



SMP CUSTOMARY

REGARDING PREVENTION OF SEXUAL MISCONDUCT AND CHILD ABUSE AND REGARDING ALLEGATIONS OF SUCH ABUSE BY CLERGY, EMPLOYEES, AND VOLUNTEERS IN THE ANGLICAN DIOCESE OF THE SOUTH AND ITS CHURCHES AND MISSIONS

Approved by The Bishop and Standing Committee

May 2015; Updated September 2021

FROM THE BISHOP

In a time in which sexual exploitation is rampant in our culture, and sadly, in many churches, this Customary is intended to be of help to the clergy and parishioners of this diocese. It is not just the integrity of the Anglican Diocese of the South and our congregations which is at stake: It is the honor of Jesus Christ and the dignity of the people He has created.

Pray for the people under your charge leading and serving them in all godliness and holiness to the glory of our Lord and Savior, Jesus the Messiah.

The Most Reverend Doctor Foley Beach
Archbishop and Primate, Anglican Church in North America
Bishop, Anglican Diocese of the South

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SEXUAL MISCONDUCT: A BIBLICAL PERSPECTIVE

It must be stated that the victims of sexual sins and abuse should become a priority for ministry, care, restoration and healing. It should be stated that the administration of punishment to the perpetrator should be administered by the church according to Biblical principles and when appropriate and necessary given over to civil authorities in an appropriate timeframe. It should be noted in the context of this written policy including both the church and worldly authorities that our Lord desires that all would come to repentance and be restored from brokenness in mind, body, and spirit. As faithful witnesses of God's mercy as modeled by Christ on the cross, our role in the church is not to condemn, but to restore.

Sexual sins are included in the "works of the flesh" as recorded in Galatians 5:19. The following are the words listed in the Greek text:

Adultery (GR: moicheia): unlawful sexual relations between men and women, single or married.
Fornication (GR: porneia) The same as adultery besides all manner of other unlawful relation.

Uncleanness (GR: akatharsia) Whatever is opposite of purity; including sodomy, homosexuality, lesbianism, pederasty, bestiality, and all other forms of sexual perversion. Lasciviousness (GR: aselgeia) Licentiousness, lustfulness, un-chastity, and lewdness. The promoting and partaking of that which tends to produce lewd emotions, anything tending to foster sexual sin and lust.

Moral failure and disobedience in the area of sexual purity will wreck not only the life of the perpetrator, but the lives of many others. The spiritual scars from sexual sin are ugly, deep, and long-lasting. Almighty God cares too much for all His children to leave such tampering and spiritual abuse unpunished.

AN IMPORTANT LOOK AT SCRIPTURE

The abuse of children is a very serious matter in our Lord's eyes. He says in Matthew 18:6, "But whoever causes one of these little ones who believe in Me to stumble, it would be better for him to have a heavy millstone hung around his neck, and to be drowned in the depth of the sea." See Galatians 5:16-25; Romans 13:14.

Child abuse may be a result of compulsive behavior, drugs and alcohol, demon behavior, or similar problems. Those who do such things have lost self-control (temperance) which is obtained through the Holy Spirit. Incest and molestation are crimes of perverse sexual behavior. It is sinful and God speaks strongly concerning such sexual sin. See Leviticus 20:11,12,14,17; 1 Corinthians 5:1,5.

When a born-again believer in Christ denies his sin or becomes stubborn in his heart and refuses to submit to the will of God in his life, he is a backslider. We are mindful that sin will find you out. See Galatians 6:7, 8

Those who work to gently restore the backslider, being mindful of his own heart, will cover a multitude of sins. God does not condemn us; our own wickedness and backslidings do that (Jeremiah 2:19). Jesus did not come to condemn, but to give life abundantly (John 10:10).

Therefore, if you confess your sin, God will forgive you (1 John 1:9; Revelation 2:4, 5; Hebrews 7:25; Isaiah 55:7; Hosea 14:4; James 5:19, 20).

INTRODUCTION: BACKGROUND CHECKS

The Anglican Diocese of the South requires complete background checks of all members of the clergy seeking canonical residence or license in the diocese prior to the acceptance of Letters Dimissory or issuance of a License to Officiate. The Bishop will not sign Letters of Agreement for parishes calling clergy without the complete results of the Background Check available. Therefore, it is the responsibility of the parish to notify the Canon to the Ordinary to begin a background check as soon as the vestry has made a decision on who they would like to call. A call to a new member of the clergy will not be issued until the results of that background check are complete. The parish is responsible for the cost of the Background Check. Some insurance carriers will also require the parish to conduct its own, independent background check.

In addition, each member of the clergy is required to complete a diocesan sponsored training program on the prevention of Adult Misconduct and Child Abuse (Keeping our Sacred Trust and MinistrySafe or equivalent. Please see Appendix C). If they have completed this training in another diocese, they may submit certification in lieu of attending a second class. The training must be completed within 3 months of their employment in the diocese.

This Customary describes these policies for your reference.

I. THEOLOGICAL STATEMENT

Scripture teaches that human beings — male and female — were created in the image of God and that the distinction between the two sexes is good, blessed, and purposeful (Gen. 1:26-31, 2:18-23). Further, the union of the two sexes, i.e., sexual intercourse, in the context of life-long, monogamous (exclusive), heterosexual marriage is honorable and undefiled insofar as each is treated as an image-bearer of God and not objectified for the gratification of the other (Heb. 13:4, 1 Cor. 7:1-5). **The essence of sexual misconduct is the mistreatment of another as an instrument (object) for one's own sexual gratification and not as an image-bearer of God.** Such sexual misconduct manifests in a multitude of behaviors including, but not limited to, sexual relations outside the covenant of marriage, incest or violations of consanguinity, sexual perversion (e.g. homosexuality, pedophilia), sexual violence (e.g., rape, coercion), sexual commerce (e.g. prostitution, trafficking, pornography), and sexual harassment. Especially egregious is predatory sexual behavior against the most vulnerable — those who are unable to consent or refuse: children, the elderly, mentally challenged persons, and some physically disabled persons. Sexual immorality stems from spiritual illness of the heart which manifests initially as disordered thoughts and affections (Mt. 15:10-21) before progressing to behaviors. All such sexual misconduct in thought and behavior is condemned by Scripture as a refusal to honor God and as idolatry (Rom. 1:18-27).

Sexual misconduct is evil perpetrated against the whole person — body, soul, and spirit — and its prevention is a sacred obligation enjoined upon the clergy of this church through the sacrament of Holy Orders.

Remember how great is this treasure committed to your charge. They are the sheep of Christ for whom he shed His Blood. The Church and Congregation whom you will serve is His Bride, His Body. If the Church, or any of her members, is hurt or hindered by your negligence, you must know both the gravity of your fault, and the grievous judgment that will result (BCP 2019, p. 489, The Form And Manner Of Ordaining A Priest).

Not only must the clergy strive to prevent sexual misconduct by others in their care and under their authority, they must also preserve their own sexual purity according to their station of life. Chastity in both thought and behavior is required of all: celibacy for unmarried clergy and covenant faithfulness for married clergy. In all matters sexual and relational, the clergy are to serve as

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examples of holiness to the members of this church and to the world, to make themselves “a wholesome example and pattern to the flock of Christ” (Ibid, p. 491).

It is painfully clear that some clergy have failed to keep this high standard to protect the body of Christ and to preserve their own sexual purity. Repentance, confession, amendment of life, and restitution (making the victims whole to the greatest extent possible) are required unequivocally, as is greater vigilance and transparency going forward.

Though the requirement for sexual purity is especially binding upon clergy due to their authority in the Church and to the trust that obtains between clergy and congregation, it is by no means limited to clergy; the Sacrament of Holy Baptism makes it incumbent on all members of the body of Christ. Each candidate for baptism renounces “the sinful desires of the flesh” that draw one from the love of God (Ibid, p. 164, Holy Baptism). Sexual misconduct by any member of the body of Christ is a violation of baptismal vows and a sin against the whole body of Christ.

The examples of Nathan confronting King David with his adultery and its aftermath (2 Sam. 12:1-15) and of St. Paul judging the incestuous relationship at Corinth (1 Cor. 5) show that, for the sake of victim, perpetrator, and the people of God, sexual misconduct must be exposed and condemned, and the perpetrator must be disciplined. The church must judge against all sexual immorality inside the Church and must purge sexual evil from its midst (1 Cor. 5:9-13). The purpose of such judgment is not punitive, but protective for victim and Church and restorative for perpetrators (1 Cor. 5:4-5). Further, under the guidance and limits of this Customary, some types of sexual misconduct must be reported to civil authorities for their disposition (1 Peter 2:13-16). Sexual misconduct confessed to a priest during The Rite of Reconciliation of Penitents (Confession), however, may not be revealed by that priest to anyone, including ecclesial and civil authorities; the seal of the confessional is absolute even if civil law designates priests as mandatory reporters of sexual abuse. The priest who learns of serious sexual misconduct (e.g., criminal sexual abuse) may not pronounce absolution unless and until the penitent submits himself or herself to civil authorities for proper disposition of crimes committed; nor may the priest hear further confessions by the penitent until self-reporting to the civil authorities occurs.

St. Paul well expresses the high standard for human sexuality in the Church, the standard of holiness for which we strive in this church:

Flee from sexual immorality. Every other sin a person commits is outside the body, but the sexually immoral person sins against his own body. Or do you not know that your body is a temple of the Holy Spirit within you, whom you have from God? You are not your own, for you were bought with a price. So glorify God in your body (1 Cor. 6:18-20, ESV).

II. POLICY STATEMENT

The Bishop's office in cooperation with the Standing Committee is responsible for setting clear diocesan policies and disciplines and diocesan leaders are responsible for knowing and abiding by them. **Any allegation of sexual exploitation or abuse must and will be taken seriously. If the allegation involves behavior directed toward a minor, it shall be reported to the relevant law enforcement authorities in conformity with applicable law.**

Sexual Misconduct Prohibited: The Bishop of the Anglican Diocese of the South and the Anglican Diocese of the South strictly prohibit sexual misconduct, as defined in this document, by any member of the clergy, aspirant, postulant, candidate or seminarian sponsored by or working in this diocese, and by any lay employee, staff person or volunteer working in any capacity for the Anglican Diocese of the South, any diocesan related institution or congregation, mission, organization, or any organized group in this diocese.

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Protection of Children: The Anglican Diocese of the South strictly prohibits interaction with children and youth under the age of 18 at any church sponsored or church related activity or program on or off church property by anyone with a civil or criminal record of child sexual abuse or other sexual crimes or who has admitted prior sexual abuse or anyone known to have a paraphiliac diagnosis (e.g. pedophilia, hebephilia, ephebophilia, exhibitionism or voyeurism).

Child Abuse Reporting: All incidents of child sexual abuse or *suspected child sexual abuse* shall be reported to the relevant law enforcement authorities in conformity with applicable law. See Appendix C for immediate contact information for child protective services for each state represented by the Anglican Diocese of the South. Local law enforcement should immediately be contacted when allegations of sexual misconduct is reported. See Appendix E for Sample Policy for Local Congregations.

A. IMPLEMENTATION OF POLICY

1. Adult Misconduct Training: All members of the clergy canonically resident, licensed or serving in the diocese, and all employees of the diocese, are **required** to complete diocesan approved initial training on issues of sexual harassment, mentor and colleague relationships and sexual exploitation in pastoral relationship (“Keeping our Sacred Trust” or equivalent. Please see Appendix C). **It is also required that all employees of diocesan institutions and congregations, missions, organizations, or any organized group complete either the diocesan sponsored training or equivalent training in compliance with their insurance carrier’s requirements.** Although secretarial and maintenance workers are not required to complete this training, it is strongly recommended they do.

2. Child Abuse Training: All members of the clergy canonically resident, licensed or serving in the diocese and all employees of the diocese are required to complete training on issues of child sexual abuse in a church setting (“MinistrySafe” or equivalent. Please see Appendix C). This training shall include a review of all types of child abuse (verbal, physical, neglect, and sexual), youth protection safeguards and a review of the state child abuse statutes and reporting requirements. **It is also required that all employees of diocesan institutions and congregations and adult volunteers who regularly supervise youth or children’s activities in diocesan institutions and programs and congregations, missions, organizations, or any organized group complete the diocesan training or equivalent training in compliance with their insurance carrier’s requirements.** Volunteer Sunday School teachers who work with children during public church school hours in places where other adults are present are not required to have this training, but it is recommended that they be encouraged to attend.

3. Background Checks:

Clergy Prior to Employment or Reception and Ordinands: The diocese will conduct background checks as follows: of all individuals applying in the diocese as a Postulant for Holy Orders and may be conducted again prior to ordination to the Diaconate at the discretion of the Bishop; of all members of the clergy seeking canonical residence or license in the diocese prior to the acceptance of Letters Dimissory or issuance of a License to Officiate; of all employees, lay or clergy, of the diocese prior to employment.

Clergy: Canon 5 also requires that the diocese run equivalent background checks on clergy every five years.

Congregational Volunteers: It is also required that diocesan institutions, congregations, missions, organizations, or any organized group conduct equivalent background checks of all volunteers who regularly supervise youth or children’s activities (excluding unpaid Sunday School teachers) in diocesan institutions, programs, congregations, and missions, organizations, or any organized group; and of all lay employees prior to employment in compliance with their insurance carrier’s requirements.

Background checks include the following:

A. Oxford Document Management Company (“ODM”) or Secure Search (“SS”) or another equivalent agency will conduct a background check that will include:

Inquiries of all Bishops having past or present canonical authority over the individual, all schools attended by the individual during the past five years, and all employers of the individual during the past five years. If the individual has had one employer for over five years, then inquiries will be made of the two most recent employers. In the case of parish clergy, “employer” shall be the senior wardens of congregations served during the past five years. In the case of bi-vocational clergy or chaplain clergy, “employer” will include employers or supervisors of that work. As an alternative, this portion of the reference check may be conducted by the staff of the diocese for current clergy.

B. Credit Bureau Record Check

C. Motor Vehicle Record Check

D. Sexual Misconduct/Criminal Record Check

ODM or an equivalent agency will not divulge, furnish or make accessible to any person or use in any other way, any confidential information other than as specifically set forth by written instruction of the diocese. ODM retains and stores all records under lock and key for a minimum period of five years, unless instructed otherwise by the diocese. Congregations may use the services of ODM or other equivalent agency at congregational expense to conduct background checks.

B. PASTORAL COUNSELING AND SPIRITUAL DIRECTION:

The Anglican Diocese of the South requires that members of the clergy and other pastoral care givers have ongoing professional supervision or refer an individual to professional counseling after meeting for four sessions. **Fees or donations for pastoral care are prohibited.** Any person charging fees for counseling outside the scope of church employment must possess appropriate professional credentials and **proof of separate professional liability insurance**, including coverage for sexual misconduct, in force at all times. Persons practicing formal spiritual direction shall submit that ministry to peer or supervisory review with a spiritual advisor approved by the Bishop.

For purposes of this policy, unless the context requires a different interpretation, a reference to “the Bishop” shall be deemed to include the ecclesiastical entity authorized to act in the absence of the Bishop, and a reference to “the rector” shall be deemed to include the person in charge of a parish where such person has a title other than “rector” (such as vicar, pastor, deacon, lay pastor, or canonically authorized Ecclesiastical Authority). Throughout this manual, the phrase “the complainant” shall be interpreted to include the words “the alleged victim, if not the complainant.”

III. GUIDING PRINCIPLES

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THESE POLICIES ACKNOWLEDGE THE FOLLOWING CONCERNS:

- That the protection of children and persons legally incapable of consent shall be of utmost concern; allegations of sexual misconduct and/or child abuse within the church will be taken seriously. Allegations of sexual misconduct and/or child abuse within the church deserve a response from the diocese and will be acted upon in a timely manner.
- That a person can be wrongly accused of sexual misconduct.
- That the Bishop cannot be the only one who actually assesses or evaluates the substance of allegations. An approach which involves legal, mental health and pastoral components is desirable; a uniform procedure ensures that all cases will be treated with compassion and justice. The protection of the complainant and the complainant's family will be of paramount concern.
- That the Bishop holds both pastoral and disciplinary responsibilities; the Bishop's pastoral concern is directed to alleged victims/survivors as well as the alleged offenders and the congregations involved.
- That the Bishop should refrain from placing conversations regarding allegations within a sacramental framework (confession) but is well-advised to show concern for privacy of all individuals concerned.
- That the Bishop may refer cases for further investigation under relevant canonical procedures when deemed appropriate.
- That, with limited exceptions occurring in a Privileged Relationship (as defined below), anyone subject to this Policy who learns of sexual misconduct (i) by anyone subject to this Policy or (ii) against anyone intended to be protected by this Policy has a responsibility to report the information to appropriate ecclesiastical authorities promptly. Such reporting is required by law in certain cases described below.
- That leaders who learn of sexual misconduct of colleagues, even if the information is gained in a counseling setting, have an ethical responsibility to follow up on this information by reporting the information to appropriate ecclesiastical authorities. Such reporting is required by law in cases of child sexual abuse.

IV. DEFINITIONS OF SEXUAL MISCONDUCT

For the purposes of and as used in these policies and procedures.

ADVOCATES are persons appointed by the Bishop to assist the complainants and alleged victims in understanding and participating in the disciplinary processes of the Church, to obtain assistance to formulate and submit an appropriate charge and in obtaining assistance in spiritual matters.

Advocates are not to serve as legal advisors or pastors.

CHILD ABUSE means non-accidental serious physical or mental injury, sexual abuse or exploitation or serious physical neglect caused by the acts or omissions of the parent or caretaker.

CONSULTANTS are person(s) appointed by the Bishop to consult with and advise the member of the clergy accused of sexual misconduct and his or her legal advisors at reasonable times prior to the issuance of a Presentment. The consultant shall explain the rights of the member of the clergy and the alternatives.

“DATING” RELATIONSHIPS are relationships excluded from the definition of Sexual Exploitation. These would include relationships in which two parties, one or both of whom is a clergy person, employee, or lay leader, are publicly engaged intending a Christian marriage, or when two such persons are exploring a relationship which may lead to a Christian marriage.

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PARAPHILIAC BEHAVIOR includes:

- **Pedophilia:** a sexual disorder which includes recurrent intense sexual urges and/or sexual fantasies involving sexual activity with a prepubescent child or children (generally age 13 or younger), the person has acted on these urges, or is markedly distressed by them, and the person is at least 16 years old and at least five years older than the child who is the subject of the urges and/or fantasies.
- **Hebephilia:** a sexual disorder in which a male offender prefers adolescent females and has acted on these urges, or is markedly distressed by them.
- **Ephebophilia:** a sexual disorder in which a male offender prefers young males and has acted on these urges or is markedly distressed by them.
- **Exhibitionism:** a sexual disorder which includes recurrent intense sexual urges and/or sexually arousing fantasies involving the exposure of one's genitals to an unsuspecting stranger, and the person has acted on these urges, or is markedly distressed by them.
- **Voyeurism:** a sexual disorder which includes recurrent, intense sexual urges and/or sexually arousing fantasies involving the act of observing unsuspecting people, usually strangers, who are either naked, or in the process of disrobing, or engaged in sexual activity, and the person has acted on these urges, or is markedly distressed by them.

PASTORAL RELATIONSHIP means a relationship between a member of the clergy, employee or volunteer and any person to whom such member of the clergy, employee or volunteer provides formal counseling, pastoral care, spiritual direction or spiritual guidance or from whom such member of the clergy, employee or volunteer has received a confession or confidential or privileged information.

PRIVILEGED RELATIONSHIP means a relationship between a member of the clergy and a person in which communications regarding past actions are made by the person to the member of the clergy with the expectation that such communications are secret and confidential (as in confession).

RESPONSE TEAM is drawn from psychologists, counselors, attorneys, and members of the clergy or other persons appointed by the Bishop of the Anglican Diocese of the South to provide pastoral, emotional and spiritual support to congregations in crisis.

SEXUAL ABUSE refers to sexual involvement or contact by one person with another who does not, or is unable to, consent. **Sexual abuse of a minor or of a person who is deemed legally incapable of consent is a criminal offense and must be reported to law enforcement or child protective services, with the very limited exception of information received in a Privileged Relationship.**

SEXUAL ABUSE of CHILDREN includes the obscene or pornographic photographing, filming or depiction of children for commercial purposes or exploitation, the employment, use, persuasion, inducement, enticement or coercion of any child to engage in or assist any other person to engage in any sexually explicit conduct, or any simulation of any sexually explicit conduct for the purpose of producing any visual depiction of any sexually explicit conduct, or the rape, molestation, incest, prostitution or other form of sexual exploitation of children.

Standards of Sexual Morality and Ethics, as per the Constitution and Canons of the Anglican Church in North America (Canon 8)

Section 1 - Clergy and lay leaders of this Church are called to be exemplary in all spheres of morality as a condition of being appointed or remaining in office.

Section 2 - In view of the teaching of Holy Scripture, the Lambeth Conference of 1998 and the Jerusalem Declaration, this Church upholds faithfulness in marriage between a man and a woman in lifelong union, and believes that abstinence is right for those who are not called to marriage, and cannot legitimize or bless same sex unions or ordain persons who engage in homosexual behavior. Sexual intercourse should take place only between a man and a woman who are married to each other.

Section 3 - God, and not man, is the creator of human life. The unjustified taking of life is sinful. Therefore, all members and clergy are called to promote and respect the sanctity of every human life from conception to natural death.

SEXUAL MISCONDUCT refers to:

- 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 harassment (unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other unwelcome verbal or physical conduct or communication of a sexual nature) 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 preference unrelated to employment qualifications, undesired physical contact, inappropriate comments about clothing or physical appearance, or repeated requests for social engagements.
- Sexual coercion, including the use of physical or emotional power to gain sexual gratification.
- Sexual exploitation, including but not limited to, the development of or the attempt to develop a sexual relationship between a member of the clergy, employee or volunteer affiliated with the Anglican Diocese of the South and a person with whom he/she has a pastoral relationship, whether or not there is apparent consent from the individual. Sexual exploitation includes activity during the course of a pastoral relationship such as sexual involvement, or sexually demeaning comments. **The apparent consent of a possible victim to the sexual or romantic relationship seldom determines whether there has been sexual exploitation. The imbalance of power between the church worker and the person in a pastoral relationship may undermine the validity of such consent. The fact that sexual activity is initiated by someone other than the church worker does not relieve that worker of responsibility, nor does it make sexual activity under those circumstances acceptable.**

V. RESPONDING TO COMPLAINTS OF SEXUAL MISCONDUCT A. NOTIFICATION

A. REPORTING

All complaints of sexual misconduct by any member of the clergy, lay employee or volunteer of a member church or mission, organization, or any organized group of the Anglican Diocese of the South, or any clergy, lay employee, or volunteer of the diocese itself, will be reported immediately to the Rector or Church Wardens and they will report immediately to the Bishop of the Anglican

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Diocese of the South (See V. A. 2 below). The Canon to the Ordinary of the Anglican Diocese of the South will then serve as the intake officer and consult with the Diocesan Chancellor.

The head of any diocesan agency or institution or the rector of a parish or clergy in charge of a congregation who receives a complaint about a lay employee or volunteer will notify the Bishop of the Anglican Diocese of the South.

A complaint alleging abuse of a minor, incapacitated adult, or any illegal sexual mistreatment of an adult will be referred to the appropriate law enforcement officials as mandated by State Law by the Bishop's Office by contacting local authorities immediately. The person making the complaint should also report to the appropriate law enforcement officials after informing the Rector or Church Wardens. The Bishop, after consulting with the Diocesan Chancellor, will comply with the reporting and notification requirements as contained in the diocesan, parish, or other liability policies for insurance claims.

B. RESPONSE

Upon receiving a complaint of sexual misconduct, the Bishop or rector, or clergy in charge will personally assure the complainant that the Church is concerned and that the complaint will be investigated promptly and thoroughly.

Any member of the clergy who believes himself or herself to be under the imputation of sexual misconduct may request the Bishop to begin an independent investigation. The Bishop is required to see that the requested investigation is done. The Bishop will have the Canon to the Ordinary serve as an intake officer and form the independent investigation team.

If the alleged offender is a lay employee or volunteer of the diocese, employment or volunteer activities may be suspended by the Bishop, the rector of the parish, clergy in charge, or another person in charge of a congregation until the allegations of sexual misconduct or child abuse are resolved. This leave is without prejudice, i.e., the leave does not imply guilt or innocence of the person under investigation, and payment of benefits to the employee may continue at the discretion of the Bishop.

If the alleged offender is a lay employee or volunteer of an agency related to the diocese or congregation, employment or volunteer activities may be suspended by the employer or person responsible until the allegations of sexual misconduct or child abuse are resolved. This leave is without prejudice and does not imply guilt or innocence of the person under investigation, and payment of benefits to the employee may continue at the discretion of the employer or person responsible. The employer or person responsible will notify the Bishop of the suspension.

The Bishop or anyone who may subsequently be involved in the process **will not at any time** following the first receipt of the complaint hear the sacramental confession of **any** of the persons involved.

VI. APPLICABILITY

The policies contained in this manual are applicable to all members of the clergy canonically resident, licensed or serving in the Anglican Diocese of the South, to all lay employees and church volunteers affiliated with any activities and programs of the Anglican Diocese of the South, including any committee, commission or similar body of the Anglican Diocese of the South, or

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employed by or affiliated with any diocesan congregation, mission, organization, institution, or any organized group.

This manual is provided as a resource to the congregations in the Anglican Diocese of the South. Insurance companies report a disturbing increase in claims alleging sexual misconduct against members of the clergy and secular mental health practitioners. A congregation's adoption of written standards of conduct may be required by insurers as a condition of coverage. Strong warranty language in some policies requires careful compliance on the part of insured entities. Failure to comply with policy standards could result in denial of insurance coverage in the event of a claim.

We believe that the policies set forth in this manual represent an appropriate standard of care, and we urge each congregation to adopt them as their own (Appendix A). However, this manual is not intended as a substitute for understanding the conditions of your particular congregation's insurance coverage. You have an obligation to yourself, your staff, your congregation and the diocese to assure that the conditions to your insurance coverage are met. Read your policy and call the Canon to the Ordinary if you have any questions. **The diocese assumes no responsibility for a congregation's non-compliance with its insurance carrier's policy.** "Congregation" as used herein includes any diocesan congregation, mission, organization, institution, or any organized group.

DOCUMENTING COMPLIANCE

The Bishop will be required to notify all members of the clergy canonically resident, licensed and serving in the diocese; employees of the diocese; Postulants for Holy Orders; volunteers for the diocese who regularly supervise youth or children's activities; lay members of the Diocesan Council; and other diocesan leadership groups, including boards of any diocesan agency or institution, of the contents of this manual. The manual will be reviewed as required by the Standing Committee and, if changes are made, a revised copy will be provided to each of the listed parties with a signed receipt required (Appendix B).

It will be the responsibility of the rector of each parish or clergy in charge of a congregation to ensure that all clergy, volunteers who regularly supervise youth or children's activities, vestry members and employees (full or part-time) affiliated with any activities and programs of the parish are made aware of the parish or congregation's policies and that those who are required to complete approved training do so. Appendix B may be used as an example of acknowledgment of receipt of parish policies and procedures. **The diocese assumes no responsibility for a parish or congregation's non-compliance with their insurance carrier's policy on acknowledgment of receipt of parish or congregation's policies and procedures or insurance carrier training requirements.**

As used herein, "congregation" includes all parishes, aided parishes and any other entity affiliated or in association with the diocese, such as any diocesan congregation, mission, organization, institution, or any organized group.

APPENDIX A

CERTIFICATE OF COMPLIANCE

I hereby certify that the congregation of _____ Church has obtained and will maintain sexual misconduct insurance coverage.

I hereby certify that, in connection with such insurance coverage, the Congregation:

_____ has adopted the Anglican Diocese of the South Policies concerning Prevention of and Allegations and Incidents of Sexual Misconduct, or

_____ has adopted equivalent policies and procedures that comply with the conditions of the Congregation's sexual misconduct insurance coverage (said policies are attached).

I hereby certify that all clergy, volunteers who regularly supervise youth or children's activities, vestry members and employees (full or part-time) affiliated with any activities and programs of the Congregation who are required to complete diocesan approved training and undergo background checks have done so.

Priest-in-Charge *Date* *Senior Warden* *Date*

Return this form to:

Anglican Diocese of the South

ATTN: Canon to the Ordinary

P.O. Box 776

Loganville, GA 30052

or sign, scan and email to:

sean@adots.org

APPENDIX B

ACKNOWLEDGMENT OF RECEIPT OF POLICIES

Clergy, Lay Employees, Volunteers and Aspirants *

I hereby acknowledge that I have received a copy of the **Anglican Diocese of the South's Customary Regarding Prevention of Sexual Misconduct and Regarding Allegations of Sexual Misconduct** adopted by the Bishop and Standing Committee, May 2015 and as subsequently revised, and that I understand its content.

Check one of the following:

I certify that I have completed the required diocesan approved training required in this manual.

I have not completed the required diocesan approved training but will complete the training within three months of my employment or volunteering, and proof of completion will be submitted to my church or to the diocese as required.

Please also check **one** of the following:

__ Clergy __ Laity

Signature

Print Name

Congregation

Date

Position

* This receipt must be signed by all clergy canonically resident, licensed or serving in this diocese, by all employees of the diocese, by Postulants for Holy Orders, volunteers for the diocese who regularly supervise youth or children's activities, and lay members of diocesan leadership groups.

Return this form to:

Anglican Diocese of the South ATTN: Canon to the Ordinary P.O. Box 776 Loganville, GA 30052

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STATE AGENCIES

STATE STATUTES FOR MANDATORY REPORTERS

We recommend the resource at ChildWelfare.gov to search for state laws, with updated laws. The website can be found at

<https://www.childwelfare.gov/topics/systemwide/laws-policies/state/>

CONTACT INFORMATION FOR STATE CHILD PROTECTIVE SERVICES

To download a national list of State Child Protective Services, visit <https://www.childhelp.org/hotline/>

APPENDIX D

CURRENT PROVIDERS

MINISTRY SAFE

www.ministrysafe.com

KEEPING OUR SACRED TRUST

www.keepingoursacredtrust.org

SECURE SEARCH

www.securesearchpro.com

APPENDIX E

SAMPLE POLICY FOR LOCAL CONGREGATIONS RE: CHILD/YOUTH PROTECTION POLICY

Please note that this is NOT the Diocesan Policy, but a template for you to use.

General Purpose Statement

Church (CHURCH) seeks to provide a safe and secure environment for the children and youth who participate in our programs and activities. By implementing the below practices, our goal is to protect the children and youth of CHURCH from incidents of misconduct or inappropriate behavior while also protecting our staff and volunteers from false accusations.

Definitions

For purposes of this policy, the terms “child” or “children” include all persons under the age of eighteen (18) years.

Selection of Workers

All employees and all persons who desire to work with the children participating in our programs and activities will be screened. This screening includes the following:

1. Six Month Rule

No volunteer will be considered for any position involving contact with minors until s/he has been involved with Church for a minimum of six (6) months. This time of interaction between our leadership and the applicant allows for better evaluation and suitability of the applicant for working with children.

2. Written Application

All persons seeking to work with children must complete and sign a written application in a form to be supplied by us. The application will request basic information from the applicant and will inquire into previous experience with children, previous church affiliation, reference and employment information, as well as disclosure of any previous criminal convictions. The application form will be maintained in confidence on file at the church.

3. Personal Interview

Upon completion of the application, a face-to-face interview may be scheduled with the applicant to discuss his/her suitability for the position.

4. Reference Checks

Before an applicant is permitted to work with children, at least two of the applicants' references will be checked. These references should be of an institutional nature as opposed to personal or family references, preferably from organizations where the applicant has worked with children in the past. Documentation of the reference checks will be maintained in confidence on file at church.

5. Criminal Background Check

Each prospective volunteer will give written consent for a criminal background check, conducted by the company or agency the Church selects. The form of authorization will be that prescribed by the company or agency selected. The church will employ no volunteer without this authorization. Upon receiving the requested information and performing the actual background checks, the church will destroy the information within 10 working days for the privacy protection of the volunteer.

6. Existing Workers

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Church reserves the right to waive this process for workers who have been in place in this church for an extended period of time prior to the adoption of these policies.

7. Grounds for Disqualification

The following offenses are grounds for disqualification regardless of any extenuating circumstances:

- a. Crimes against the family, sex related offenses, child related offenses, murder, felony theft/robbery/burglary offenses, fraud related offenses and crimes against persons and property.
- b. A felony or misdemeanor classified as an offense against public order or indecency.
- c. A felony violation of any law intended to control the possession or distribution of any controlled substances.
- d. All other offenses, not otherwise described above, may result in disqualification at the discretion of an agent of the church.

Two Adult Rule

It is our goal that a minimum of two unrelated adult workers will be in attendance at all times when children are being supervised during our programs and activities. Some youth classes may have only one adult teacher in attendance during the class session; in these instances, doors to the classroom must remain open and there should be no fewer than three students with the adult teacher. We do not allow minors to be alone with one adult on our premises or in any sponsored activity unless in a counseling situation.

Responding to Allegations of Child Abuse

For purposes of this policy, “child abuse” is any action (or lack of action) which endangers or harms a child’s physical, psychological or emotional health and development. Child abuse occurs in different ways and includes the following:

- **Physical abuse** – any physical injury to a child which is not accidental, such as beating, shaking, burns, and biting.
- **Emotional abuse** – emotional injury when the child is not nurtured or provided with love and security, such as an environment of constant criticism, belittling and persistent teasing.
- **Sexual abuse** – any sexual activity between a child and an adult or between a child and another child at least four years older than the victim, including activities such as fondling, exhibitionism, intercourse, incest, and pornography.
- **Neglect** – depriving a child of their essential needs, such as adequate food, water, shelter, and medical care. Childcare workers may have the opportunity to become aware of abuse or neglect of the children under our care. In the event that an individual involved in the care of children at this church becomes aware of suspected abuse or neglect of a child under his/her care, this should be reported immediately to a church staff member for further action including reporting to authorities as may be mandated by state law.

REPORTING PROCESS:

In the event that an incident of abuse or neglect is alleged to have occurred at this church or during our sponsored programs or activities, the following procedure shall be followed:

1. The Rector or Church Wardens will be notified.
2. The person making the complaint reports to the appropriate law enforcement officials after informing the Rector or Church Wardens
3. The Rector or Church Wardens will immediately contact the Bishop of the Anglican Diocese of the South. The Canon to the Ordinary of the Anglican Diocese of the South will then serve as in-take officer and consult with the Diocesan Chancellor.
4. The Bishop’s Office will contact local authorities as mandated by local State Law.
5. The worker alleged to be the perpetrator of the abuse or misconduct will immediately be placed on leave from working with children pending an investigation.

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6. The Bishop, after consulting with the Diocesan Chancellor, will comply with the reporting and notification requirements as contained in the diocesan, parish, or other liability policies for insurance claims. In the event there is no investigation of the incident by state or local authorities, a team will be formed to investigate the circumstances of the incident. The team should act only in consultation with the ADOTS Bishop's Office and/or Diocesan Chancellor.
7. A pastoral visit will be arranged for those who desire it. The Bishop or anyone who may subsequently be involved in the process **will not at any time** following the first receipt of the complaint hear the sacramental confession of **any** of the persons involved.

Open Door Policy

Classroom doors must remain open unless there is a window in the door or a side window beside it. Doors should never be locked while persons are inside the room.

Teenage Workers

We recognize that there may be times when it is necessary or desirable for babysitters (paid or volunteer) who are themselves under age 18 to assist in caring for children during programs or activities. The following guidelines apply to such workers:

- Teenage workers must be at least age 14
- Teenage workers will be screened as specified above.
- Teenage workers must be under the supervision of an adult (at least age 21) and must never be left alone with children.

Sick Child Policy

It is our desire to provide a healthy and safe environment for all of the children at Church. Parents are encouraged to be considerate of other children when deciding whether to place a child under our care. In general, children with the following symptoms should NOT be dropped off:

- Fever, diarrhea, or vomiting within the last 48 hours
- Green or yellow runny nose
- Eye or skin infections
- Other symptoms of communicable or infectious disease

Children who are observed by our workers to be ill will be separated from other children and the parent or guardian will be contacted to request that the child be picked up.

Medications Policy

It is the policy of Church not to administer either prescription or non-prescription medications to the children under our care. Medications should be administered by a parent at home. Parents are reminded of our sick child policy. Exceptions to the medications policy may be granted to parents of children with potentially life-threatening conditions (such as asthma or severe allergic reactions). Parents of such children should address their situation with a church staff member to develop a plan of action, which must include signed and dated authorization from the parents to allow the specific medication administration.

Discipline Policy

It is the policy of Church not to administer corporal punishment, even if parents have suggested or given permission for it. There should be no spanking, grabbing, hitting, or other physical discipline of children. Workers should consult with a church staff member if assistance is needed with disciplinary issues.

Restroom Guidelines

Children five years of age and younger should utilize a classroom bathroom, if one is available. If a classroom bathroom is not available, workers should escort a group of children to the hallway bathroom. They should always go in a group, never taking a child to the bathroom alone. The workers should check the bathroom first to make sure that it is empty, then allow

the children inside. The workers should then remain outside the bathroom door and escort the children back to the classroom. If a child is taking longer than seems necessary, the worker should open the bathroom door and call the child's name. If a child requires assistance, the workers should prop open the bathroom door and leave the stall door open as he/she assists the child.

For children over the age of five, at least one adult male should take boys to the restroom and at least one adult female should take girls. The worker should check the bathroom first to make sure that the bathroom is empty, then allow the children inside. The worker should then remain outside the bathroom door and escort the children back to the classroom.

For the protection of all, workers should *never* be alone with a child in a bathroom with the door closed and never be in a closed bathroom stall with a child. Parents are strongly encouraged to have their children visit the bathroom prior to each class.

Accidental Injuries to Children

In the event that a child or youth is injured while under our care, the following steps should be followed:

1. For minor injuries, scrapes, and bruises, workers will provide First Aid (Band-Aids, etc.) as appropriate and will notify the child's parent or guardian of the injury at the time the child is picked up from our care.
2. For injuries requiring medical treatment beyond simple First Aid, the parent and/or guardian will immediately be summoned in addition to the worker's supervisor. If warranted by circumstances, an ambulance will be called.
3. Once the child has received appropriate medical attention, an incident report will be completed in the case of injuries requiring treatment by a medical professional.

Training

Church will provide training on this child protection policy to all new childcare workers and will strive to provide opportunities for additional training classes or events on an annual basis, including CPR/First Aid. All workers are strongly encouraged to attend these training events.

APPENDIX F

REPORTING PROCESS CHECKLIST FOR CLERGY:

In the event that an incident of abuse or neglect is alleged to have occurred at the church or during church sponsored programs or activities, the following procedure shall be followed:

1. The Rector or Church Wardens will be notified.
2. The person making the complaint reports to the appropriate law enforcement officials after informing the Rector or Church Wardens
3. The Rector or Church Wardens will immediately contact the Bishop of the Anglican Diocese of the South. The Canon to the Ordinary of the Anglican Diocese of the South will then serve as in-take officer and consult with the Diocesan Chancellor.
4. The Bishop's Office will contact local authorities as mandated by local State Law.
5. The worker alleged to be the perpetrator of the abuse or misconduct will immediately be placed on leave from working with children pending an investigation.
6. The Bishop, after consulting with the Diocesan Chancellor, will comply with the reporting and notification requirements as contained in the diocesan, parish, or other liability policies for insurance claims. The diocesan SMP Team will investigate the circumstances of the incident. The team should act only in consultation with the Diocesan Bishop's Office and/or Diocesan Chancellor.
7. A pastoral visit will be arranged for those who desire it. The Bishop or anyone who may subsequently be involved in the process **will not at any time** following the first receipt of the complaint hear the sacramental confession of **any** of the persons involved.