

# UCC Belmont Safe Church Policy & Guidelines

## Vision

The Congregational Church of Belmont seeks to be a place of full welcome for all the children of God. To that end we commit to provide an atmosphere that balances safety with radical hospitality and respect. In so doing, we strive to gain a deeper understanding of God's grace, human need, and healthy boundaries. We understand that by taking steps to formalize strategies of prevention and response, we create a safer environment not only for our congregation but also for our caregivers, volunteers, and church.

This statement of policy and guidelines sets forth our intent and procedures calculated particularly to protect the children and vulnerable adults within our congregation from recognized forms of abuse while attending church and related events. We strive to institute enlightened and best-method protections in caring for these individuals (referred to collectively as "protected persons"), while remaining mindfully pragmatic in their implementations.

These policies and guidelines shall be implemented under the general direction and discretion of the Pastor and Director of Christian Education, while remaining subject to oversight, revision, and amendment by the Church Council.

## Policies

1. A copy of this Safe Church Policy & Guidelines shall be made available to any person upon reasonable request, and shall be posted or made available during any Church activity or event which includes care for protected persons.
2. No staff member or volunteer of the Church is permitted to engage in any conduct which constitutes abuse as defined in Appendix A.
  - a. All staff and volunteers continue to serve in caretaking roles at the discretion of the Church Council, and no staff member or volunteer (collectively referred to as "caretaker") will be suffered who engages, or is reasonably suspected of engaging, in acts or conduct which would constitute abuse as defined.
  - b. Engaging in any such conduct shall be grounds for immediate reassignment, suspension, dismissal, or removal from caretaking duties.
  - c. Determinations and decisions under this policy shall be made and carried out by the Pastor in consultation with the Director of Christian Education, subject to review and ratification by the Church Council in due course.
3. All caretakers to be assigned by the Church shall be screened, and after reviewing the results of such screening, caretakers may be approved or disapproved in writing by the Pastor and Director of Christian Education. Approved caretakers shall be listed on the Church's approved caretaker list prior to being permitted to engage in caretaking of protected persons.
  - a. The list of approved caretakers shall be updated periodically by the Director of Christian Education, and posted for review by congregation

## UCC Belmont Safe Church Policy & Guidelines

members and visitors during scheduled caretaking activities. The list of approved caretakers is included in the resources and disclosures document.

- b. Commencing in Q1-2013, all caretakers will be subject to periodic background checks as prescribed by the Council upon recommendation of the Pastor and Director of Christian Education. Such background checks may include public records checks, fingerprint checks, and other registries or investigations as deemed necessary or advisable.
4. No persons who are known or reasonably believed, as a result of a background check or otherwise, to have been convicted of a crime arising from conduct which constitutes abuse (as set forth in Appendix A) shall be permitted to act as a caretaker for any protected person during Church activities or events.
  - a. Any request for review of a decision made under, or an exception to, this policy shall be determined by the Council, after consultation with the Pastor, Director of Christian Education, and others as it deems appropriate.
  - b. Individual exceptions to this policy shall be documented in writing, and retained in the Council files. Exceptions and their underlying rationale may be disclosed to the volunteers, staff, and membership of the congregation, as deemed appropriate by Council and subject to applicable laws.
5. To enhance the safety of protected persons, the Director of Christian Education or Pastor will periodically check both the California Megan's Law Registry (<http://www.meganslaw.ca.gov/disclaimer.aspx?lang=ENGLISH>) and National Sex Offender Public Registry ([www.nsopr.gov](http://www.nsopr.gov)) websites, and note any persons listed who may be members, volunteers or staff of the Church.
  - a. Any such listed persons shall be presumptively prohibited from serving as an approved caretaker, pending any further inquiry or review requested of or by Council.
  - b. The Pastor and Director of Christian Education shall confer with each other and the Council on whether or not further action is required.
  - c. This policy is not intended to explicitly or automatically bar or preclude any suspected, convicted, or listed individual from attending worship or seeking spiritual guidance from or through the Church. Any such determination shall be made by the Pastor and Council in consideration of all of the relevant facts and circumstances of the individual involved.
6. All prospective caretakers will be provided a copy of this Safe Church Policy & Guidelines at or prior to screening, and shall be required to sign and acknowledge that they have received, and will fully comply with, these policies and guidelines before they are permitted to commence approved caretaking activities.
  - a. Approved caretakers will be required to participate in training on abuse prevention and recognition, as determined from time to time by the Council. Such requirements will be listed in our resources and disclosures

## UCC Belmont Safe Church Policy & Guidelines

document, and updated as appropriate.

- b. Parents, visitors, or persons not on the approved caretaker lists may occasionally assist in caring for protected persons, as determined and directed by the Pastor or Director of Christian Education, on a temporary or emergency basis. It is intended that such persons shall be provided a copy of this policy, and at all times remain in the immediate presence and subject to continuous supervision of an approved caretaker during such service.
7. All caretakers shall immediately and reasonably act to seek assistance and where feasible, safely intervene, in any witnessed incident of abuse occurring during a church activity or event. Caretakers shall then immediately report such incident to the Director of Christian Education or the Pastor.
8. Caretakers shall promptly report to the Director of Christian Education or the Pastor in the event of any violations of this Safe Church Policy & Guidelines, any circumstances or incidents where any protected person is believed or suspected to have been a victim of abuse, neglect, or harassment, or if any protected person reports or suggests that they are considering harming themselves or others, committing a crime, or are being abused, neglected or harassed.
  - a. Reports or disclosures to caretakers, staff, the Pastor or Director of Christian Education, or Council members of potential or suspected circumstances of abuse shall, consistent with applicable law and policies on disclosure, generally remain confidential to the Pastor, Director of Christian Education, Council and select advisors. Further disclosures within the Church will be considered and decided as deemed appropriate by the Council.
  - b. Confidentiality is intended solely to promote reporting and protect potential victims, reporting parties, and those possibly accused in error. Confidentiality is not intended to protect abusers, but to encourage earlier and more confident reporting of potentially abusive circumstances within our Church.
  - c. No person should be subjected to censure, harassment, intimidation, or retaliation of any kind for reporting suspected abuse or any violation of this policy, consistent with protections afforded by applicable laws.
9. Upon any credible report of abuse, or upon otherwise gaining knowledge or forming a reasonable belief that abuse against a protected person has occurred, the Director of Christian Education and the Pastor shall confer and agree upon a plan to promptly investigate and act in compliance with this policy and all applicable mandatory reporting laws.
  - a. A list of caretakers believed to constitute mandated reporters under applicable laws shall be posted along with the list of approved caretakers. Such list may include mandated reporters by description, category of service, or by individual name, and is included in the resources and disclosures.

## UCC Belmont Safe Church Policy & Guidelines

- b. It is important to recognize and note that confidential disclosures to clergy as part of a penitential communication or relationship may be protected and excluded from mandatory, discretionary, or any disclosures in proper circumstances, as determined by the Pastor in her sole discretion.
- c. Even where not legally mandated, known or suspected abuse may still be reported to appropriate authorities by the Pastor or Director of Christian Education, in their discretion and after consulting those advisors they deem appropriate.
- d. Caretakers, volunteers, or others who are not mandated reporters may, in their own personal discretion, file an independent report with the appropriate authorities, such as Child Protective Services (CPS) or Adult Protective Services (APS). It is preferable for such persons to discuss the matter with the Pastor or Director of Christian Education prior to making such a report, but not required. Such discussions are not intended to dissuade any such reporting, but to ensure that all relevant facts and circumstances are first collected and considered.
- e. Contact information for CPS and APS in San Mateo County is included in this policy in The resources and disclosures document.

In implementing this policy, the following guidelines shall be adhered to, to the full extent practicable in the particular circumstances:

10. Team-of-Two: The care of protected persons generally requires the presence of two or more approved caregivers at all times.
  - a. Minor children will always be in the care of at least two adult caregivers, or one adult and one minor (less than 18 years of age), so long as the minor is over 12 and at least five years older than the children being cared for, upon approval of the Pastor or Director of Christian Education.
  - b. This requirement for at least two caregivers being present is intended to both ensure the safety of protected persons and also guard caregivers against potential misunderstandings or false claims of abuse.
  - c. Caregivers and adults shall avoid 1-on-1 contact with protected persons which might occur outside of the presence and view of another caregiver.
  - d. In cases where semi-privacy may be called for, such as assisting a protected person in a bathroom or other isolated location, the door shall remain open and activities conducted so as to avoid and minimize 1-on-1 contact which might otherwise afford an opportunity for potential abuse.
11. Any class, event, or activity which includes care for protected persons shall remain open for visitation and inspection by any member of the congregation, parent visitor, or invited guest for its duration.
12. Children under ten years of age will be released from a class or activity only into

## UCC Belmont Safe Church Policy & Guidelines

the care of a responsible adult.

13. A first aid kit with instructions should be kept in areas where protected persons are routinely present and cared for.
14. The Church should post a list of those members who report that they are certified in CPR, and who agree to be so listed.
15. An escape plan and the location of fire extinguishers should be posted near each classroom door.
16. Whenever protected persons are to be off campus, and outside the direct supervision of their parents/guardians, a permission form (approved by Council) shall be signed by the parents/guardians, and held by the Director of Christian Education.
  - a. The leaders of off-site activities must have a complete list of names, emergency contacts, and (subject to appropriate privacy safeguards) relevant medical conditions as reported by the parents or guardian of such person, to be retained with them at all times during the activity.
  - b. Such documents shall include express permission for leaders or caregivers to obtain emergency medical treatment for such protected person as warranted by the circumstances.
17. The Pastor or the Director of Christian Education shall verify that any drivers who transport protected persons for Church-sponsored events are at least 21 years of age and currently hold a valid driver's license, vehicle registration, and insurance policy as required by law. Copies of the license, registration, and insurance information should be collected and retained by the Director of Christian Education, but need not be carried by event leaders or caretakers.
18. During any overnight activities, adequate consideration shall be given to ensure adequate sleeping and bathroom facilities are available. As far as is possible:
  - a. Males and females attending events shall not share the same sleeping quarters. An exception may be made for married adults in private accommodations.
  - b. Adults and youth (any minor) attending events shall not share the same sleeping quarters. An exception may be made for children who share private accommodations with their parent or legal guardian, such as a child sleeping with a parent in a private tent during a campout.
  - c. Males and females should have separate access to bathroom facilities whenever possible, and if separate facilities are not available, then alternate schedules for use should be determined and posted.
  - d. Adults and youth should have separate access to bathroom facilities whenever possible, and if separate facilities are not available, then alternate schedules for use should be determined and posted.

## UCC Belmont Safe Church Policy & Guidelines

### Appendix A: Definitions

Applicable definitions of abuse shall be those found in the California Child Abuse and Neglect Reporting Act, Penal Code §§ 11164-11174.3, or other statutes or regulations of similar import, including Penal Code §§ 368-368.5 (elder abuse), § 243.4 (sexual battery), §§ 270-273.75 (child abuse), whose provisions and meanings shall control. For assisting understanding, summary descriptions of relevant terms are included here for convenience and illustration only, and are not intended to be exclusive or complete.

*Physical abuse*: the deliberate, non-accidental physical injury to a minor or adult. This also includes willful cruelty or unlawful corporal punishment or injury.

*Emotional abuse*: actions or maltreatment of a person which causes mental suffering, distress, or anguish, or elicits low self esteem, undue fear, anxiety, or shame, or other damage to a person's well-being. Examples include such acts as angry fault finding, humiliating and/or belittling a person for mistakes or failures, and deliberate inattention to someone's emotional needs.

*Neglect*: the negligent treatment or the maltreatment of a protected person by someone responsible for the person's welfare under circumstances indicating harm or threatened harm to the protected person's health or welfare. The term includes both acts and omissions on the part of the responsible person. Examples include the failure to provide food, clothing, shelter, health care, psychological nurturing, education, supervision, or other basic necessities. This includes failure to protect a minor or vulnerable adult from harm.

*Financial abuse*: taking advantage of the vulnerability of a protected person by deliberate misplacement, exploitation, or wrongful temporary or permanent use of that person's belongings or funds.

*Sexual abuse*: includes sexual assault or exploitation involving sexual activity with a minor or vulnerable adult, involving intimate contact or actions meant to arouse or gratify the sexual desires of the adult, child or youth. The abuser may be an adult, an adolescent, or another child. Sexual abuse may be violent or non-violent. All sexual abuse is an exploitation of a person's vulnerability and powerlessness in which the abuser is fully responsible for the action.

*Sexual Harassment*: It is the intent of this policy to extend concepts made applicable by state employment laws to sexual harassment and exploitation arising in the context of the employment relationship to volunteer caregivers. Examples of such prohibited harassment include use of authority or power, either explicitly or implicitly, to coerce another into unwanted sexual relations or to punish another for his or her refusal; or the creation of an intimidating, hostile or offensive environment through verbal or physical

## **UCC Belmont Safe Church Policy & Guidelines**

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

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

California law also protects staff from harassment related to race, color, religion, gender, national origin, age, disability, or sexual orientation.