



THE EPISCOPAL DIOCESE OF FORT WORTH
2900 Alameda Street
Fort Worth, Texas 76108

November 2011

Dear Friends in Christ,

In my role as Chief Pastor of the Diocese, I commend this very important document to all of you as one way of addressing our concerns about moral conduct in the life and ministry of the Church. A great deal of work has gone into formulating the policies and procedures set forth in these pages, and we are grateful to those who worked so hard in preparing them. We also wish to acknowledge our gratitude to the other dioceses that shared their insights and experiences with us in developing their own diocesan policies.

This Diocese is not only concerned with doing everything we can to prevent episodes of sexual misconduct within our church and society. We are also committed to providing sound biblical teaching and moral formation for all our people. In addition to providing guidelines on the prevention of unethical behavior, we offer clear procedures on how to report misbehavior and abuse to the proper authorities.

All of our clergy should become thoroughly familiar with these pages, as should all lay persons both employees and volunteers – who are involved in any type of pastoral ministry or who work in any capacity with our children and young adults. In addition, all these persons should complete a diocese-approved sexual abuse awareness training course and renew their certifications as needed.

A copy of this document, "Policies on Ethics and Integrity in Ministry," must be kept in a readily accessible place in every congregation within this Diocese.

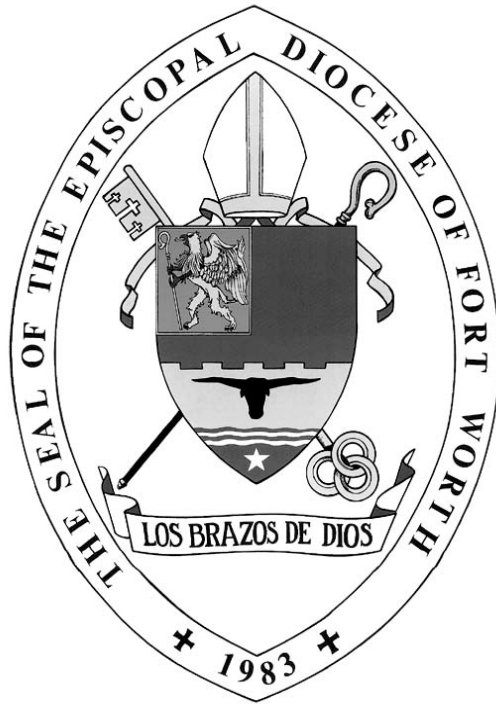
Thank you for giving this subject the serious attention and consideration it deserves.

Faithfully in Christ,

The Rt. Rev. Jack Leo Iker
Bishop of Fort Worth

Episcopal Diocese of Fort Worth

Policies on Ethics and Integrity in Ministry



Revised November 2011

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The Rt. Rev. Jack L. Iker

Criminal Records Check

Please contact Gala Pryor in the diocesan office (817-244-2885) to arrange for the certified background check required for all church personnel.

I. Principles of Ethics and Integrity in Ministry: Code of Ethics

Relationships among people are a foundation of Christian ministry and are central to Christian life. Defining healthy and safe relationships is not meant, in any way, to undermine the strength and importance of personal contact or the ministerial role. Rather, it is to assist all who fulfill the many roles that create the living Church to demonstrate their love and compassion for children and adults in the most sincere and genuine relationships.

It is with the intention that relationships in ministry be experienced at all times as charitable and without intention to do harm or allow harm to occur, that the following Code of Ethics has been adopted by the Diocese of Fort Worth. All Church personnel are asked to carefully consider each standard in the Code and within the Policies on Ethics and Integrity in Ministry before agreeing to adhere to the standards and continue in service to the Diocese.

- Church personnel shall exhibit the highest Christian ethical standards and personal integrity.
- Church personnel shall conduct themselves in a manner that is consistent with the discipline and teachings of the Church.
- Church personnel shall provide a professional work environment that is free from harassment.
- Church personnel shall not take advantage of a counseling, supervisory and/or authoritative relationship for their own benefit.
- Church personnel shall not abuse or neglect a minor or an adult.
- Church personnel shall share concerns about suspicious or inappropriate behavior with their rector/vicar, their principal, the chancellor or Bishop Jack L. Iker
- Church personnel shall adhere to the requirements of the law of the State of Texas regarding the reporting of any suspected abuse of a minor.
- Church personnel shall accept their personal responsibility in the protection of minors and adults from all forms of abuse.

II. General Definitions

A. Church Personnel

For the purposes of this policy, the following are included in the definition of Church personnel:

1. Priests and Deacons (Clergy)
 - a. Clergy canonically resident in the Diocese of Fort Worth
 - b. Clergy who are members of religious institutes or in other forms of consecrated life, and

who are assigned to pastoral work in the Diocese or who are otherwise engaged in the care of souls, the public exercise of divine worship, and other works of the apostolate.

- c. Clergy of other jurisdictions who are assigned to pastoral work in this Diocese, whether seeking canonical residency within the Diocese or not.
- d. Clergy who are otherwise legitimately residing within the territory of the Diocese, including retired clerics and those engaged in part-time or supply ministry
- e. In addition to the provisions of these Policies, the above mentioned clergy are also bound by the Customary and Canons of the Diocese of Fort Worth.
- f. Allegations of Misconduct Against a Priest (Appendix E)

2. Seminarians and Religious Orders

- a. All seminarians legitimately enrolled in the seminary program of the Diocese and those who are in process including aspirants, postulants and candidates to the priesthood.
- b. Those who are enrolled in the permanent diaconate formation program.
- c. Any members of religious orders working within the Diocese.

3. The Laity

- a. All paid personnel whether employed in areas of ministry or other kinds of services by the Diocese, its parishes, missions and schools.
- b. All volunteers. This includes any person who enters into or offers himself/herself for a Church related service of his/her own free will.

4. Service Contractors

- a. Any organization or individual under contract to the Diocese, its parishes, missions, schools or agencies who work around children or youth.

B. Types of Misconduct

For the purpose of this policy, misconduct includes the four types of behavior listed below:

1. Immoral conduct: Conduct that is contrary to the discipline and teachings of the Church and which may result in scandal to the faithful or harm to the ministry of the Church.
2. The illegitimate and offensive use of power where the purpose or the effect is to create a hostile or intimidating work environment.
3. Exploitation: Taking advantage of a pastoral counseling relationship for the benefit of the pastoral counselor.
4. Abuse of minors: Physical, sexual or emotional abuse of children under the age of 18, or adults

who are uniquely vulnerable to abuse of physical or mental disabilities.

The definition of abuse of minors is further defined in the policy for Protection of Children and Youth in Section VI.

III. Prevention of Immoral Conduct: Guidelines for Ethical Behavior

A. Definitions

1. Immoral conduct is conduct contrary to the discipline and teachings of the Church and may result in scandal to the faithful or harm to the ministry of the Church.

B. Standards of the Diocese as to Prevention of Immoral Conduct

1. Church personnel enjoy a public trust and confidence. It is essential that Church personnel view their own actions and intentions objectively to assure that no observer would have grounds to believe that irregularity in conduct exists. All Church personnel have a responsibility to strive to uphold the standards of the Church in their day-to-day work and personal lives.
2. Further, it is fundamental to the mission of the Diocese, that Church personnel exhibit the highest ethical standards and personal integrity. The purpose of this policy is to insure that all Church personnel follow the ethical standards of the Church. Therefore, Church personnel are prohibited from engaging in the following conduct:
 - a. Immoral conduct.
 - b. Actions that are disruptive to the ministry and public worship.
 - c. Possession or distribution of pornographic material.
 - d. Adultery, flagrant promiscuity or illicit co-habitation.
 - e. Abuse of alcohol, drugs or gambling
 - f. Stealing or any other form of theft, including misappropriation of Church funds.
 - g. Sexual harassment. Exploitation or abuse.
 - h. Physical assault and fighting.
3. Church personnel should not harm the reputation of others by:
 - a. Disclosing without legitimate cause the faults or failings of others to persons who have no cause to know them.
 - b. Making false allegations against another.

IV. Prevention of Harassment: Guidelines for Professionalism

A. Definitions

1. Harassment is an illegitimate and offensive use of power where the purpose or the effect is to create a hostile or intimidating work environment.
2. Harassment encompasses a broad range of physical, psychological, written, or verbal behavior that includes, but is not limited to, the following:
 - Physical or mental abuse;

- Racial insults;
- Derogatory ethnic slurs;
- Unwelcome sexual advances or touching;
- Sexual comments or sexual jokes;
- Requests for sexual favors as a condition of employment, or to affect other personnel decisions, such as promotion or compensation
- Display of offensive materials;
- Intimidation.

3. Harassment may be severe and/or pervasive.

- a. Severe conduct is sufficient to alter a workplace environment even though it may occur only once.
- b. Pervasive conduct is a persistent pattern of harassment.

B. Standards of the Diocese as to Prevention of Harassment

1. Church personnel shall not engage in harassment and shall not tolerate harassment by other Church personnel.
2. Church personnel shall provide a professional work environment that is free from harassment.

V. Prevention of Exploitation: Guidelines for Pastoral Counseling

A. Definitions

1. Pastoral counseling occurs when Church personnel offer spiritual direction or advice concerning moral or spiritual matters. The Church personnel may or may not be a certified spiritual director or trained, licensed or degreed in professional counseling. It is mandatory if there is a need for on-going counseling, Church Personnel, not certified or licensed, will refer to a professional.
2. Exploitation occurs when Church personnel take advantage of the pastoral counseling relationship for the benefit of the pastoral counselor.
3. Sexual exploitation is sexual contact between Church personnel and the recipient of their pastoral counseling services, regardless of who initiates the contact.
4. A conflict of interest occurs when Church personnel take advantage of pastoral counseling relationships in order to further their own interest.

B. Standards of the Diocese in Prevention of Exploitation

1. Church personnel shall recognize their limitations in pastoral counseling situations. Those providing pastoral care should either have ongoing professional supervision or refer an individual to professional counseling after six sessions have been held. 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.

2. Church personnel shall not engage in exploitation, sexual exploitation, and/or sexual intimacies with persons whom they counsel. Church personnel are also prohibited from engaging in situations or conduct that can give the appearance of exploitation, sexual exploitation or sexual intimacies.
3. Church personnel shall not engage in exploitation, sexual exploitation, and/or sexual intimacies with relatives or friends of someone whom they have a counseling relationship.
4. Church personnel shall set and maintain clear, appropriate boundaries in all pastoral counseling relationships.
5. If physical contact is warranted for professional, clinical reasons, it should always be respectful and consistent with the intent to provide a safe and comfortable pastoral counseling environment.
6. Pastoral counseling should be conducted in appropriate settings at appropriate times and should not be held at places or times that would cause confusion about the nature of the relationship for the person being counseled. It is mandatory that in counseling situations, the line of sight rule is to be practiced.
7. No pastoral counseling should be conducted in private living quarters.

C. Standards of the Diocese as to Confidentiality

1. The sacramental seal is inviolable by divine mandate.
2. Information disclosed to Church personnel during the course of counseling, advising, or spiritual direction shall be held in the strictest confidence possible, with due regard for the norm of civil and/or canon law.
3. Church personnel should discuss the nature of confidentiality, including its limitations, with each person who seeks pastoral counseling.
4. If there is clear and imminent danger, the Church personnel are to disclose the information necessary to protect the parties involved and to prevent harm.
5. If disclosure must be made, if feasible, the Church personnel should inform the person being counseled about the disclosure.
6. With the exception of knowledge gained in the Sacrament of Penance, knowledge that arises from professional contact may be used in teaching, delivering homilies, or other public presentations only when effective measures have been taken to absolutely safeguard both the individual's identity and the confidentiality of the disclosures. In the rare event that such disclosures are used, good pastoral judgment is of the utmost importance when making decisions about the use of information in public ministry.
7. If Church personnel discover, while counseling a minor, that there is a serious threat to the welfare of the minor and that communication of confidential information to a parent or legal guardian is essential to the child's health and well-being, the Church personnel must disclose the information necessary to protect the health and well-being of the minor.

D. Standards of the Diocese as to Conflicts of Interest

1. Church personnel shall observe clear, appropriate boundaries with anyone with whom they have a business, professional or social relationship.
2. Church personnel shall avoid pastoral counseling that might present a conflict of interest. Even the appearance of a conflict of interest can call into question integrity and professional conduct.
3. If a conflict of interest exists or arises, Church personnel should inform all parties. If there is any question of conflict of interest, the matter is to be referred to the office of the Canon of the Ordinary. Resolution of the issues must protect the person being counseled.

VI. Policy for Protection for Children and Youth

Relationships among people are at the foundation of Christian ministry and as such are central to the life of the church. Defining healthy and safe relationships through policies and codes of conduct is not meant, in any way, to undermine the strength and importance of personal interaction in our ministries. Rather, it is to assist in more clearly defining behaviors and practices that allow the church to more fully demonstrate its love and compassion for children and youth in sincere and genuine relationships.

Relationships in ministry should, ideally, always be experienced as caring and without intention to do harm or allow harm to occur. This Policy has been adopted by the Episcopal Diocese of Fort Worth to help the churches create safe environments for children and youth and for those who minister to them. All Church Personnel are asked to carefully consider each statement in the Policy within the *Policies for the Protection of Children and Youth from Abuse* before agreeing to adhere to the statements and continue in service to the church.

This Diocese, its congregations, and institutions prohibits interaction between children or youth and those with either a criminal record of child abuse or a mental health diagnosis of paraphilia (including pedophilia, exhibitionism, or voyeurism) as defined by the American Psychiatric Association, thus complying with state and insurance regulations.

Code of Conduct for Protection of Children and Youth (See Appendix A)

- Church Personnel agree to do their best to prevent abuse and neglect among children and youth involved in church activities and services.
- Church Personnel agree to not physically, sexually or emotionally abuse or neglect a child or youth.
- Church Personnel agree to comply with the policies for general conduct with children and youth as defined in these *Policies for the Protection of Children and Youth from Abuse*.
- All church personnel agree to comply with the *Guidelines for Appropriate Affection with Children and Youth*. In the event that Church Personnel observe any inappropriate behaviors or possible policy violations with children or youth, church personnel agree to immediately report their observations.
- All Church Personnel acknowledge their obligation and responsibility to protect children and youth and agree to report known or suspected abuse of children or youth to appropriate church leaders and state authorities in accordance with these policies.

- Church Personnel understand that the church will not tolerate abuse of children and youth and agree to comply in spirit and in action with this position.

A. General Definitions

1. Church Personnel

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

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

2. Children and Youth

A child is defined as anyone under the age of 12 years.
A youth is defined as anyone who is at least 12 years old, but not yet 18 years old.

3. Adult

A person of 18 years or older.

4. Regularly or Occasionally Work With or Around Children or Youth

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

- All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church.
- All paid or volunteer Church Personnel whose work regularly takes them throughout the facility or grounds or who has keys giving them access to the buildings on the grounds.
- All persons who supervise or assist with supervising children or youth, other than church school teachers, in

ministries, programs or activities more often than occasionally.

- d. All persons who provide transportation to children or youth without other adults in the vehicle more often than occasionally.
- e. Any paid personnel whose living quarters are on the grounds of the church, school or other related agency
- f. Any vestry members or other members of similar decision-making groups who have the authority to approve the creation of ministries, programs or activities for children or youth.

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

- Children's or youth choir directors
- Organists who work with children or youth
- Lay youth ministers
- Church School teachers
- Volunteer youth directors
- All Church Personnel who work or assist in the nursery more than four times a year (either volunteer or paid)
- All Church Personnel who work in the nursery if they are the only person over 18 present at any time
- All staff, whether volunteer or paid, at church camps
- Adults who participate in overnight activities with children or youth more than twice a year
- All volunteers who work or assist in Vacation Church School

For the purpose of this policy, the following are included in the definition of Church Personnel who *Occasionally* work with or around children or youth:

- All persons who supervise or assist with supervising children or youth in ministries, programs or activities infrequently, generally no more than three times year or for one program or activity during a year totaling 10 days. (i.e., assisting with preparation for the Christmas pageant, or teaching one "unit" of Church School for a month).
- All persons who provide transportation to children or youth without other adults in the vehicle infrequently, generally no more than three times a year.
- All persons who work or assist in the nursery four or fewer times a year, whether on an emergency basis or otherwise.
- Adults who participate in overnight activities with children

5. Types of Abuse

- a. **Physical abuse** is non-accidental injury, which is intentionally inflicted upon a child or youth.
- b. **Sexual abuse perpetrated by an adult** is any contact or activity of a sexual nature that occurs between a child or youth and an adult. This includes any activity, which is

meant to arouse or gratify the sexual desires of the adult,

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

B. Safeguards for Children and Youth

1. Screening and Selection

- a. Any and all Church Personnel who regularly work with or around children or youth shall be screened and selected utilizing at least the following:
 - i. A standard application completed by the applicant that includes an authorization for the release of information to conduct background checks and the Code of Conduct (Appendix D).
 - ii. Criminal records check in any state where the applicant has resided during the past seven (7) years, and other states, if any, as determined by the church. A Standard Records Check procedure is found on page 3.
 - iii. Sexual offender registry check in any state where the applicant has resided during the past seven (7) years.
 - iv. Individual interview with the applicant.
 - v. Reference checks of persons outside the congregation who know the applicant, preferably who know how the applicant works with children.
 - vi. Driving or Motor Vehicle records check if the person may be transporting children or youth.
- b. Any and all Church personnel who work with or around Children or Youth shall be screened and selected utilizing at least the following:

- i. A standard application completed by the applicant that includes an acknowledgment for the release of information to conduct background checks and the Code of Conduct (Appendix D).
 - ii. At least one Reference Check of a person or persons outside the congregation who know the applicant, preferably who know how the applicant interacts with children.
 - iii. Sexual Offender Registry Check
 - iv. Driving or Motor Vehicle records check if the person will be transporting children or youth.
- c. All information gathered about an applicant will be carefully reviewed and evaluated to make a determination, in consultation with others as necessary, of whether or not the person is appropriate to work with children or youth.
- d. Church Personnel who work with or around children or youth must have a personnel file that is kept where other church records are kept.
- e. Criminal records checks and sexual offender registry checks will be conducted every three (3) years for church personnel who work with or around children or youth.
- f. Sexual Registry checks for people who occasionally work around children and youth.
- g. Church Personnel who transfer within the Diocese of Fort Worth and apply for or are asked to or who do undertake a position working with or around children or youth are required to undergo the same screening and selection process in Section A above. This requirement may be met through a transfer of a copy of their screening records to the new congregation, school, agency, or program together with completion of a new application, individual interview and reference checks with the congregations, schools, agencies or other programs for which the applicant has worked with or around children or youth since the screening was last done as shown in the applicant's screening records.
- h. Service Contractors are required to provide verification of screening, training and compliance in regard to proper sexual conduct.

2. Education and Training Requirements

- a. Three hours of child abuse prevention education and training is required for all Church Personnel who regularly work with or around children or youth before they start their work with children or youth.

3. Monitoring and Supervision of Programs

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

Another aspect of monitoring and supervision is that supervisory personnel and others monitor and supervise the behavior of adults, youth and other children with children and youth so that inappropriate behaviors and interactions can be detected and stopped. Some behaviors and interactions are potentially harmful to children or youth in and of themselves. Examples include providing alcohol or drugs to children or youth or actually having sexual contact with a child or youth. Other behaviors and interactions are not necessarily harmful in and of themselves but are the same behaviors and interactions known to be used by those who abuse children or youth to “groom” them or their parents for eventual abuse or which provide the privacy child molesters need in order to abuse children or youth. Examples of those behaviors and interactions include holding children over the age of three on the lap, transporting a child or youth alone, and the like. The structural guidelines and standards are covered in both this Monitoring and Supervision section and in the following section, General Conduct for the Protection of Children and Youth. The behaviors and interactions of persons with children and youth that need to be monitored and supervised are covered in the section on General Conduct for the Protection of Children and Youth and in the Guidelines for Appropriate Affection.

- a. Every program for children and youth must have a minimum of two adults with a ratio of one additional adult for every ten youth.
- b. Church Personnel are prohibited from being alone with a child or youth or multiple children or youth where other adults cannot easily observe them.
- c. An up to date list of approved congregation-sponsored programs for children and youth will be maintained in the church office or other place where church records are kept.
- d. Church Personnel are not permitted to develop new activities for children and youth without approval from the rector or canonical equivalent. Requests to develop new activities should be submitted in writing to the rector. The rector will consider whether the plan for a new activity includes adequate adult supervision.

- e. Each program will develop age-appropriate procedures to ensure the safety of children and youth using restrooms and showers or baths.
- f. When supervising or assisting private activities such as dressing, showering or diapering infants or children, Church Personnel will remain in an area observable by other adults or work in pairs.
- g. At least two Church Personnel must supervise activities. When both boys and girls are participating, male and female adults must supervise.

3. General Conduct for the Protection of Children and Youth

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

- a. All Church Personnel who work with children or youth must agree to comply with the Diocese of Fort Worth Guidelines for Appropriate Affection (Appendix A).
- b. No person will be allowed to volunteer to regularly work with children or youth until the person has been known to the clergy and congregation for at least six months.
- c. Programs for infants and children under six (6) years old will have procedures to ensure that children are released only to their parents or legal guardians or those designated by them.
- d. Church Personnel are prohibited from the use, possession, distribution, or being under the influence of alcohol, illegal drugs, or the misuse of legal drugs while participating in or assisting with programs or activities specifically for children or youth.
- e. Parents or guardians must complete written permission forms before Church Personnel transport children and youth for a church sponsored activity or for any purpose on more than an occasional basis.
- f. Church Personnel will respond to children and youth with respect, consideration and equal treatment, regardless of sex, race, religion, sexual orientation, culture or socio-economic status. Church Personnel will portray a positive

role model for children and youth by maintaining an attitude of respect, patience, and maturity. They will avoid even the appearance of favoritism.

- g. One-to-one counseling with children or youth will be done in an open or public or other place where private conversations are possible but occur in full view of others.
- h. No dating relationships will take place between those who minister with youth and those they supervise at any time. Such a relationship blurs the ministry being performed, and is easily and predictably misunderstood. Supervisors and ministers who violate this policy will be immediately and permanently removed from their supervisory and ministerial position.
- i. Church Personnel are prohibited from having sexual contact with a child or youth.
- j. Church Personnel are prohibited from possessing any sexually orientated materials (magazines, cards, videos, films, clothing, etc.) on church property or in the presence of children or youth except as expressly permitted as part of a pre-authorized educational program.
- k. Church Personnel are prohibited from using the Internet to view or download any sexually oriented materials on church property or in the presence of children or youth
- l. Church Personnel are prohibited from discussing their own sexual activities, including dreams and fantasies, or discussing their use of sexually oriented or explicit materials such as pornography, videos or materials on or from the Internet, with children or youth.
- m. Church Personnel are **required** to remain in a common sleeping area with children and youth in order to provide immediate adult supervision.
 - 1) When common sleeping areas are used at least two adult sponsors of the same gender will be assigned to reside in the sleeping area. When boys and girls sleep in a common area together, adults of each gender must be present.
 - 2) The assignment of these adult sponsors for this duty will be given by the chief sponsor on any given event.Church Personnel are prohibited from sleeping in the same beds, sleeping bags, tents or any similar place with children or youth unless the adult is an immediate family member of the child or youth.
- n. Church Personnel are prohibited from dressing, undressing, bathing, or showering in the presence of children or youth.

- o. Church Personnel are prohibited from using physical punishment in any way for behavior management of children and youth. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force. Physical force may only be used to stop a behavior that may cause immediate harm to the individual or to a child, youth or others.
- p. Church Personnel are prohibited from using harsh language, improper punishment, or mechanical restraint such as rope or tape for behavior management.
- q. Church Personnel are prohibited from participating in or allowing others to conduct any hazing activities relating to children's or youth ministry or camp activities.

VII. Responding to Problems

A. Reporting Inappropriate Behaviors or Policy Violations with Children or Youth

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

B. Reporting Suspected Abuse of Children or Youth

1. All Church Personnel are required by this policy to report known or suspected abuse of children or youth to the appropriate state authorities. (See Appendix C)
2. Failure to report suspected abuse of children or youth may be a crime. Reports may be made confidentially or anonymously. Every state provides immunity from civil liability for persons required to report suspected abuse in good faith and without malice. Simply stated, “in good faith” means that the person submitting the report believes what he or she is reporting to be true.
3. In addition to reporting to the state authorities, Church Personnel are required to report any suspected or known abuse of children or youth that may have been perpetrated by Church Personnel directly to the rector/vicar of your Parish so that immediate and proper steps may be taken to ensure the safety of alleged victims.
4. Reports of suspected or known abuse that involve Church Personnel should be reported to the Diocese of Fort Worth in one of the following ways:
 - a. A telephone call, meeting or fax to the bishop, or his appointee
 - b. Submit a *Notice of Concern* (Appendix B), signed or unsigned, to the bishop or his appointee
5. The Diocese of Fort Worth and your Parish will cooperate with any investigation by state authorities to the fullest extent appropriate and inform authorities that a concurrent internal investigation will be directed by the Diocese of Fort Worth

Appendix A

A. Standards for Appropriate Affection

The Diocese of Fort Worth and its Parishes are committed to creating and promoting a positive, nurturing environment for our children’s and youth ministries that protect our children and youth from abuse and our Church Personnel from misunderstandings. When creating safe boundaries for children and youth, it is important to establish what types of affection are appropriate and inappropriate, otherwise that decision is left to each individual. Stating which

behaviors are appropriate and inappropriate allows Church Personnel to comfortably show positive affection in ministry, and yet identify individuals who are not maintaining safe boundaries with children or youth. These Standards are based, in large part, on avoiding behaviors known to be used by child molesters to groom children or youth and their parents for future abuse. The following Standards are to be carefully followed by all Church Personnel working around or with children or youth.

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

Some positive and appropriate forms of affection are listed below:

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

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

- Inappropriate or lengthy embraces.
- Kisses on the mouth.
- Holding children over three years old on the lap.
- Touching bottoms, chests or genital areas other than for appropriate diapering or toileting of infants and toddlers.
- Showing affection in isolated areas such as bedrooms, closets, staff only areas or other private rooms.
- Occupying a bed with a child or youth
- Touching knees or legs of children or youth.
- Wrestling with children or youth.
- Tickling children or youth.
- Piggyback rides.
- Any type of massage
- Any form of unwanted affection.
- Comments or compliments (spoken, written, or electronic) that relate to physique or body development. Examples would be, “You sure are developing,” or “You look really hot in those jeans.”
- Snapping bras or giving wedgies or similar touch of underwear whether or not it is covered by other clothing.
- Giving gifts or money to individual children or youth.
- Private meals with individual children or youth
- Touching or hugging from behind

- Games involved in inappropriate touching

B. Behavior Standards:

1. Any verbal or nonverbal sexual behavior with any child, youth or vulnerable adult is inappropriate and forbidden.
 - Never allow children, youth or vulnerable adults to become sexual with one another during ministry activities.
 - Sexual gestures or overtures a child, youth or vulnerable adult makes to a minister should be reported to the supervisor and the parent/guardian so that discussion can be held with the child, youth or vulnerable adult.
2. Dating, going out with, or becoming romantically involved with any child, youth, or vulnerable adult is forbidden.
3. Discretion must be used in dealing with all, especially regarding physical contact. Any overt display of affection should be made in a public setting in front of other group members and should respect wishes of the other person.
4. “Buddy systems” must be used by Church Personnel whenever possible, but especially when children, youth or vulnerable adults are involved.
 - *Never* be alone with a child or youth or multiple children or youth where others cannot easily observe the program or activity.
 - One-to-one counseling with a child, youth or vulnerable adult should always occur in a public place, never alone in a car or a private place.
 - Never invite or host children, youth or vulnerable adults in your home unless another unrelated adult is present.
5. Parents/Guardians must complete written permission forms before transporting children and youth for a church sponsored activity.
 - Driving *alone* with a child, youth or vulnerable adult should be avoided at all times.
 - However, if riding or driving alone with a child, youth or vulnerable adult cannot be avoided, special care should be taken:
 - Don’t sit close to. one another in the car.
 - Do not come into physical contact with each other.
 - Do not stop the car to talk.
 - If you must stop, turn on the inside light of the car.
 - Avoid physical contact (hugs and kisses) when saying goodbye.
 - Be aware of the time you depart and arrive. Mark those times in your diary or record.
6. Never swear or use foul or abusive language in the presence of those you serve in ministry.
7. Never use your role to degrade, ridicule, threaten or humiliate another person.
8. Never speak graphically about sexual activities, including your own and do not allow others to do so. This includes dreams and fantasies or the use of sexually oriented materials such as

pornography, videos, or materials on or from the Internet.

9. Never show sexually oriented or pornographic materials to those you serve in ministry. (such as magazines, cards, videos, films, DVD's, clothing etc.)
10. Never use the Internet to view or download any sexually oriented materials on church property or in the presence of children and youth.
11. Never spank, shake, slap or physically punish children, youth or vulnerable adults.
12. Never wrestle with or tickle a child, youth or vulnerable adult
13. Never give tobacco, alcohol or unauthorized drugs to children, youth or vulnerable adults.
14. Never use, possess or be under the influence of alcohol at any time while ministering to children, youth or vulnerable adults.
15. Never use, possess or be under the influence of illegal drugs at any time.
16. Never use tobacco products while in the presence or children or youth.
17. When Church Personnel experiences romantic or sexual attraction for a child, youth or vulnerable adult, the minister is required to discuss the situation with the supervisor or spiritual director for guidance
18. All suspicions of child sexual abuse must be reported as required by state law and diocesan policies. Any knowledge or suspicion of any minister having an inappropriate relationship with a child, youth or vulnerable adult must be reported promptly to that person's supervisor.
19. Standards for communication or conduct of relationships apply to electronic media including Internet access, email, chat rooms, phone conversations, photos and pictures.

C. Behaviors to Avoid:

- Meeting alone in isolated places.
- Showing favoritism.
- Physical contact that can be misinterpreted.
- Provocative or revealing attire.
- Meeting in homes and in bedrooms without others present.
- Being nude in front of children, youth or vulnerable adults.
- Sleeping in bed with children, youth or vulnerable adults
- Special gift giving.
- Discussion your own dating activities, sexual activities or encouraging others to do so.
- Keeping "secrets" about relationships.
- Failing to adhere to uniform or accepted standards of affection.
- Showing affection when no one else is around.
- Staring while others are dressing.
- Commenting on others' bodies.

- Taking pictures while others are dressing or showering.
- Shaming or belittling an individual.

Appendix B

Confidential Notice of Concern

Individual(s) of Concern: _____

Date of occurrence: _____

Time of occurrence: _____

Type of Concern:

- Inappropriate behavior with a child or youth
- Policy violation with a child or youth
- Possible risk of abuse
- Other concern:

Describe the situation: What happened, where it happened when it happened, who was involved, who was present, who was notified? If reported to the State, what was their recommendation about investigating? (*Attach additional sheets if needed*).

Has this situation ever occurred previously? (*Attach additional sheets if needed*).

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

What is the follow-up plan? Does anyone else need to be notified? Will the situation need monitoring? Would you like someone to call you to discuss this situation?
Attach additional sheets if needed.

Submitted by: (Please print)

Telephone number:

Location and address:

Signature:

Reviewed by:

**Once completed, please fax to the confidential fax line number:*

817-244-3363

attn: The Bishop of Fort Worth

Appendix C

REPORTING CHILD ABUSE OR NEGLECT

The Law (Texas Family Code, Chapter 261)

Who must report:	Any Person...
Basis for Report:	having cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect.
When to Report:	IMMEDIATELY – A report must be made orally within 48 hours after there is cause to believe/suspect that the child has been or may be abused or neglected.
Where to Report:	Call Child Protective Services 1-800-252-5400 (toll free)
Penalty:	Failure to report is a Class B misdemeanor. Knowingly or intentionally making a false report is a Class A Misdemeanor

PROCEDURES TO FOLLOW WHEN REPORTING CHILD ABUSE OR NEGLECT

Any person who believes a child has been or will be abused or neglected, as those terms are defined in Chapter 261, Texas Family Code (see back page for definitions), shall make the required *non-accusatory* report to child protection services and immediately notify the Pastor on the office of the Bishop.

The person making the non-accusatory report shall keep the alleged abuse or neglect confidential and shall not discuss the matter with others except as required by law. The individual making the report and the pastor shall cooperate with the child protective service personnel in investigating the case. Immunity from prosecution is granted to those individuals who file a non-accusatory report in good faith concerning suspected child abuse or neglect. This immunity may not extend to statements that are not part of the reporting or investigation process. Therefore, the individual should be very careful about making such statements except for the purpose of reporting or investigating the matter.

In reporting suspected cases of child abuse or neglect, the following procedures must be followed:

1. Allegations by parents, guardians, or children themselves of sexual abuse, or any abuse, must be treated most seriously and may never be dismissed.
2. A report must be made IMMEDIATELY WITHIN 48 Hours to the Texas Department of Human Services (TDHS) or Child Protective Services: Call 1-800-252-5400.
3. Church/School personnel having cause to suspect child abuse or neglect must also:
 - notify his or her supervisor, without discussing details, that he or she needs to make a report of child abuse to the Pastor;
 - if the pastor is not available, the report should be made to the office of the Bishop.
4. The person making the report needs to identify, if known:

1. name and address of the child;
2. name and person responsible for the care, custody, or welfare of the child;
3. any other pertinent information concerning the alleged or suspected abuse or neglect.

Document the information above, as well as to whom the report was made and on what date.

REPORTING CHILD ABUSE OR NEGLECT
Definitions, from Chapter 261.001 of the Texas Family Code

Abuse, includes the following acts or omissions by a person.

1. Mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development, or psychological functioning;
2. Causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child's growth, development, or psychological functioning;
3. Physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent or guardian that does not expose the child to a substantial risk of harm;
4. Failure to make a reasonable effort to prevent an action by another person that results in physical welfare;
5. Sexual conduct harmful to a child's mental, emotional, or physical welfare;
6. Failure to make a reasonable effort to prevent sexual conduct harmful to a child
7. Compelling or encouraging the child to engage in sexual conduct;
8. Causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene;
9. The current use by a person of a controlled substance in a manner or to the extent that the use results in physical, mental, or emotional injury to a child; or
10. Causing, expressly permitting, or encouraging a child to use a controlled substance.

Neglect, includes:

1. The leaving of a child in a situation where the child would be exposed to a substantial risk of physical or mental harm, without arranging for necessary care for the child, and the demonstration of an intent not to return by a parent or guardian of the child;
2. The following acts or omissions by a person:
 - a. Placing the child in or failing to remove a child from a situation that a reasonable person

would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child;

- b. Failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child;
 - c. The failure to provide a child with food, clothing, or shelter necessary to sustain the life of health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused; or
 - d. Placing a child in, or failing to remove the child from, a situation in which the child would be exposed to a substantial risk of sexual conduct harmful to the child.
3. The failure by the person responsible for a child's care, custody, or welfare to permit the child to return to the child's home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away.

Appendix D

Sample Application Form, Code of Conduct, and Acknowledgment, Release and Signature

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

Today's date: _____

Personal data

Name: _____

Street address: _____

State: _____ Zip: _____

How long at current address: _____

Home phone: () _____

Work phone: _____

Best time to contact you: _____

Email address: _____

Driver license number: _____ STATE: _____

Social Security number: _____

Are you legally eligible to work in this country?

Yes No

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

Please list your addresses in the past five years:

For what position are you applying?

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

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

Employment history (*Please complete for your prior employers, covering the past ten years*).

Current employer Company name: _____
Address: _____
City: _____ State: _____ Zip: _____
Immediate supervisor name: _____
Immediate supervisor phone number: _____
Position held: _____
Dates of employment: from _____ to _____
Reason for leaving position: _____

Previous employer Company name: _____
Address _____
City: _____ State: _____ Zip: _____
Immediate supervisor name: _____
Immediate supervisor phone number: _____
Position held: _____
Dates of employment: from _____ to _____
Reason for leaving position: _____

Previous employer Company name: _____
Address _____
City: _____ State: _____ Zip: _____
Immediate supervisor name: _____
Immediate supervisor phone number: _____
Position held: _____
Dates of employment: from _____ to _____
Reason for leaving position: _____

Previous employer Company name: _____
Address _____
City: _____ State: _____ Zip: _____
Immediate supervisor name: _____
Immediate supervisor phone number: _____
Position held: _____
Dates of employment: from _____ to _____
Reason for leaving position: _____

Previous employer Company name: _____
Address _____
City: _____ State _____ Zip _____
Immediate supervisor name: _____
Immediate supervisor phone number: _____
Position held: _____
Dates of employment: from _____ to _____
Reason for leaving position: _____

Volunteer experience (*Include all experience working with children or youth*)
Organization: _____
Contact: _____

Phone: _____
Duties: _____
Dates: from _____ to _____
Reason for Leaving: _____
Organization _____
Contact: _____
Phone: _____
Duties: _____
Dates: from _____ to _____
Reason for leaving _____

Educational history

Name of school _____
Address _____
City _____ State _____ Zip _____
Type of school _____
Name of program or degree _____
Program completed? _____
Name of School _____
Address _____
City _____ State _____ Zip _____
Type of school _____
Name of program or degree _____
Program completed? _____
Name of school _____
Address _____
City _____ State _____ Zip _____
Type of school: _____
Name of program or degree: _____
Program completed? _____

Professional/Civic References

Name: _____
Address _____
City _____ State _____ Zip _____
Daytime phone: _____
How long have you known this person? _____
Relationship to you: _____
Name: _____
Address: _____
City _____ State _____ Zip _____
Daytime phone: _____
How long have you known this person? _____
Relationship to you: _____

Personal References

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

Family references

Address
City _____ State _____ Zip _____
Daytime phone _____ Evening _____
How long have you known this person? _____
Relationship to you _____
Name _____
Address
City _____ State _____ Zip _____
Daytime phone _____ Evening _____
How long have you known this person? _____
Relationship to you _____
Have you ever been accused of physically, sexually or emotionally abusing a child or an adult?
 Yes No If yes, please explain.

Code of Conduct for the Protection of Children and Youth

Read and initial each item to signify your agreement to comply with the statement.

_____ I agree to do my best to prevent abuse and neglect among children and youth involved in church activities and services.

_____ I agree not to physically sexually or emotionally abuse or neglect a child or youth.

I agree to comply with the Policy for General Conduct for the Protection of Children and Youth defined in the Policies for the Protection of Children and Youth from Abuse.

I agree to comply with the Standards for Appropriate Affection with children and youth.

In the event that I observe any inappropriate behaviors or possible policy violations with children or youth, I agree to immediately report my observations.

_____ I acknowledge my obligation and responsibility to protect children and youth and agree to report known or suspected abuse of children or youth to appropriate church leaders and state authorities in accordance with the *Policies for the Protection of Children and Youth from Abuse*.

I understand that the church will not tolerate abuse of children and youth and I agree to comply in spirit and in action with this position.

Acknowledgment, Release and Signature

To the best of my knowledge, the information contained in this application is complete and accurate. I understand that providing false information is grounds for not hiring me or choosing me for a volunteer position or for my discharge if I

have already been hired or chosen.

I authorize any person or organization, whether or not identified in this application, to provide any information concerning my previous employment, education, credit history, driving record, criminal conviction record, sexual offender registry or other qualifications for my employment or volunteering. I also authorize the Diocese of Fort Worth [Parish] to request and receive such information.

If hired or chosen, I agree to be bound by the Diocese of Fort Worth [Parish's] policies and procedures, including but not limited to its *Policies for the Protection of Children and Youth from Abuse* and Code of Conduct for the Protection of Children and Youth. I understand that these may be changed, withdrawn, added to or interpreted at any time at the Dioceses [Parish's] sole discretion and without prior notice to me. I also understand that my employment or volunteering may be terminated, or any offer or acceptance of employment or volunteering withdrawn, at any time, with or without cause, and with or without prior notice at the option of the Diocese of Fort Worth [Parish] or myself.

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

I have read and understand the above provisions.

Signature: _____

Date _____

Appendix E

RESPONSE PROCEDURES FOR A COMPLAINT

Before a complaint is received:

The Bishop will appoint members of the laity and clergy to serve on Response Teams.

The Bishop will choose more than are necessary for one Response Team. It should include at least one woman and one man; at least one lay person, and normally might include a cleric, an attorney and a mental health professional. From this membership will be appointed a Chair, a Complainant's Advocate, an Accused's Advocate and a Congregational Advocate. Before serving on a Response Team, members will receive training in crisis intervention and interviewing alleged offender, complainants, and witnesses. Training and ongoing supervision of Response Team members will be under the direction of a person skilled in these areas appointed by The Bishop.

In selecting persons to serve on a Response Team, the Bishop will take care not to assign any person whose judgment or objectivity might be impaired because of a relationship with, or knowledge of, any parties or witnesses to a complaint. If any member of a Response Team at any time has a potential conflict (as above), the person will disqualify herself or himself for this investigation.

Explanation of Duties of Advocates:

- ◆ *The Complainant Advocate is responsible for interviewing the complainant, producing a report, functioning as the primary liaison between the Bishop and the complainant, and ensuring proper pastoral care is evident.*

- ◆ *The Accused's Advocate is responsible for interviewing the alleged offender, producing a report, functioning as the primary liaison between the Bishop and the alleged offender, and ensuring proper pastoral care is evident.*

- ◆ *The Congregational Advocate is responsible for interviewing the congregation, if needed, assisting the wardens and vestry during the investigation, functioning as a liaison between the Bishop and the congregation, ensuring information on the process is available, and assuring that proper aftercare is delivered to the affected congregation or community.*

Following the receipt of a complaint:

1. The bishop will respond to requests for meetings with him as soon as possible. The bishop will meet with the party making the allegation and hear the specifics raised. At the bishop's discretion, such meetings may involve other staff members or consultants. An investigation cannot proceed unless a complainant is willing to drop conditions of anonymity for reporting purposes.

If the Bishop is unavailable, then a person designated by the Bishop will begin the interview process.

If the complaint alleges sexual misconduct by the Bishop, the Standing Committee will perform the functions assigned to the Bishop by this policy.

2. If the complainant is not the alleged victim, the Bishop will meet with the complainant as well as the alleged victim. At the bishop's discretion, such meetings may involve other staff members or consultants.
3. The bishop will meet with the alleged offender as soon as possible. He will outline the allegations and hear all responses given. Such meeting may include other persons at the invitation of either the bishop or the alleged offender.
4. If the complaint alleges sexual abuse of a minor or an incompetent adult, the Bishop will in consultation with the Diocesan Chancellor, notify the relevant law enforcement authorities. The Bishop and any other church officials or employees with knowledge of the alleged abuse will be guided by the progress of the law enforcement investigation.
5. The Bishop will name the Response Team, if further investigation is deemed necessary.
6. The Complainant's Advocate, working with the alleged victim (if not the complainant) and/or the complainant, should draft a written statement which includes the date(s), location(s), time(s), the name of the alleged offender, and a description of the alleged offense(s); as well as the names, addresses, and telephone numbers of any witnesses if known. The statement is based upon the facts supplied by the person making the complaint. The accused's Advocate will work with the alleged offender to prepare a written statement. If the Bishop deems necessary, the Congregational Advocate will work with the congregation to prepare a statement.

◆ *It is intended that the Advocates will be the main point of contact during the investigation of the charges. This will help protect the alleged victims and other involved parties.*

◆ *The Response Team will keep the Bishop informed of progress and findings during the investigation, and will move as swiftly as possible towards completion of a final report and recommendations to the Bishop. The final report can include the original written statement of the complainant and/or victim and all written statements submitted by other persons, as well as a plan for congregational aftercare.*

7. The Bishop should arrange for an evaluation of the alleged offender by a licensed mental health care professional qualified and experienced in the evaluation of sexual misconduct. This evaluation shall be arranged as soon as possible. The Bishop will encourage the alleged offender

to undergo the evaluation and to agree that the results of the evaluation will be available to the Bishop and the alleged offender.

8. The Bishop will not at any time following the making of the complaint hear the sacramental confession of the complainant, the alleged victim (if other than the complaining witness), or the alleged offender. The Bishop may, if requested, recommend confessors.
9. Any party or witness to an alleged act of sexual misconduct may be asked to be interviewed or to submit a statement in writing.
10. After receiving the Response Team's recommendations and meeting with the Response Team, the Bishop will make a determination as to whether the complaint of sexual misconduct has been substantiated and, if so, the severity of the matter and what action, if any, is to be taken.

When a Determination is made:

The Bishop will inform the complainant, the alleged victim (if other than the complaining witness), and the alleged offender.

Unsubstantiated Complaints:

If the Bishop determines that the complaint is unsubstantiated, a written report to that effect will be placed in the Bishop's confidential file and a copy will also be given to the person accused. If the alleged offender is a cleric not canonically resident in this diocese, the Bishop should also transmit a copy of the report to the bishop of the diocese in which the cleric is canonically resident. The Bishop will also meet with the complainant to discuss the determination. He may meet with the alleged offender to discuss any steps that may be necessary to make known the determination.

Substantiated Complaints:

1. The Bishop will meet the complainant and/or victim to express the Church's deepest regret and to discuss appropriate responses by the Church to assist in healing. The complainant and/or victim may be accompanied by person(s) of their respective choosing. The Bishop, in consultation with others, will determine what assistance should be offered.

The Bishop may meet, if appropriate, with the victim's spouse and/or family to discuss how the church may assist them.

2. The Bishop may meet with the offender. Another person may accompany the offender if he or she desires. The Bishop will inform the offender the actions the Bishop intends to take. Whenever an allegation of sexual misconduct in a current position is substantiated, the Bishop normally will act to remove the offender from all current positions of pastoral responsibility. When the allegation that is substantiated is related to a previous context of ministry, the Bishop at his discretion may act to remove the offender from current positions. In the case of a cleric, the Bishop will also determine whether disciplinary action under the Canons of the Anglican Church in North America is appropriate.

The Bishop may meet, if appropriate, with the offender's spouse and/or family to discuss how the Church may assist them.

In making any decisions about professional rehabilitation and future employment for the offender, the Bishop is guided by the assessments of those experts in the treatment of sexual

misconduct who have treated or evaluated the offender. In most cases, significant involvement in personal psychotherapy and employment outside the Church will be required before any redeployment in the Church will be considered. At the Bishop's discretion, public acknowledgment of the misconduct, including exoneration of and restitution to the victim may be required. In no case will the victim be publicly identified without his or her consent.

3. The Bishop, and others at the discretion of the Bishop, will notify the wardens, if the offender serves a parish, or the appropriate representatives of the place of ministry, if the offender does not serve a parish, and discuss with them what assistance would be most helpful or healing.

◆ *The Bishop, Response Team members, and all other representatives of the Diocese will make every effort to protect the privacy of victims of sexual misconduct. All records of the investigations and determinations by the Bishop will be held in strict confidence and separate from ordinary personnel files except as specified in the procedures.*

◆ *All persons seeking positions of paid pastoral responsibility and all paid teachers, administrators, and faculty within the Diocese must undergo a background check utilizing appropriate procedures and forms. Similarly, all aspirants for Holy Orders, when required to undergo the pre-ordination psychological examination will also undergo a background check.*

Appendix F

A. State Child Abuse Reporting Statute Websites

Arkansas www.arkansas.gov/dhs/chllnfaml

Oklahoma www.okdhs.org

Texas www.tdprs.state.tx.us

B: State Criminal Records and Sex Offenders Registry Information for states in the Diocese:

Arkansas

Agency Arkansas State Police
 Identification Bureau
 #1 State Police Plaza Drive
 Little Rock, AR 72209
 (501) 618-8500
 (501) 618-8404 fax
 <http://www.aps.state.ar.us>

Criminal Background Check Criminal background records are obtained through name and date of birth checks.

Sex Offender Registry The Sex Offender Registry hotline is (501) 682-2222.

Oklahoma

Agency Oklahoma State Bureau of Identification
 Criminal History Reporting
 6600 North Harvey, Building 6, Suite 140
 Oklahoma City, OK 73116
 (405) 879-2528
 <http://www.osbi.state.ok.us>

Criminal Background Check Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

Sex Offender Registry The Sex Offender Hotline is (405) 228-20

Texas

Agency Texas Department of Public Safety
 Crime Records Division
 P.O. Box 4143
 Austin, Texas 78765
 (512) 424-5664
 <http://www.txdps.state.tx.us>

Criminal Background Check Criminal background records are obtained through either name and date of birth checks or fingerprint checks.

Sex Offender Registry The Sex Offender Registry hotline (512) 424-2279.