

The Book of Order of the Presbyterian Church USA requires:

“All councils [Synods, Presbyteries, and Sessions] shall adopt and implement a sexual misconduct policy and a child and youth protection plan.” G-3.0106 Book of Order

Many churches already have a Child and Youth Protection Plan in place, however as of 2017 the Book of Order requires a Sexual Misconduct Policy as well. This Template is a tool to assist churches in developing or updating their policy to include both.

Please note, the Policy of Denver Presbytery (approved October 2017) includes the language of “minor and vulnerable adult” which has also been adopted in this Template, replacing the language of “child & youth”, while still meeting the requirements.

This is a **Template** designed by members of the Committee on Ministry serving on a Task Force in 2018 to develop a model for particular churches to update or write their Church Policy for Minor/Vulnerable Adult Protection and Sexual Misconduct Prevention Policy and Procedures. This is a fluid document that will continue to be updated and changed to meet the needs of churches. The template is a model, a jumping off place for the church to design Policy for their individual church and the specific needs of ministry. This is not a policy ready to be voted on and accepted. It is only a template for you to begin the conversation and to write or update a current policy. Therefore there may easily be pieces you need to implement to fit your church's ministry needs that are not contained in this template. It is designed to be a basic policy to assist churches in the update or writing of their own specific policy. The Templates for forms may also be modified to meet your ministry needs and there may be others you need to add or already have in place.

Once your Church Policy & Procedures is complete and accepted by your church Session please send a copy to the Stated Clerk of Denver Presbytery and it will be added to the file for your church. Every church of Denver Presbytery must have a Policy in place as required by the Book of Order. While the Presbytery Office does not read nor review policies, most Insurance Companies will. You are encouraged to notify your Church Insurance carrier and notify them that you have updated your policy.

Blessings on your work and thank you for taking the time and energy to protect ALL the Children of God serving in our church ministries.

*Committee on Ministry of Denver Presbytery*

**PURPOSE:** The \_\_\_\_\_ Presbyterian Church recognizes the existence of minor/vulnerable adult abuse of several kinds and the reality that such abuse can have potentially devastating consequences for victims and the church.

The purpose of this policy is to address the safety of everyone at \_\_\_\_\_ Presbyterian Church with special emphasis on the protection of children, youth, and vulnerable adults. It endeavors to:

- Make explicit the church's opposition to any abusive behavior, sexual or otherwise, and oppressive, degrading environments in all church relationships, including without limitation, employment, worship, teaching, fellowship, recreation, etc.
- Minimize the risk, insofar as possible, to the church's members, prospective members, visitors, employees, minors, vulnerable adults and others who participate in church programs, from abuse through any form of sexual or other abusive or harmful misconduct, and safeguard participants from false accusations.
- Limit the church's risk of potential legal liability in the event of any kind of abuse.
- Provide appropriate and timely remedies and discipline in cases where violation of this policy has been alleged or found to be factual.
- Seek justice by assuring effectiveness of the church's administrative, investigative, and judicial processes in determining truth, protecting the innocent, and dealing appropriately with those who abuse, exploit or harm others.

**Who is covered:** This policy covers all church employees including ordained staff, program staff and office personnel. It also covers all officers including session members and deacons, as well as, all those who volunteer in church programs that serve any vulnerable populations.

**What is covered:** This policy covers all ministry programs under the auspices of \_\_\_\_\_ Presbyterian Church whether on-site or off-site and includes any overnight activities.

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**DEFINITIONS OF MAJOR TERMS:** For the purpose of this policy, the following terms have been deemed important to understand.

- *BACKGROUND CHECK* is defined as the official investigation into any criminal history of a potential employee or volunteer; there should be no instances of zero-tolerance conduct being reported.
- *BULLYING* is defined as physical or verbal mistreatment of a person where an imbalance of physical or psychological power is created with the bully being stronger (or perceived to be stronger) than the alleged victim, and which causes a disruption to the daily living environment of the person being bullied or harassed. Bullying includes any written or verbal expression, or physical or electronic act or gesture, or a pattern thereof, that is intended to coerce, intimidate, or cause any physical, mental, or emotional harm to any person.
- *CHURCH* is defined as the particular church and refers to \_\_\_\_\_ Church.
- A *MINOR* is defined as any person between the ages of zero (0) through seventeen (17) who has not reached his or her 18<sup>th</sup> birthday.
- A *VULNERABLE ADULT* is defined as any person eighteen (18) years of age or older without the developmental or cognitive capacity to consent.
- *MANDATED REPORTER* is an individual who holds a professional position (as of pastor, teacher, Elder or Deacon, church staff member or counselor) that requires him or her to report to the appropriate state agency cases of minor/vulnerable adult abuse that he or she has reasonable cause to suspect. This individual is mandated by law to report within 24 hours normally.
- *MINOR/VULNERABLE ADULT ABUSE* is defined as any act or failure to act that results in the physical, sexual, psychological or emotional mistreatment, neglect or exploitation of a minor or vulnerable adult. Such abuse may include, but is not limited to:
- *NEGLECT* which is the refusal to take actions to provide adequate food, clothing, shelter, medical care, or supervision that a prudent parent or guardian would take.
- *PHYSICAL ABUSE* which is evidence of skin bruising, bleeding, malnutrition, failure to thrive, burns, fracture of any bone, subdural hematoma, soft tissue swelling, or death and the condition has no reasonable explanation or the condition does not appear accidental, or the explanation given is inconsistent with what can be seen.
- *EMOTIONAL ABUSE* is identifiable and substantial impairment (or risk of impairment) of a person's intellectual or psychological functioning or development.
- *SEXUAL ABUSE* is any offense involving sexual conduct in relation to (1) any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation or misuse of position.
- *SEXUAL MISCONDUCT(also known as SEXUAL HARRASSMENT)* includes misuse of trust, authority or power in a relationship to gain advantage over

another in a sexually abusive, exploitive, non-consensual or unjust manner, including but not limited to:

- Sexual advances, requests for favors, or other verbal or physical conduct of a sexual nature by a person in authority in which submission to such conduct is made (either implicitly or explicitly) a term of condition of employment or church-relationship status
- Sexual advances, requests for sexual favors, or other verbal or physical conduct that demeans, ridicules and/or insults a person because of the person's sex, sexual orientation or gender identity (actual or perceived) or creates an intimidating, hostile or offensive working or church-relationship environment; or any sexual behavior that continues after it has been made clear that the behavior is inappropriate or unwelcome.
- Any sexual contact or interaction, physical or verbal, between an adult and a minor or a vulnerable adult as defined in this policy, whether or not the conduct involves touching is misconduct. All such sexual behavior is always considered forced.
- Sexual gratification by an adult through the use of pornographic images of minors is, for the purpose of this policy, considered sexual abuse of a minor.

See Sexual Misconduct section on pages 11 & 12

- *MINOR/VULNERABLE ADULT WORKER* is any person, whether ordained, paid staff, volunteer, contractor or otherwise, who participates at any level at church events or activities involving minors and/or vulnerable adults, including without limitation teaching, worship transportation, child care, recreation and supervision.
- *MISUSE OF TECHNOLOGY* is the use of technology that results in the harassment or abuse of a minor/vulnerable adult. This includes any technology used to send pornographic or suggestive messages and images to a minor/vulnerable adult. Minor/vulnerable adult workers may have technological contact with a minor or vulnerable adult only when such contact is either (1) preapproved in writing by the minor/vulnerable adult's parent or legal guardian or (2) when the contact is on an open public medium, such as a church website or other social media program which can be freely viewed by the parent or legal guardian.
- *UNRELATED ADULTS* – Adults that are not spouses preventing them from testifying against one another in a court of law. It is also considered good practice to not have parents and adult children without other adults present to prevent familial protection and secrecy.
- *WORKER* is defined as any and all persons who work with children and vulnerable adults and specifically includes both paid and volunteer child care persons, church ordained clergy, staff, employees, and guests.
- *ZERO-TOLERANCE CONDUCT* is defined as sexual misconduct, verbal or physical abuse, bullying, harassment, assault, or battery. Zero-Tolerance is for

the behavior or conduct, not the consequences. (There is zero-tolerance for the conduct or action, the consequences for the conduct need to be appropriate)

### **REPORTING:**

**Reporting to civil authorities:** Colorado law requires that anyone who has knowledge or suspicion of minor/vulnerable adult abuse shall immediately report such abuse to designated civil authorities.

Colorado law provides that child abuse or neglect is defined as an act or omission that threatens the health or welfare of a minor. It includes, but is not limited to, being subjected to unlawful sexual behavior; non-accidental bruising, bleeding, malnutrition, burns, fractures, subdural hematoma, or soft tissue swelling; failure to provide adequate food, clothing, shelter, medical care or supervision; emotional abuse; abandonment; and other forms of abuse or neglect. **Any person who has reasonable cause to know or suspect that a minor is or has been subjected to abuse or neglect shall immediately upon receiving such information report or cause a report to be made to the county department of social services, local law enforcement agency or through the Colorado child abuse reporting hotline system.**

**Call 1-844-CO-4-KIDS (1-844-264-5437) if you suspect child/minor abuse or neglect is occurring. Call 911 IMMEDIATELY if it is an emergency or you are witnessing a minor or vulnerable adult in a life-threatening situation.** Colorado has established this toll-free phone number to report child/minor abuse and neglect 24/7, 365 days a year. All calls are confidential and will be routed to the county where a minor resides.

**Similarly, to report mistreatment, including abuse, of a vulnerable adult, call the county department of Adult Protective Services (APS) where the adult resides.**

**The telephone numbers for counties within Denver Presbytery**

**(<http://www.coloradoaps.com/contact.html>) are:**

- Adams (303) 227-2049
- Arapahoe (303) 636-1750
- Broomfield (720) 887-2271
- Chaffee (719) 539-6627
- Clear Creek (303) 679-2365
- Denver County is 720-944-2994
- Douglas (303) 663-6270
- Eagle (970) 328-7720
- Elbert (303) 621-3210
- Garfield (970) 945-9193
- Gilpin (303) 582-5444
- Grand (970) 725-3331
- Jefferson (303) 271-4673
- Kiowa (719) 438-5541
- Park (303) 816-5939
- Pitkin (970) 429-2047
- Rio Grande (719) 657-3381

After a report of abuse or neglect is made to civil authorities, the responsibility for investigation rests with the agency receiving the report. So long as investigation by civil authorities is occurring, church personnel should not undertake further investigation of the circumstances of the alleged or observed abuse or neglect, but should cooperate fully with and assist the investigating agency in completing its investigation.

Failure to make an immediate report to civil authorities can result in criminal prosecution and personal financial liability for damages resulting from a failure to report. Colorado law provides immunity from civil and criminal liability for persons who participate in good faith in making a report and facilitating an investigation by civil authorities.

Any church staff, leadership or volunteer who has a question about whether reasonable cause exists to know or suspect abuse or neglect has occurred, should immediately contact the head of staff of the church for assistance, clarification or the obtaining of legal advice.

If an ordained Minister of Word and Sacrament, whether employed by or affiliated with the church is accused of abuse or sexual misconduct, an initial report shall be made to the appropriate agency by a mandated reporter, and the Stated Clerk of Denver Presbytery shall be immediately notified. The Minor/Vulnerable Adult Protection and



Sexual Misconduct Prevention Policy of Denver Presbytery shall take precedence in these instances, followed by the Personnel Policy and the Protection Policy of the church. All efforts shall be in conjunction with the designated representatives of the Presbytery.

See Appendix A – SAMPLE - Incident Report Form

### **GUIDELINES FOR STAFF/VOLUNTEERS:**

#### **Preventative Measures:**

1. Every person should treat others with respect and courtesy in all matters concerning personal space, personal safety, and confidential information.
2. Adult members or active participants in the church who supervise or instruct minors or vulnerable adults must be known to the general membership, the pastor, staff, and volunteers, and as such, must have been active in the church for a minimum of six (6) months. Non-member employees of an outside agency employed for the nursery must have passed a background check within the previous three (3) years.
3. Background checks will be conducted on all staff and volunteers who work with minors/vulnerable adults. See Appendix E – SAMPLE Volunteer Application & Background Check Release Form
4. Employment or volunteering of an individual whose background check shows offenses other than zero-tolerance conduct will be dealt with on a case-by-case basis. (e.g. a potential childcare employee/volunteer has a breaking and entering charge from breaking into their own home during a divorce.) Exception will be documented and filed confidentially.
5. Background check reports, together with any consent forms will be held in a secured location accessed by Designated Personnel.
6. The nursery will be supplemented by church volunteers so that two (2), non-related adults are present with minors. Other background checked volunteers may serve as backups.
7. A minimum of two (2) adults will be present during programs for minors or in any other activity such as VBS, which places the minor(s) in a closed situation; one (1) adult who has undergone a background check may work with a teen attendant. A teen that is used regularly as a nursery attendant should have his or her background checked.
8. The interior of classrooms and offices will remain visible from the outside at all times. This means that the door will be open or the glass window in the door unobstructed.

9. If a minor needs to be accompanied to the restroom, the restroom door will remain open with the adult visible. If an infant/toddler needs a diaper change, at least two (2) volunteers or paid staff members will be present in the room where this occurs.
10. Contact information for church leadership overseeing the ministry, volunteer or staff should be distributed to parents/guardians for communication and emergency purposes.

\*NOTE: State Regulated Programs such as Daycare, Parents Day Out, or Preschools will have their own policies to abide by. Those policies will need to be added to your Church policy as appropriate for those ministries or building uses.

### **GUIDELINES FOR VIOLATIONS:**

#### **Duty to Self Report:**

Knowledge and transparency are the best protections against harm. Accordingly, all individuals interested in working or volunteering at the church have an absolute duty to report to the church staff all incidents, past and present, involving child abuse, elder abuse, substance abuse, criminal convictions and criminal charges. If the staff or volunteer role requires driving, the interested individual is expected to also self-report all substance related traffic violations. This obligation is continuing in nature. Failure to self-report will result in the individual's ineligibility to work or volunteer at the church. Specific acts and omissions in violation of the policy by a staff member or volunteer will not be tolerated or accepted during any church sponsored activity or program, and are to be immediately reported to church staff after the safety of the minor/minors involved has been assured.

**All convicted sex offenders must self-report according to Colorado State Law.**

#### **Who May, and May Not Work with Minors and Vulnerable adults:**

1. Individuals who have been convicted, or charged of offenses against minors or vulnerable adults, including but not limited to specifically child abuse or child pornography, **may not** work with minors or vulnerable adults.
2. Individuals who have been convicted or charged with crimes of violence, in the interest of protecting minors should not work with minors or vulnerable adults until it is clear that the offense did not involve minors or vulnerable adults.
3. Individuals who have been convicted or charged with substance-related driving offenses within the past ten years **may not** drive minors/vulnerable adults for church related and sponsored events.



4. All adult volunteers interested in working with minors (or vulnerable adults) should be active in the church community for a minimum of 6 months before beginning such volunteer service.
5. All staff and volunteers interested in working with minors should ordinarily be at least four (4) years older than the minors they will be supervising. When working with minors, all volunteers under the age of 21 (4 years older than a 17 year old minor) will be supervised by an adult who has undergone a background check who is present with the underage volunteer.

These requirements may be waived at the discretion of the church staff and an exception made for good cause on a case by case basis. Circumstances and the exception made will be documented and confidentially maintained.

### **GUIDELINES FOR ON-SITE EVENTS:**

#### **Supervision:**

1. In order to provide adequate love, attention, care, and guidance for minors, the church endeavors to observe an **“unrelated two adult”** rule, which means no adult will be left alone with a minor, one-on-one, and requires a reasonable ratio of adult volunteers to be maintained in each situation involving the supervision of minors. Unrelated is defined as adults who are not related as spouses, also suggest considering parents and adult children as related. This **“unrelated two adult”** rule includes both volunteer and staff representatives for all church sponsored events.
2. An exception to this policy on supervision would be in a situation in which the contact occurs in a public place with other adults present and in line of sight or other adults are able to clearly witness the interaction by being in and out of the area with the door left open, or a door with an unobstructed window may remain closed.
3. Church staff members and/or volunteer directors are to supervise activities on an on-going basis and make unannounced visits into classes or other program sites from time to time.
4. In counseling sessions with minors, written parental permission needs to be obtained prior to a staff member meeting privately with a minor, or the **“two-unrelated adult”** rule will be used in that instance. Permission may be granted by parents to cover a particular time period (i.e. a school year) for their minor to receive counseling from a particular staff member. “Private” meetings will be held in the church with others present in the building, doors should remain open at all times and the adult shall be viewable at all times, through the open door.
5. In a situation where a staff member or volunteer finds themselves alone with a minor, one-on-one, they should as quickly as possible correct the situation to be in

compliance with these guidelines of supervision. For example, a situation may be corrected by moving to another space where other adults are present to correct the lack of appropriate ratios between adults and minors.

6. Informal conversations between adults and minors are to be conducted with the best use of judgment by the adult and evaluated by the risk factors of isolation, accountability, and power of the adult in the situation.

### **Receiving and Dismissal of Minors:**

1. It is requested that only a parent or guardian sign-in/sign-out and drop-off/pick-up a child from the nursery and preschool classrooms. Minors will be released only to parents/guardians and/or those previously designated in writing by parents/guardians. Exception may be made with parental/guardian written permission on a case by case basis to release a minor kindergarten age or older, to find a parent/guardian without supervision.
2. For all church-sponsored youth events, adult supervision is to be provided at least 15 minutes prior to the event starting time and following an event until the last youth has left the property of the church or other event location. Adult supervisors should be aware of the location of all youth participants at all times during church sponsored events on church property as well as off-site events.

See Appendices for Sample Forms

### **GUIDELINES FOR OFF-SITE EVENTS:**

The following guidelines apply to occasions when volunteers and/or staff of the church travel away from church property on behalf of the ministry of the church in private or business vehicles, transporting minors/vulnerable adults. Activities include, but are not limited to: mission trips, retreats, Sunday school outings, VBS field trips, summer programming, family ministries, camp, youth activities, and Presbytery events.

1. Events and/or activities sponsored by the church held off the property of the church should also comply with guidelines for supervision. The **“two-unrelated adult”** rule will apply and the church will endeavor to have at least two volunteers or staff for a group up to 12 participants for safety reasons. A group larger than 12 should have 2 adults for each additional number of up to 12 minors or vulnerable adults.
2. A copy of the names of all participants and emergency contact information will be collected and filed with church staff. A copy of that information will accompany the responsible adults traveling with the group.

3. Off-site events or activities may also require additional waivers and/or permission forms to be completed/signed by parents/guardians for minors/vulnerable adults to participate. See Appendices for Sample Forms.
4. High Risk Activities:
  - a. Activities of high risk sponsored by the church are to be approved by Session in advance. Special waivers and/or permission forms may be required to release the church and its staff and volunteers of any and all liability. Forms should be required for all participants and completed/signed by parents/guardians.
  - b. High risk activities may include but are not limited to: ATVs, BMX Bikes with ramps or jumps, boxing, bungee jumping, dirt or motor bikes, diving/diving boards, fireworks, gymnastics, hang gliding, hot air balloons, hunting, jet skiing, karate & martial arts, mechanical bull, technical mountain climbing, mud sports, parachuting, parasailing, pyrotechnics, rodeos, rollerblading with ramps, jumps or props, snowmobiling, surfing, tackle football, trampolines, water trampolines or "blobs", wave runners, white water rafting (class 3-6), wrestling not affiliated with an organized program. (Contact insurance carrier for specific lists of high risk activities pertaining to your insurance policy.)
5. In the event of injury at an off-site church sponsored activity or event, after taking action and care for the injury, the staff or volunteer present at the event needs to complete an incident report and notify the church staff of the nature of the incident within 24 hours. Upon returning to the church, the incident report is to be filed in the church office. The incident also needs to be reported to parent/guardian in a timely and responsible manner.
6. Transportation of Minors
  - a. Youth with driver's licenses that drive themselves to the church for activities/events sponsored by the church are not to transport any minors/vulnerable adults to another location for an activity/event sponsored by the church. Parents/guardians are responsible for transporting youth or allowing youth drivers to drive to an off-site activity/event location.
  - b. For any activity/event sponsored by the church at an off-site location, the church is to provide all transportation of minors/vulnerable adults with approved drivers, 25 years of age or older, with valid driver licenses and auto insurance as required by Colorado state law. Drivers may not have convictions or charges of substance-related driving offenses within the past ten years. It is strongly encouraged that there be two (2) adults in the vehicle when transporting minors and vulnerable adults, especially when there are only one or two minors/vulnerable adults being transported.

**GUIDELINES FOR OVERNIGHT EVENTS:**

1. Overnight activities need to have both male and female adult leadership for male and female minors/vulnerable adults to participate.
2. Separate sleeping areas shall be designated for male and female minors/vulnerable adults with adult supervisors. The church will endeavor to provide a minimum of 1 adult to 6 minors of the same gender to be present in each gender separate sleeping area. At no time will there be more adults than youth of the same gender in a sleeping area for an overnight activity. Whenever possible, separate bathroom facilities are to be designated for males and females, or if unavailable, designate separate use times as appropriate.
3. Except as provided in #2 above, adults should not share sleeping quarters with a minor or vulnerable adult. There are two exceptions to this rule:
  - a. For the occasional legal caregiver/minor situation or parent/minor situation; if a minor/vulnerable adult requires the presence of a caregiver who is not the person's parent or legal guardian, written permission must be given and kept on record from the minor/vulnerable adult's parent/legal guardian;
  - b. When communal sleeping arrangements provide for multiple adults and minors/vulnerable adults in a larger sleeping space.
4. A copy of the names of all participants and emergency contact information will be collected and filed with church staff. A copy of that information will accompany the responsible adults traveling with the group. Information should include medications, allergies and food restrictions and any medical issues for adults to be aware of.
5. Overnight events or activities may also require additional waivers and/or permission forms to be completed/signed by parents/guardians for minors/vulnerable adults to participate. See Appendices for Sample Forms.
6. In the event of injury at an overnight church sponsored activity or event, after taking action and care for the injury, the staff or volunteer present at the event needs to complete an incident report and notify the church staff of the nature of the incident within 24 hours. Upon returning to the church, the incident report is to be filed in the church office. The incident also needs to be reported to parent/guardian in a timely and responsible manner.
7. Groups involving families (parent/guardian with their minor) are to have at least one adult present per family during the activity. The exception is when an adult is previously designated in writing by the parent/guardian for supervision in the absence of the parent/guardian for the minor/vulnerable adult.

**TRAINING:**

\_\_\_\_\_ Presbyterian Church will provide training for all volunteers and staff who work with minors and/or vulnerable adults regarding this policy and any other policy. Volunteers for special or occasional activities (such as VBS) will receive training along with their other preparation as part of their commitment to serve.

**SCREENING:**

1. Staff members and adult volunteers who work with minors/vulnerable adults will undergo a background check, including a criminal record check, prior to beginning their work and every 3-5 years thereafter (according to insurance requirements).
2. An application form and/or internet link will be provided for staff and adult volunteers to submit information and permission for the background checks. See Appendix E – Sample Volunteer Application & Background Release Form
3. The cost of the background checks will be paid for by the church.
4. Results of background checks will be reviewed by the designated church personnel (head of staff, personnel committee chair, executive director), who will make the final decision regarding employment or service.
5. All information obtained for and/or from background checks and accompanying documents will remain confidential and will be stored in a secure location. Only designated church personnel (head of staff, personnel committee chair, executive director) will have access to these records.

Note: Check with church insurance company for screening guidelines.

**CONFIDENTIALITY:**

Depending upon one's position, church employees may have access to information that is sensitive or confidential. Examples of the type of information include:

- Sensitive counseling information
- Confidential legal matters
- Compensation and other sensitive personnel information
- Information arising from an allegation or the investigation of an allegation of harassment or sexual or other misconduct
- Donation/giving data

The information may be contained in documents such as letters, memoranda, reports, forms, computer data, software, and reproductions; or it may be in visual form such as

graphs, charts, slides, or photographs. Although this policy concentrates on protecting written data, protection of information transmitted orally is equally important.

Employees are to treat this information confidentially and may only share it with others on a need-to-know basis. The Head of Staff has the ultimate responsibility for determining the need to know.

## **CONFIDENTIAL PASTORAL COMMUNICATIONS**

No ordained staff member shall divulge any confidential communication received in his or her care of souls, except in accordance with his or her pastoral judgment and either with the permission of the person who has reposed such confidence or when such a minister believes that a person presents a risk of harm to self or others. This assurance must be provided to the faithful so they may have confidence, counsel, and trust that their communication with ordained staff is held in the strictest confidence. This allows the faithful to be more open to the promptings of the Holy Spirit so that they might live lives of valor, find relief for troubled consciences, avoid sin, admit failings, and experience God's grace within the community of believers. In addition to ordained staff members, Elders, Deacons, church-authorized small group leaders, and pastoral counselors may collectively be designated as "ministers". In keeping with the traditional discipline and practice of the Presbyterian Church (U.S.A.), which teaches the importance of seeking pastoral counsel for the care of souls and the worthiness of naming one's sins and seeking God's forgiveness, the church guidelines will apply to all "ministers", whether ordained or laity.

## **SEXUAL MISCONDUCT:**

\_\_\_\_\_ Presbyterian Church has a zero-tolerance policy towards sexual misconduct (see Definitions of Major Terms on page 2-3). Zero-tolerance is for the conduct or action not for the consequences for the zero-tolerance conduct. (e.g. Zero-tolerance of profanity does not mean the firing of the individual, consequences should be appropriate for the zero-tolerance conduct)

All staff (ordained and lay staff), leadership (session elders, deacons, committee/team chairs) and volunteers of the church shall also abide by a code of conduct that prohibits the following behaviors:

1. Display of sexual affection toward a minor or vulnerable adult, or between minor/vulnerable adult participants at an event.
2. Use of profanity or off-color jokes.



3. Discussion of sexual matters of any kind in the presence of a minor or vulnerable adult or in any way involving minors or vulnerable adults in personal problems or issues.
4. Dating or becoming romantically involved with minors or vulnerable adults participating in the church's ministry or event, regardless of age.
5. Using or being under the influence of alcohol or illegal substances in the presence of minors.
6. Possessing sexually oriented materials—including printed or online pornography—on church property or property being utilized for a church event.
7. Having secrets with minors.
8. Staring at or commenting on minors' bodies.
9. Engaging in inappropriate or unauthorized electronic communication with minors.
10. Working one-on-one with minors in a private setting.
11. Abusing minors or vulnerable adults in any way, including, but not limited to, the following:
  - a. Physical abuse: hit, spank, shake, slap, unnecessary restraint.
  - b. Verbal abuse: degrade, threaten, or curse.
  - c. Sexual abuse: inappropriately touch, expose oneself, or engage in sexually oriented conversations.
  - d. Mental abuse: shame, humiliate, act cruelly.
  - e. Neglect: withhold food, clothing, water, shelter.
  - f. Permit minors to engage in the following: hazing, bullying, derogatory name-calling, ridicule, humiliation, or sexual activity.

## **APPENDICES**

Appendix A - Incident Report Form – 3 pages

Appendix B - Permission Form for Minor/Vulnerable Adult

Appendix C - Transportation Release & Off-site Permission Form

Appendix D - Emergency Form

Appendix E – Volunteer Application & Background Check Release Form – 2 pages

NOTE: Additional procedures may be appropriate for a particular church's ministry. Resources from the "Presbytery of Denver's Minor/Vulnerable Adult Protection and Sexual Misconduct Prevention Policy and Procedures" may be considered for additions to your policy.

Appendix F – Rules for Use of Social Media and Electronic Communications (From the Presbytery of Denver's Policy & Procedures-Appendix IV)

Appendix G – Rules Regarding Convicted Sex Offenders in the Life of the Church (From the Presbytery of Denver's Policy & Procedures-Appendix V)

## SAMPLE - Appendix A - Incident Report Form

**INCIDENT REPORT FORM****Complete this report under any of the following situations:**

- A minor/vulnerable adult becomes ill or receives an injury that requires First Aid or medical treatment while in your care;
- A minor/vulnerable adult receives a bump or blow to the head or other visible injury regardless of treatment;
- A minor/vulnerable adult is transported by ambulance from your facility;
- An unusual or unexpected incident occurs that jeopardizes the safety of a minor/vulnerable adult, such as a minor/vulnerable adult left unattended, there is a vehicle accident (with or without injuries), or a minor/vulnerable adult is exposed to a threatening person or situation;
- There is an allegation or reasonable suspicion of abuse of a minor/vulnerable adult.

**Important:** Consult Colorado's mandatory reporting requirements for further information on abuse reporting;

Date of Incident:	Time of Incident:
Name and Approximate Age of minor/vulnerable adult Involved (One Report per person):	
Contact Information for Minor/Vulnerable Adult Involved: Parent/Guardian: _____  Address: _____  Phone: _____ Email: _____	
Nature of Injury/Incident:	
Location of Incident:	
Description of Incident:	

Was the above information:

☐ Reported to you by someone else? If so, who:

OR

☐ Directly observed/witnessed by you?

Action(s) Taken: (Check all that apply.)

☐ Provided First Aid

What/When \_\_\_\_\_

☐ Call placed to 911 By

Whom \_\_\_\_\_

☐ Taken to hospital By

Whom \_\_\_\_\_

☐ Notified Parent/Guardian Who/When:

\_\_\_\_\_

☐ Notified Church Official

Who/When: \_\_\_\_\_

☐ Notified Authorities Who/When:

\_\_\_\_\_

☐ Other \_\_\_\_\_

Witnesses to Incident:

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

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

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

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Printed Name of Person Completing This Report: \_\_\_\_\_

Position at the Organization: \_\_\_\_\_

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

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Church Official: \_\_\_\_\_ Date: \_\_\_\_\_

Fully Describe What You Observed:

Anyone else you know who may have witnessed the incident?

Name:

Address:

Phone:

Email:

Printed Name of Witness:

Signature:

Date Signed:

SAMPLE - Appendix B - Permission Form for Minor/Vulnerable Adult

*NOTE: This may be used for events in the course of a school/ministry year or single special events.*

**NAME, ADDRESS, PHONE AND EMAIL OF CHURCH HERE**  
**PERMISSION FORM FOR MINOR/VULNERABLE ADULTS**

I hereby give my permission for (*minor/vulnerable adult*)  
\_\_\_\_\_ to participate in the Ministry  
activities (May include the name of specific event, or reoccurring date and  
time) at \_\_\_\_\_ Church. Participants will remain  
on the church campus unless prior written notice is presented and written  
parental permission is granted. I understand that the church staff/volunteer  
will use their best efforts to supervise; however, I also understand the  
church staff/volunteer is not responsible for loss of personal property or  
bodily injury. If I cannot be reached at the time of an emergency and if  
treatment is urgent in the judgment of the church staff/volunteer and  
medical authorities, I authorize and direct the church staff/volunteer  
members present to send my minor/vulnerable adult (*properly  
accompanied*) to the hospital or the most easily accessible medical facility.  
I understand that I will assume full responsibility for the payment for any  
services rendered.

Signature of Parent/Guardian: \_\_\_\_\_

Parent/Guardian Printed Name: \_\_\_\_\_

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

***If you have not already filed an Emergency Information form for your minor/vulnerable adult, please make sure to do so when returning this form.***



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SAMPLE - Appendix C - Transportation Release & Off-site Permission Form

**NAME, ADDRESS, PHONE AND EMAIL OF CHURCH HERE**

**OFF-SITE PERMISSION FORM**

Date: \_\_\_\_\_ Destination: \_\_\_\_\_

Time of Departure: \_\_\_\_\_ Time of Return: \_\_\_\_\_ Cost: \_\_\_\_\_

**PARENTAL PERMISSION FORM AND AUTHORIZATION TO ADMINISTER MEDICAL AID**

*To be completed by a parent or guardian*

I hereby give my permission for (*minor/vulnerable adult*) \_\_\_\_\_  
to go to (*destination*) \_\_\_\_\_ on (*date*) \_\_\_\_\_. I understand that the church staff/volunteer will use their best efforts to supervise; however, I also understand the church staff is not responsible for loss of personal property or bodily injury. If I cannot be reached at the time of an emergency and if treatment is urgent in the judgment of the church staff/volunteer and medical authorities, I authorize and direct the church staff members present to send my minor/vulnerable adult (*properly accompanied*) to the hospital or the most easily accessible medical facility. I understand that I will assume full responsibility for the payment for any services rendered.

Signature of Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_  
Parent/Guardian Printed Name: \_\_\_\_\_

---

**TRANSPORTATION RELEASE**

Minors/Vulnerable adult Name: \_\_\_\_\_

I give permission for the participant named above to participate in \_\_\_\_\_ event and activities where participant will be transported in church or personally owned vehicles. Drivers will be licensed, 25 years of age or older, seatbelts will be provided and all State and federal laws will be followed. I understand that by signing this, I hereby release \_\_\_\_\_ Church, all of its staff, volunteers and all individuals assisting in the instruction, conduct and transportation of my minor/vulnerable adult and their activities from any and all liability. I have carefully read this Release of Liability and fully understand its content.

Signature of Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Printed Name: \_\_\_\_\_

***If you have not already filed an Emergency Information form for your minor/vulnerable adult, please make sure to do so when returning this form.***

SAMPLE - Appendix D - Emergency Form

**NAME, ADDRESS, PHONE AND EMAIL OF CHURCH HERE**  
**EMERGENCY FORM**

Name of Minor/Vulnerable adult:

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(Last)(First)(Middle)

Birthdate: 

---

Emergency Contact Information:

Name of Parent/Guardian: 

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Parent/Guardian's Address: 

---

Parent/Guardian's Telephone:

Home: 

---

 Work: 

---

 Cell: 

---

Insurance Company: 

---

Group Number: 

---

 Individual Number: 

---

Family Physician: 

---

 Phone: 

---

Specify any allergies: 

---

 Specify any medication: 

---

Alternate Contact: 

---

 Phone: 

---

Special Information:  

---

  

---

Please circle one: Minor/vulnerable adult's photo MAY / MAY NOT be used in  

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Church print or electronic communications. No names will  
accompany photos.

Signature of Parent/Guardian: 

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 Date: 

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Parent/Guardian Printed Name: 

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## SAMPLE - Appendix E – Volunteer Application &amp; Background Check Release Form

**NAME, ADDRESS, PHONE AND EMAIL OF CHURCH HERE****VOLUNTEER APPLICATION FORM**

We are deeply committed to providing a place of sanctuary, safety and protection for our adults, all minors, vulnerable adults, guests, volunteers and staff who participate in any church-sponsored activity or ministry, so that each one can fulfill their unique calling. It is necessary to gather pertinent information from those who offer volunteer services to our ministries interacting with all persons. This information will be used for the sole purpose of helping the church provide a safe and secure environment for all and will be kept confidential.

**Personal Information:**

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Do you have any of the following certifications?

- ☐ First Aid
- ☐ Defibrillator
- ☐ CPR – children
- ☐ CPR – adult

**Please provide the following employment history:** (If retired, please list last employer)

Occupation, Current Employer, Address, Phone and Person at employer who can verify this information:

Dates of employment with this employer \_\_\_\_\_

If no longer employed, reason for leaving:

If less than five years, please list all past employers, address, phone, person at employer who can verify this information for the past 5 years:

**Please provide the following church information:**

Are you a member of \_\_\_\_\_ Church?      YES      NO

“All volunteers, whether youth or adult, shall be actively participating in the life of this congregation for at least six (6) months prior to volunteering their services with minors/vulnerable adult.”

How long have you been actively participating in the life of  
\_\_\_\_\_ Church? \_\_\_\_\_

Please list your previous experience working with minors as a volunteer in churches or other settings or as a paid employee:

**Please answer the following questions:**

Have you ever been convicted of or pleaded guilty to a criminal (felony) offense?  
YES                      NO

Have you ever been charged with or convicted of abuse or neglect of a minor or vulnerable adult?  
YES                      NO

Have any complaints or allegations of misconduct involving minors or vulnerable adults ever been made against you?      YES                      NO

Have you been convicted of the possession, use or sale of illegal substances?  
YES                      NO

Within the past 60 days have you abused alcohol/legal drugs or used illegal drugs?  
YES                      NO

Is there any fact or circumstance involving you or your background that would call into question your being entrusted with the supervision, guidance, and care of minors or vulnerable adult?  
YES                      NO

**Please list two references who are not related to you and who are familiar with your previous work and/or experience with minors:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

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

E-mail: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

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

E-mail: \_\_\_\_\_

I hereby give permission to \_\_\_\_\_ Church to make reference calls to ensure my qualifications to serve as a volunteer with minors or vulnerable adults. I certify that the information I have provided is true and correct; if it is found that the answers given are untrue, I understand I may be dismissed from my volunteer position. I acknowledge that I have received and read the Minor/Vulnerable Adult Protection and Sexual Misconduct Preventive Policy and Procedures of \_\_\_\_\_ Church.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_



## **RULES FOR USE OF SOCIAL MEDIA AND ELECTRONIC COMMUNICATIONS**

### **General Social Media Policy**

No minister of the Word and Sacrament, employee, contractor, or volunteer of \_\_\_\_\_ church and its entities shall create or use a media site (Web, Facebook, YouTube, or similar) in the name of or purporting to represent the Presbyterian Church (U.S.A.) or the Presbytery of Denver or \_\_\_\_\_ Church without the explicit written permission of the session. When clergy or staff, acting in their capacity as a representative of \_\_\_\_\_ Church or its entities, lead or coordinate a group activity using social media, each may use only official church sites/channels (church websites, Facebook pages etc.) when they have been made available by permission of the Session These may include Web pages, Facebook, e-mail, and any other form of electronic communication.

### **Social Media Communications**

Persons who shall create public pages on behalf of \_\_\_\_\_ Church programs are responsible to monitor communications and to assure that minor/vulnerable adult workers, employees and volunteers do not have private (and possibly inappropriate) conversations with minors/vulnerable adults through the use of such social media. When using Facebook or any other social media, e-mail, text messaging or other electronic means to communicate with minors or vulnerable adults, the authorized minister of the Word and Sacrament, employee or volunteer shall inform parents/guardians of each minor or vulnerable adult, prior to initiating such communication, that the latter requests permission to communicate with the person via social media or other electronic means, providing the parent/guardian the opportunity to disapprove or to participate in a group or individual communication. If a minor or vulnerable adult reveals abuse or inappropriate interactions with another person, whether minor or adult, the person who receives this report must in turn report this information in the same manner as any other “suspected abuse”. Note: In the Church setting this can be done with an “Annual Permission Form” for the Youth Ministry for example that includes permission for Social Media Communications from parents/guardians.

### **Social Networking Code of Conduct**

Each person who uses the resources of social media should apply this Social Networking Code of Conduct:

1. Prohibit comments that are, or could be construed by any observer, to be harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning or humiliating.
2. Prohibit sexually oriented conversations or discussions about sexual activities.
3. Prohibit private messages between employees or volunteers and minors or vulnerable adults.
4. Prohibit posting inappropriate links or pictures (for example, sexually suggestive, exploitive, or voyeuristic images) or inappropriate comments on pictures.

5. Provide minors and vulnerable adults and their parents/legal guardians with this Social Networking Code of Conduct.
6. Encourage parents to play a role in monitoring their minors' and vulnerable adults' interactions with employees and volunteers.
7. Frequently remind minors and vulnerable adults how to interact appropriately through social networking sites.
8. Deny participation by individuals who violate the code of conduct.

At the commencement of the use of social media, the authorized minister of the Word and Sacrament, employee or volunteer shall present this Social Networking Code of Conduct to minors and vulnerable adults and their parents/guardians.

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Appendix G – Rules Regarding Convicted Sex Offenders in the Life of the Church  
(From the Presbytery of Denver's Policy & Procedures-Appendix V, page 22)

**RULES REGARDING CONVICTED SEX OFFENDERS**  
**IN THE LIFE OF THE CHURCH**  
**Balancing Hospitality with Safety**

A. Information identifying a Convicted Sex Offender may come to the attention of a congregation or other council in a variety of ways. A Convicted Sex Offender may self-disclose. A Probation Officer or other court or law enforcement official may notify the council. A person's name may appear on a publicly accessible internet-based sex offender registry (see below for websites). This information is in the public domain. Any person can check online sex offender registries for the name of anyone attending worship or participating in other church activities to determine whether someone is listed or to verify self-disclosure or reports from other sources. Doing so is solely for the protection of persons participating in the activities and life of the council, and should never be viewed as punitive.

B. If a name on the registry is recognized as a congregation or other council participant or visitor, a person self-discloses conviction for a sex crime or a public official provides notice of a conviction, proceed with the steps set forth in this policy below.

C. A registered sex offender is any person who has been convicted of a sexual offense and is now required to register his/her whereabouts with local law enforcement. The Colorado Sex Offender Registration Act (Colorado Revised Statutes Sections 16-22-101, et. seq.) allows the public to have information about the whereabouts of Registered Sex Offenders. Information about registered sex offenders in a national database maintained by the U.S. Department of Justice can be accessed at:

[www.nsopw.gov](http://www.nsopw.gov)

State-level information about registered sex offenders maintained by the Colorado Department of Public Safety can be found at:

[www.sor.state.co.us](http://www.sor.state.co.us)

This Colorado website also explains how to access additional local information about possible Convicted Sex Offenders. Certain persons are Convicted Sex Offenders, but are not listed on a public registry. Conviction records maintained in a specific jurisdiction are public, but not as easy to access as those of registered sex offenders. Once church leadership gets the actual conviction records from the appropriate county's district attorney or other law enforcement agency, or the person self-discloses a conviction for a sexual offense, appropriate church officials shall follow the steps below. This Policy covers anyone who was convicted of a sexual offense, even if the person's name does not appear on a public registry, and anyone who may not be required to register because the person pled down their offense to a misdemeanor. The term "Convicted

Sex Offender” shall be used in this Policy, and includes both persons convicted of a sexual offense who are registered as sex offenders and those who are convicted but not registered.

D. The Presbyterian Church (U.S.A.) is a welcoming church that both nurtures and protects its members and visitors. If a known Convicted Sex Offender is a visitor, constituent, or member in the life of the Presbytery of Denver or any of its councils, including each congregation, the following requirements apply:

1. If the victim of the sexual offense is or is related to a member of or participant in the congregation or other council, the Convicted Sex Offender may be required to leave the congregation or council.
2. There will be consultation among the moderator of the council, appropriate session or other council members, staff, and key volunteers about the specific requirements regarding the Convicted Sex Offender. During these discussions, confidentiality is appropriate and encouraged.
3. The specific requirements will address ways of limiting the exposure of the Convicted Sex Offender to children, vulnerable adults and other vulnerable populations.
4. The moderator and other responsible representatives of the council involved (and others as deemed appropriate) will meet with the Convicted Sex Offender to inform him or her of the specifics of this policy.
5. The moderator and other responsible representatives of the council involved will enter into a written covenant with each Convicted Sex Offender. This covenant will document the Convicted Sex Offender's conviction, will outline the requirements specific in relation to his or her conviction history, and be attentive to the safety needs of the council involved, its members and participants.
6. The spouse, domestic partner or significant other of the Convicted Sex Offender may also be required to enter into and sign a covenant of behavior.
7. The Convicted Sex Offender shall be restricted from access to the church campus and other sites and shall be barred from some or all congregational or other council activities if he or she refuses to sign the covenant or if he or she fails or refuses to comply with its requirements. If in the judgment of the moderator of the council involved, the Convicted Sex Offender's behavior threatens the safety of any member or participant in the life and activities of the council involved, the Convicted Sex Offender shall be barred from designated or all sites and activities as circumstances shall warrant.

8. The Convicted Sex Offender's participation in worship, if permitted, (a) may be limited in time and/or location allowed to be present, (b) may require a designated church companion (c) may exclude positions of authority or assumed authority, such as ushering and/or shall exclude any position of real or assumed authority over children, vulnerable adults or other specified persons.
9. There will be consultation with congregants or other participants in the life of the council who have a bona fide need to know (e.g., families of children or vulnerable adults, etc.) about the status of the Convicted Sex Offender and the council's requirements and covenants regarding this person (and potentially the spouse/domestic partner/significant other). Confidentiality beyond persons with a bona fide need to know is appropriate and should be encouraged.
10. This Policy is intended to avoid temptation and provide both protection and peace of mind to children, vulnerable adults and their families, not to punish the Convicted Sex Offender.
11. The Convicted Sex Offender may be offered pastoral care and support by clergy or qualified staff. He or she may also be given information about supportive services and counseling outside the congregation or other council.
12. The congregation may make any other provisions deemed necessary to appropriately protect and care for members of the congregation.