to develop new activities for children and youth without approval from the rector or canonical equivalent. 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 adult supervision.
6. Each program will develop age-appropriate procedures to ensure the safety of children and youth using restrooms and showers or baths.
7. When supervising or assisting private activities such as dressing, showering or diapering infants or children, Church Personnel will remain in an area observable by other adults or work in pairs.
8. At least two unrelated Church Personnel must supervise activities. When both boys and girls are participating, male and female adults must be present.

## **GENERAL CONDUCT FOR THE PROTECTION OF CHILDREN AND YOUTH**

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The following guidelines are intended to assist Church Personnel in monitoring and supervising behaviors and interactions with children and youth to identify and stop those that may be inherently harmful to children or youth, that are the type used by child molesters to groom children, youth and their parents, or that may create the conditions where abuse can occur more easily. These guidelines should also be used to make decisions about interactions with children and youth in church sponsored and affiliated programs. They are not designed or intended to address interactions within families. When exceptions to these guidelines must be made, they should be reported to the supervisor of the Church Personnel making the exception as soon as possible.

1. All Church Personnel who work with children or youth must agree to comply with the Diocese of Michigan Guidelines for Appropriate Affection (Appendix A).
2. No person will be allowed to volunteer to Regularly Work with Children or Youth until the person has been known to the clergy and congregation for at least six months.

3. Programs for infants and children under six (6) years old will have procedures to ensure that children are released only to their parents or legal guardians or those designated by them.
4. Church Personnel are prohibited from the use, possession, distribution, or being under the influence of alcohol, illegal drugs, or the misuse of legal drugs while participating in or assisting with programs or activities specifically for children or youth.
5. Parents or guardians must complete written permission forms before Church Personnel transport children and youth for a church sponsored activity or for any purpose on more than an occasional basis.
6. Church Personnel will respond to children and youth with respect, consideration and equal treatment, regardless of sex, race, religion, sexual orientation, culture or socio-economic status. Church Personnel will portray a positive role model for children and youth by maintaining an attitude of respect, patience, and maturity. They will avoid even the appearance of favoritism.
7. One-to-one counseling with children or youth will be done in an open or public or other place where private conversations are possible but occur in full view of others.
8. Church Personnel are prohibited from dating or becoming romantically involved with a child or youth.
9. Church Personnel are prohibited from having sexual contact with a child or youth.
10. Church Personnel are prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, clothing etc.) on church property or in the presence of children or youth except as expressly permitted as part of a pre-authorized educational program.
11. Church Personnel are prohibited from using the Internet to view or download any sexually oriented materials on church property or in the presence of children or youth.
12. Church Personnel are prohibited from discussing their own sexual activities, including dreams and fantasies, or discussing their use of sexually oriented or explicit materials such as pornography, videos or materials on or from the Internet, with children or youth.
13. Church Personnel are prohibited from sleeping in the same beds, sleeping bags, tents, hotel rooms or other rooms with children or youth unless the adult is an immediate family member of all children or youth in the bed, sleeping bag, tent, hotel room or other room. It is acceptable to have multiple adults sleep with all the children or youth participating in one open space such as a church basement or camp lodge.
14. Church Personnel are prohibited from dressing, undressing, bathing, or showering in the presence of children or youth.
15. Church Personnel are prohibited from using physical punishment in any way for behavior management of children and youth. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force. Physical force may only be used to stop a behavior that may cause immediate harm to the individual or to a child, youth or others.
16. Church Personnel are prohibited from using harsh language, degrading punishment, or mechanical restraint such as rope or tape for behavior management.
17. Church Personnel are prohibited from participating in or allowing others to conduct any hazing activities relating to children's or youth ministry or camp activities.

## **RESPONDING TO PROBLEMS**

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### **Reporting Inappropriate Behaviors or Policy Violations -- General**

When Church Personnel observe any inappropriate behaviors or behaviors that are inconsistent with any provision in these policies they must immediately report their observations. Such inappropriate behaviors or possible policy violations should be reported in one of the following ways:

- A telephone call or meeting with the immediate supervisor of the person,
- A telephone call or meeting with the rector, if the person is not the rector;
- A telephone call or meeting with a church warden if the person is the rector;
- A telephone call, meeting or fax to the Bishop;
- Submit a Notice of Concern (Appendix B), signed or unsigned, to the Bishop.

All reports of inappropriate behavior or policy violations with children or youth will be taken seriously.

### **Reporting Inappropriate Behaviors or Policy Violations with Children or Youth**

1. When Church Personnel observe any inappropriate behaviors, behaviors that are inconsistent with the Guidelines for Appropriate Affection, or which may violate any provision of these Policies for Protection of Children and Youth from Abuse, they must immediately report their observations. Examples of inappropriate behaviors or policy violations would be seeking private time with children or youth, taking children or youth on over-night trips without other adults, swearing or making suggestive comments to children or youth, or selecting or using staff or volunteers without the required screening.
2. Such inappropriate behaviors or possible policy violations that relate to interactions with children or youth should be reported in one of the following ways:
  - A telephone call or meeting with the immediate supervisor of the person,
  - A telephone call or meeting with the rector, if the person is not the rector;
  - A telephone call or meeting with a church warden if the person is the rector;
  - A telephone call, meeting or fax to the Bishop;
  - Submit a Notice of Concern (Appendix B), signed or unsigned, to the Bishop.

### **Reporting Suspected Abuse of Children or Youth**

1. All Church Personnel are required by this policy to report known or suspected abuse of children or youth to the appropriate state authorities (see Appendix E).
2. Failure to report suspected abuse of children or youth may be a crime. Reports may be made confidentially or anonymously. Every state provides immunity from civil liability for persons required to report suspected abuse in good faith and without malice. Simply stated,

“in good faith” means that the person submitting the report believes what he or she is reporting to be true.

3. In addition to reporting to the state authorities, Church Personnel are required to report any suspected or known abuse of children or youth that may have been perpetrated by Church Personnel directly to the rector, clergy-in-charge, or agency director of the Parish/Mission/Congregation/Diocesan Program/Diocesan Agency so that immediate and proper steps may be taken to ensure the safety of alleged victims.
4. Reports of suspected or known abuse that involve Church Personnel may be reported to the Diocese of Michigan in the following ways:
  - A telephone call, meeting or fax to the Bishop;
  - A telephone call or meeting with the rector, if the rector is not the person being complained about.
  - Submit a Notice of Concern (Appendix B), signed or unsigned, to the Bishop.
5. The Diocese of Michigan and any Parish/Mission/Congregation/Diocesan Program/Diocesan Agency will cooperate with any investigation by state authorities to the fullest extent appropriate and inform authorities that a concurrent internal investigation will be directed by the Diocese of Michigan.

## General Definitions

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In order to have a consistent vocabulary and to frame a common understanding of terms the following definitions will be used.

**SEXUAL MISCONDUCT** is a term referring to any:

- (a) **SEXUAL ABUSE** or sexual molestation of any person, including but not limited to, any sexual involvement or sexual contact with a person who is a minor or who is legally incompetent. Sexual abuse is a criminal offense and must be reported to law enforcement officials. (**also see "Types of Abuse" below**)
- (b) **SEXUAL HARASSMENT** in a situation where there is an employment, mentor, or colleague relationship between the persons involved, including but not limited to sexually-oriented humor or language; questions or comments about sexual behavior or orientation unrelated to employment qualifications; undesired physical contact; inappropriate comments about clothing or physical appearance; or repeated requests for social engagements.
- (c) **SEXUAL EXPLOITATION**, including but not limited to, the development of or the attempt to develop a sexual relationship between a cleric, employee or volunteer and a person with whom he/she has a pastoral relationship, whether or not there is apparent consent from the individual.

**ACCUSED** – shall mean a Church Personnel or a member of the clergy charged with an offense.

**ADVOCATE** – shall mean a person, lay or clergy, assigned by the Ecclesiastical Authority to support and assist a complainant or an alleged victim in any proceedings contemplated by Title IV of the national canons.

**CHILDREN, YOUTH and ADULTS:** A **child** is defined as anyone under the age of 12 years. A **youth** is defined as anyone who is at least 12 years old, but not yet 18 years old. A youth may also be an individual who is 18 years old or older, but still in high school. An **Adult** is generally one age 18 and older who does not meet the definition of Child or Youth as defined above.

**CHURCH PERSONNEL:** For the purposes of this policy, the following are included in the definition of Church Personnel when they are functioning in their respective roles for the church:

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. For

- example, Church Administrators, Sextons, Directors of Religious Education, Counselors, Therapists, Bookkeepers, Parochial School teachers, Day Care Providers, Camp and Retreat staff (when paid), etc.
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 (not limited to worship services), whether or not they have been selected or assigned to do so. Volunteers include members of advisory boards, vestries, Bishop's Committees, and boards of directors. For example, Stephens Ministers, Pastoral Care Team members, Diocesan Committee members, Cursillo staff, etc.
  5. **Postulants and Candidates for Holy Orders**
    - A. **Regularly or Occasionally Work With or Around Children or Youth** for the purpose of this policy, the following are included in the definition of Church Personnel who **Regularly** Work With or Around Children or Youth:
      - a. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church.
      - b. All paid or volunteer Church Personnel whose work regularly takes them throughout the facility or grounds or who has keys giving them access to the buildings on the grounds.
      - c. All persons who supervise or assist with supervising children or youth, other than church school teachers, in ministries, programs or activities more often than occasionally.
      - d. All persons who provide transportation to children or youth without other adults in the vehicle more often than occasionally.
      - e. Any paid personnel whose living quarters are on the grounds of the church, school or other related agency.
      - f. All vestry members or other members of similar decision-making groups who have the authority to approve the creation of ministries, programs or activities for children or youth.

Examples of Church Personnel who **Regularly** Work With or Around Children or Youth: include, but are not limited to:

- Children's or youth choir directors
- Organists who work with children or youth
- Lay youth ministers
- Volunteer youth directors

- All Church Personnel who work or assist in the nursery more than four times a year
- All Church Personnel who work in the nursery if they are the only person over 21 present at any time
- All staff, whether volunteer or paid, at church camps
- Adults who participate in overnight activities with children or youth more than twice a year

B. For the purpose of this policy, the following are included in the definition of Church Personnel who **Occasionally** Work With or Around Children or Youth:

- a. Church school teachers.
- b. All persons who supervise or assist with supervising children or youth in ministries, programs or activities infrequently, generally no more than three times a year or for one program or activity during a year that lasts less than a month (i.e. assisting with preparation for the Christmas pageant, or teaching one “unit” of Church School for a month).
- c. All persons who provide transportation to children or youth without other adults in the vehicle infrequently, generally no more than three times a year.
- d. All persons who work or assist in the nursery four or fewer times a year, whether on an emergency basis or otherwise.
- e. Adults who participate in overnight activities with children or youth once or twice a year.

**COMPLAINANT** – shall mean the person or body by whom a charge is made.

**FIDUCIARY RELATIONSHIP** – shall mean a relationship of trust such that one must put the interests of the other person above his/her own interests.

**OFFENDER** – shall mean a member of the clergy or a lay worker who engages in sexual abuse, harassment, or exploitation

**PASTORAL COUNSELING RELATIONSHIP** – shall mean a relationship between a cleric, employee or volunteer and any person to whom such cleric, employee or volunteer provides counseling, pastoral care, spiritual direction or guidance or from whom such cleric, employee, or volunteer has received confession or confidential or privileged information.

**PASTORAL RELATIONSHIP** – shall mean the relationship of any member of the clergy or any lay person to whom the Church accords a similar measure of authority (even though less formally or of a more limited scope) through employment, commissioning, or assignment; and those with whom such persons interact (such as parishioners, clients,

employees, students, staff, and others – indeed, anyone whom they serve or supervise) in their capacities as representatives of God, the church, the congregation, etc. Whether within formal counseling or in more informal educational or recreational settings, these are relationships of authority and trust. The responsibility for protecting the integrity of the relationship lies with the ordained or lay minister.

**RESPONDENT** – shall mean a member of the clergy charged with an offense.

**SUSPENSION** – shall mean a sentence by which the member of the clergy is directed to refrain temporarily from the exercise of the gifts of ministry conferred by ordination.

**TYPES OF ABUSE (Child & Youth)**

1. Physical abuse is non-accidental injury, which is intentionally inflicted upon a child or youth.
2. Sexual abuse perpetrated by an adult is any contact or activity of a sexual nature that occurs between a child or youth and an adult. This includes any activity, which is meant to arouse or gratify the sexual desires of the adult, child or youth.
3. Sexual abuse perpetrated by another child or youth is any contact or activity of a sexual nature that occurs between a child or youth and another child or youth when there is no consent, when consent is not possible, or when one child or youth has power over the other child or youth. This includes any activity which is meant to arouse or gratify the sexual desires of any of the children or youth.
4. Emotional abuse is mental or emotional injury to a child or youth that results in an observable and material impairment in the child or youth's growth, development or psychological functioning.
5. Neglect is the failure to provide for a child or youth's basic needs or the failure to protect a child or youth from harm.
6. Economic exploitation is the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a child or youth's belongings or money.

**TEMPORARY INHIBITION** – shall mean that Temporary Inhibition authorized by Title IV.

**VICTIM** – shall mean a person who has been or is alleged to be the objects of acts of the Respondent.



The Diocese of Michigan and \_\_\_\_\_ Parish/Mission/Congregation/Diocesan Program/Diocesan Agency Parish are committed to creating and promoting a positive, nurturing environment for our children's and youth ministries that protect our children and youth from abuse and our Church Personnel from misunderstandings. When creating safe boundaries for children and youth, it is important to establish what types of affection are appropriate and inappropriate, otherwise that decision is left to each individual. 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 children or youth. These Guidelines are based, in large part, on avoiding behaviors known to be used by child molesters to groom children or youth and their parents for future abuse. The following guidelines are to be carefully followed by all Church Personnel working around or with children or youth.

1. Love and affection are part of church life and ministry. There are many ways to demonstrate affection while maintaining positive and safe boundaries with children and youth. Some positive and appropriate forms of affection are listed below:

- Brief hugs.
- Pats on the shoulder or back.
- Handshakes.
- "High-fives" and hand slapping.
- Verbal praise.
- Touching hands, faces, shoulders and arms of children or youth.
- Arms around shoulders.
- Holding hands while walking with small children.
- Sitting beside small children.
- Kneeling or bending down for hugs with small children.
- Holding hands during prayer.
- Pats on the head when age and culturally appropriate. (For example, this gesture should typically be avoided in some Asian communities).

2. The following forms of affection are considered inappropriate with children and youth in ministry setting because many of them are the behaviors that child molesters use to groom children or youth and their parents for later molestation or can be, in and of themselves, sexual abuse.

- Inappropriate or lengthy embraces.
- Kisses on the mouth.
- Holding children over three years old on the lap.
- Touching bottoms, chests or genital areas other than for appropriate diapering or toileting of infants and toddlers.
- Showing affection in isolated areas such as bedrooms, closets, staff only areas or other private rooms.
- Occupying a bed with a child or youth

- Touching knees or legs of children or youth.
- Wrestling with children or youth.
- Tickling children or youth.
- Piggyback rides.
- Any type of massage given by a child or youth to an adult.
- Any type of massage given by an adult to a child or youth.
- Any form of unwanted affection.
- Comments or compliments (spoken, written, or electronic) that relate to physique or body development. Examples would be, "You sure are developing," or "You look really hot in those jeans."
- Snapping bras/swimsuit tops or giving wedgies or similar touch of underwear whether or not it is covered by other clothing.
- Giving gifts or money to individual children or youth.
- Private meals with individual children or youth.

*Appendix B -- Confidential Notice of Concern Individual(s) of Concern:*

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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:

Section 1 – Describe the situation: What happened, where it happened, when it happened, who was involved, who was present, who was notified?

Section 2 – If reported to the State, what was their recommendation about investigating? Attach additional sheets if needed.

Section 3 – Has this situation ever occurred previously? Attach additional sheets if needed.

Section 4 – What action was taken? How was the situation handled, who was involved, who was questioned, were police called? Attach additional sheets if needed.

Section 5 – 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 type or print)

Telephone number:

Location and address:

Signature: Date

Reviewed by:

**\*Once completed, please fax to the Bishop's CONFIDENTIAL fax line 313-831-2155**

Appendix C – Sample Application Form, Code of Conduct, and Acknowledgment, Release and Signature

**Instructions** Please complete all of the 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.*

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**  
**Current employer**

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

Company name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Immediate supervisor name: \_\_\_\_\_

Immediate supervisor phone number: \_\_\_\_\_

Position held: \_\_\_\_\_

Dates of employment: from \_\_\_\_\_ to \_\_\_\_\_

Reason for leaving position: \_\_\_\_\_

**Previous employer**

Company name: \_\_\_\_\_

Address \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Immediate supervisor name: \_\_\_\_\_

Immediate supervisor phone number: \_\_\_\_\_

Position held: \_\_\_\_\_

Dates of employment: from \_\_\_\_\_ to \_\_\_\_\_

Reason for leaving position:

**Previous employer**

Company name:

Address

City: State: Zip:

Immediate supervisor name:

Immediate supervisor phone number:

Position held:

Dates of employment: from to

Reason for leaving position:

**Previous employer**

Company name:

Address

City: State: Zip:

Immediate supervisor name:

Immediate supervisor phone number:

Position held:

Dates of employment: from to

Reason for leaving position:

**Previous employer**

Company name:

Address

City: State: Zip:

Immediate supervisor name:

Immediate supervisor phone number:

Position held:

Dates of employment: from to

Reason for leaving position:

**Volunteer experience**

*Include all experience working with children or youth*

Organization:

Contact:

Phone:

Duties:

Dates: from to

Organization:

Duties:

Dates: from to

Contact:

Phone:

Organization:

Duties:

Dates: from to

Contact:

Phone:

Organization:

Duties:

Dates: from to

Contact:

Phone:

**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: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Daytime phone: \_\_\_\_\_ Evening: \_\_\_\_\_  
 How long have you known this person? \_\_\_\_\_  
 Relationship to you: \_\_\_\_\_

**Family 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.

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**Code of Conduct 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 *Policies 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 *Policies for the Protection of Children and Youth from Abuse*.
- \_\_\_\_\_ I understand that the church will not tolerate abuse of children and youth and 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 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 employment, education, credit history, driving record, criminal conviction record, sexual offender registry or other qualifications for my employment or volunteering. I also authorize \_\_\_\_\_ [Parish] to request and receive such information.

If hired or chosen, I agree to be bound by \_\_\_\_\_ [Parish's] policies and procedures, including but not limited to its *Policies for the Protection of Children and Youth from Abuse* 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 the \_\_\_\_\_ [Parish's] sole discretion and without prior notice to me.

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

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

**I have read and understand the above provisions.**

Signature \_\_\_\_\_

Date \_\_\_\_\_

## **Policies & Procedures for Responding to Allegations of Misconduct by Church Personnel Involving Sexual Abuse, Exploitation and/or Sexual Harassment**

### **I. Preface**

Church Personnel possess power over those to whom they minister. By definition, the cleric and Church Personnel’s relationship with those to whom they minister if one of inequality of power and also of intimacy, each which can lead to sexual exploitation and/or sexual harassment. The expectation of those served is that Church Personnel will exercise the power and intimacy of their roles with integrity, sensitivity and caring. Any use of the ministerial relationship by the clergy or Church Personnel to engage in sexual contact or to sexually harass another is abusive, exploitative, unjust and incompatible with the sacred nature of the office. Such a breach of trust will be taken seriously and, if substantiated by the preponderance of the evidence, demands disciplinary action. These procedures are intended to help the church deal sensitively and responsibly with allegations of professional misconduct of a sexual nature by Church Personnel.

### **II. Procedures**

#### **A. Complaints are to be made to the Bishop’s Office.**

Any person who believes she or he has been sexually abused, harassed, or exploited, or has knowledge of alleged sexual misconduct, is to report this information immediately to the Bishop, or if the Bishop is not available, the report is to be made to the Canon to the Ordinary. In the event the sexual misconduct involves the Bishop personally, the information is to be presented to the President of the Standing Committee of the Diocese. The complaint will need to be received in writing and signed by the complainant. If the complainant is unable or chooses not to submit a written allegation, the Bishop may continue the investigation if there appears to be sufficient evidence that the alleged professional misconduct of a sexual nature occurred. All allegations are taken seriously and responded to immediately.

#### **B. Preliminary Investigation**

Upon receipt of information from a confidential background investigation, letter, telephone call, or personal conversation by the Bishop regarding alleged sexual misconduct, the Bishop will initiate a preliminary investigation into the matter. This allows a short period of time to determine initially whether there is cause to proceed (the complaint has sufficient merit) with a full investigation and the potential need to restrict clerical duties. **The Bishop may at any time, in accordance with church law restrict the duties of, or temporarily inhibit, a member of the clergy against whom a complaint of sexual misconduct is made.**

- a. If the Bishop in consultation with other designated person(s) determines that the alleged sexual misconduct did not take place, the complainant will be notified.



- b. If the Bishop does not dismiss the complaint, it is then investigated. The Bishop may assign a Case Manager to serve as liaison to the chancellor, law enforcement agencies, congregation, canonical advocate, canonical consultant, community and to maintain all documentation pertinent to the investigation.
- c. The person who is alleged to have engaged in sexual misconduct will be notified of the complaint and be asked to provide a written and signed response to the allegations. The accused person will be offered an Advocate, or seek counsel of their own choice.

### **C. Response Team**

Upon decision by the Bishop that there is sufficient cause to suspect that there might be some merit to the allegations of sexual misconduct, a response team of a minimum of two persons, at least one of whom is of the same gender as the accuser, will be notified to begin a formal investigation. The Response Team will be appointed by the Chancellor, with the Bishop's approval, and will operate under the supervision and direction of the Chancellor.

The Response Team will receive adequate training in the dynamics of professional misconduct of a sexual nature, and in techniques for investigating allegations of professional misconduct of a sexual nature.

### **D. Investigation**

If the Bishop determines that there is sufficient cause to suspect that there is merit to the allegations of sexual misconduct, a full investigation will be initiated by the Response Team. If the complaint includes allegations of child abuse, law enforcement agencies having jurisdiction will be notified within 24 hours of receipt of the allegation. The Diocese will cooperate fully with state and local law enforcement officials in the investigation of alleged child abuse.

Throughout the investigation all matters discovered by the Response Team will be treated with utmost care. All steps and information obtained will be recorded in writing and all records and other media will be kept in a locked file. The Response Team will interview the complainant, the accused and other persons having knowledge of the alleged misconduct, as necessary. Written, dated, and signed statements and other documents from these witnesses may be received into the official record of the investigation. The Response Team will prepare a written summary of the interviews, statements and other documentation obtained in the course of the investigation and share them with the Bishop. The procedures of the investigation will continue even if there is a lack of cooperation, or resignation, by the accused Church Personnel (ordained or lay).

In the event the complainant chooses not to follow through with the investigation, the Chancellor or Bishop may still request the Response Team to pursue the investigation.

As soon as possible, the Bishop, Chancellor, Response Team, Case Manager, and possibly other persons will meet with the appropriate body of the congregation or institution to inform them of the nature of the allegation and to discuss the policy and procedures that will be followed.

## **E. Responses**

If the allegation is substantiated by the Response Team, and the accused is a clergy person, disciplinary procedures as defined under Title IV by national canons will be followed. If the accused Church Personnel is employed, immediate dismissal may occur.

The complainant will be informed by the Bishop of the action taken regarding the offender. The person assigned to provide pastoral care to the complainant will offer support, assess the individual's needs and recommend a variety of resources for healing.

The Diocese will arrange to reach out to family members of the accused throughout the investigative and disciplinary process. This may include pastoral care, counseling or financial support during possible employment transition.

The Bishop, in consultation with the Response Team and the local governing board, will communicate to the congregation the findings and action of the Response Team. Resources may be offered to the congregation for education regarding the ethics of ministry and also to attend to the congregation's grief, anger, and other reactions. Additional follow-up will be made over the proceeding twelve month period.

*Appendix E -- THE APPLICABILITY OF CHILD ABUSE REPORTING LAWS TO CLERGY MEMBERS & AGENCY INFORMATION (updated 05/11/06)*

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A law which **became effective March 1, 2003** requires all clergy members to report suspected child abuse and/or neglect.

The law requires any member of the clergy who has reasonable cause to suspect child abuse and/or neglect to immediately report the suspected abuse/neglect to the Michigan Department of Human Services (formerly the Michigan Family Independence Agency). The law does not define "reasonable cause"; however, in similar circumstances Michigan courts have interpreted reasonable cause to mean "facts and circumstances sufficient to convince a person of reasonable caution that an offense has been committed."

The clergy member must submit both an oral and a written report detailing the abuse and/or neglect to the DHS. The report must contain the name and address of the child, the child's parents or guardian, and a description of the suspected abuse and/or neglect, including any information available that may establish the cause and manner in which the abuse and/or neglect occurred.

The child abuse reporting requirement does not apply if the basis for suspecting abuse is derived from confessions or other similar confidential communications made to a clergy member in his professional capacity. However, a clergy member must report suspected abuse and/or neglect if the member receives the information concerning the suspected abuse and/or neglect while acting **in any other capacity**.

Reports made pursuant to the new law may be submitted to the DHS at one of the following addresses:

Department of Human Services  
P.O. Box 30037  
Lansing, MI 48909  
(517) 335-6158  
[www.michigan.gov/dhs](http://www.michigan.gov/dhs)

Michigan Department of Human Services Agency  
Wayne County FIA Office  
Cadillac Place  
3040 West Grand Blvd, Suite 5-650  
Detroit, MI 48202  
(313) 396-0300

**IMPORTANT:** Any member of the clergy who notifies the DHS of suspected child abuse and/or neglect shall simultaneously notify the Episcopal Diocese of Michigan of such suspicions and that a report has been or will be submitted to the DHS. Such notices shall be sent to:

The Right Reverend Wendell N. Gibbs, Jr.  
Bishop of Michigan  
4800 Woodward Ave.  
Detroit, MI 48201

**CONFIDENTIAL FAX 313-831-2155**

**Addition Information follows in the next page.**

**State of Michigan Child Abuse Reporting Website:**

**[www.michigan.gov/dhs](http://www.michigan.gov/dhs)**

**Michigan Sexual Offender Registry Information**

**Agency** Michigan State Police

CJIC

7150 Harris Dr.

Lansing, MI 48913

(517) 322-1956

**Website** [www.michigan.gov](http://www.michigan.gov)

**Sex Offender Registry** The Sex Offender Registry hotline is (517) 322-4939.

The online Sex Offender Registry is available at [www.mipsor.state.mi.us](http://www.mipsor.state.mi.us).

*Appendix F -- Resolution X031, House of Bishops Letter on Child Sexual Abuse 2003*

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Topic/Title: Procedural: Pastoral Letter  
Proposer: The Right Reverend Ken Price  
A Pastoral Letter from the Bishops of the Episcopal Church

*To be read or cause to be distributed in every parish, 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

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.

## **THEOLOGICAL RATIONALE FOR A SEXUAL MISCONDUCT POLICY**

All members of the church of Jesus Christ are bound together through baptism in the community which is the Body of Christ in the world. This Body is a sign of the love of God, which is offered freely to all. The mutual respect and care shown to one another by members of the church are important both so that the Body may be healthy and so that the light of Christ may shine in the world through us.

For the church as for all human communities, mutual respect and care require particular attention in the area of our sexuality. Sexuality is basic to who we are, and plays a significant part in all human relationships. In the Book of Common Prayer, explicit references come to a focus in the marriage service, where God's good purpose for human sexuality is summed up in a prayer: "Make their life together a sign of Christ's love to this sinful and broken world, that unity may overcome estrangement, forgiveness heal guilt, and joy conquer despair." God has made us sexual beings in order to open up for us possibilities of unity, forgiveness, healing, and joy.

Those possibilities are given to us; their realization will require of us both honesty and behavior which reflects our commitment to justice and reconciliation. Those who exercise authority in the church must take care not to misuse that authority through their sexuality.

On a personal level, clergy face the same ethical issues other Christians do. As ordained people, however, clergy are accorded (and take for granted) a certain power in relationship with other Christians -- teaching and interpretive authority, credibility in making moral judgments, sacramental authority, authority to be present with people when they are most vulnerable. Whether or not it is acknowledged, whether or not it is intentionally exerted, clergy have this power by sacred trust, and its influence colors all the relationships of clergy within the church.

Those lay persons (paid and volunteer) to whom the church accords a similar measure of authority and responsibility (even though in a more limited area) through employment, commissioning, or assignment bear a commensurate responsibility. Although often less formal, the authority delegated by the church to lay persons is no less real or intentional, including authority to care for its people, to direct their formation in faith, and to direct and coordinate their activities on behalf of God and the church.

In situations of unequal power, justice is possible only when those to whom the system accords more power discipline themselves to act in ways that protect the vulnerability of others. As they share in the church's ministry to the world and to one another, all Christian people are responsible for respecting the dignity of others, and for using any authority which has been given to them for the benefit of the people who have granted them the authority. In sharing the gospel message to bring reconciliation, healing, and wholeness, Church Personnel will draw close to those among whom they minister. Those who serve the church (whether in paid or volunteer capacity) must adhere to Christian ethical principles in their sexual conduct and also in their exercise of authority and power. In fiduciary relationships, Church Personnel are

expected to conform to any standards shared by other professionals (i.e. therapists and physicians). They bear the responsibility for recognizing the dynamics of these relationships and for maintaining the boundaries when necessary of harm and abuse are to be avoided.

Within the church, authority (with the accompanying responsibility) may be granted to individuals in either or both of two ways:

- by entrusting them with particular tasks and positions, whether as paid staff or as volunteers;
- by ordaining them as bishops, priests, or deacons.

The authority accompanying a particular position or function ends when the position or function is given up. Ordination, on the other hand, is permanent, and carries with it an authority and a responsibility which remain regardless of the ordained person's position. Independent of their official employment, clergy are accorded both power and access to people. This being the case, an ordained person's position in relation to those among whom he or she ministers can never be simply that of one person among peers. **The same standard of conduct which applies to clergy at all times and in all relationships within the church applies to lay persons as well, during the time and within the sphere in which they are entrusted by the church with the authority and responsibility of leadership.** Clergy and others who exercise authority within the life of the church must recognize appropriate boundaries for their relationships with those among whom they minister, and must hold themselves accountable for seeing that these boundaries are not violated.

While the health of the pastoral relationship depends upon the observance of appropriate boundaries, much of the energy behind the formulation of ethical codes for church leaders comes from the fact that we are now being held accountable for our transgressions both by the church and by the law of the state. Today we are expected to observe relational boundaries which follow the standard to which professional counselors, teachers, and other helping professionals are also held accountable. It is in recognition of this situation that a sexual misconduct policy is set out for the Diocese of Michigan. The intention of this policy is not to create and impose a new standard of conduct, but to interpret for the church the standard to which we are already being held accountable.

**The Episcopal Diocese of Michigan Sexual Conduct Policy  
& Code of Conduct for the Protection of Children and Youth Acknowledgment**

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I acknowledge that I have received, read and understand the contents of the Sexual Conduct Policy of The Episcopal Diocese of Michigan, including the Code of Conduct for the Protection of Children and Youth shown below. I understand that sexual misconduct is grounds for disciplinary action, including termination of employment or suspension from service. I understand that I am expected to attend the training required by this policy, and that submission to the procedures outlined, including the duty to report suspected sexual misconduct, is a condition of my service in The Episcopal Diocese of Michigan. I understand that this policy may be updated from time to time and that I will be responsible for reading and filing the updates.

**Code of Conduct 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 Policies 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 *Policies 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.

**Signed:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Please print**

**Parish or Organization:** \_\_\_\_\_

Please indicate the date that the governing body (vestry or board) has adopted the Creating a Healthy Environment Diocesan Sexual Conduct Policy and attach a copy of the minutes of the meeting at which it was adopted. **Date:** \_\_\_\_\_

NOTE: All clergy acknowledgment forms and forms for Diocese of Michigan ministries will be kept on file in the Diocesan Office. Acknowledgment forms for local lay employees and volunteers will be kept on file by the entity engaging their services. These files are considered "permanent."

1 copy for Permanent files 1 copy for Church Personnel  
*All Clergy MUST file this with the Office of the Bishop as well.*