

Oakland Avenue Presbyterian Church

421 Oakland Avenue
Rock Hill, SC 29730
(803) 327-2006

Safe Place & Sexual Misconduct Policy

(revised February 11, 2014)



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Sexual Misconduct Prevention Policy

Oakland Avenue Presbyterian Church believes that incidents of sexual misconduct cannot be glossed over, rationalized, or covered up “for the good of the church”. The good of the church can never be served by overlooking an abuse of power and betrayal of trust. Charges of misconduct must be dealt with swiftly, fairly, and with compassion for all parties involved.

Responsibility for maintaining appropriate sexual boundaries and prohibiting sexual misconduct belongs to the ordained minister, church officer, church staff person, Sunday School teacher, or other volunteer leader – even if the parishioner, student, client, or employee initiates or invites sexual activity. There is no such thing as presumed consent among people of unequal authority, power, or responsibility.

Sexual Misconduct is the comprehensive term used in this policy to cover the following: sexual abuse of a minor or of an adult who lacks mental or physical capacity; inappropriate sexual conduct; rape; sexual malfeasance; and / or sexual harassment.

Scope of the Policy

This policy is binding on all ministers serving this church, church officers, church staff, Sunday School teachers, and other volunteer leaders – members and non-members alike – who are engaged in any activity organized, sponsored, or conducted by this church. The policy applies to telephone, internet, and other means of communication as well as to in-person communication.

The policy is to be interpreted and applied consistently with the *Book of Order* of the Presbyterian Church (USA); with all applicable policies of Providence Presbytery and this church’s Session; and with federal, state, and local law.

Implementation, Training, & Compliance

Members of the Christian Education Committee of the Session are responsible for implementation, education, training and compliance of this Policy.

Training will include the following:

1. Rationale for a protection policy;
2. Policies governing sexual misconduct;
3. Policies governing work with children and youth;
4. Procedures for reporting abuse;
5. Definitions.

Application and Background Check

All persons seeking to serve as indicated below in the Criteria for Service are required to:

Complete and sign the Worker Application / Background Check Authorization;

Undergo a background check; and

Complete Safe Place / Sexual Misconduct Policy Training.

The Application / Authorization, Background Check results, and evidence of Training must be submitted to and retained by the Office Manager.

Criteria for Service

1. **Staff and Employee Criteria** as follows:
 - a. All employees are required to complete and sign the Application / Authorization and complete Training as part of Oakland Avenue Presbyterian Church's employment process.
 - b. The Application / Authorization and evidence of Training must be submitted to the Office Manager and retained in the employee's Personnel file.
 - c. A person will not be considered an employee of Oakland Avenue Presbyterian Church until the Application and evidence of Training are completed and on file.
2. **Elder and Deacon Criteria** as follows:
 - a. All elders- and deacons-elect are required to complete and sign the Application / Authorization and complete Training as part of Oakland Avenue Presbyterian Church's Officer Training.
 - b. The Application / Authorization and evidence of Training must be submitted to and retained by the Office Manager.
3. **Volunteer Criteria for Members and Non-Members** as follows:
 - a. All persons seeking to work with children or youth are required to complete and sign the Application / Authorization and complete Training.
 - b. The Application / Authorization and evidence of Training must be submitted to and retained by the Office Manager.
 - c. Members will have attended worship for at least one year or have been a member of Oakland Avenue Presbyterian Church for 6 months before working with children or youth in a ministry program of this church.
 - d. Volunteers who have been members of Oakland Avenue Presbyterian Church less than six months will provide references from churches in which they have served.
 - e. Non-Members will be interviewed by a staff member or Trainer in addition to completing and signing the Application / Authorization and completing Training. The staff member or Trainer will obtain a reference from the non-member's church or sponsoring institution and submit to the Office Manager.

Guidelines

The following guidelines apply to the supervision of children of all ages at any event which takes place on OAPC property.

Infants and Preschoolers

1. At least two adult caregivers will be present at all times.
2. At least one caregiver will be an adult.
3. All caregivers will wear nametags.
4. All children will be signed in and signed out.
5. All children and parents will use the beeper system.
6. Children may only leave with the person turning in the matching numbered beeper.
7. Directions for the beeper system and sign-in procedure will be clearly displayed outside the nursery doors.

Children and Youth

1. Two adults will be present at any church-sponsored activity that involves the supervision of minors unless there is one of the following exceptions:
 - a. contact with prior approval by parents;
 - b. during retreat or travel events at least one of the same-sex adult will be “housed” with a ratio of no less than 1:7, adults to children/youth;
 - c. supervising adult has background clearance.
2. Children/youth classrooms in the church facilities will have accessible visibility, which will remain unobstructed at all times.
3. All adults on overnight trips are required to complete and sign the Children and Youth Worker Application / Background Check Authorization and have a background check and clearance.

Responding to Abuse Allegations

The following procedures will be followed in the event of an incident or alleged incident of abuse:

1. Staff, Officers, and Volunteers of Oakland Avenue Presbyterian Church accused of abuse will immediately be relieved from further responsibilities involving direct contact with children or youth and the accuser.
2. Head of Staff or his/her designee, the Clerk of Session, two elders (one male & one female) will meet with the parents and/or the accuser.
3. At this meeting all the facts and circumstances of the incident will be documented in writing immediately. The "Incident Report" form will be completed and signed by all parties present.
4. The facts and circumstances of the incident will be duly reported to the Rock Hill Police Department, the York County Sheriff's Office, the York County Department of Social Services, and the church's liability insurance carrier.
5. All activities related to incidents of abuse or alleged abuse – reporting, investigating, and responding – will be kept confidential. The confidentiality of all persons involved, particularly the identity of the reporting person, is to be safeguarded.
6. All inquiries will be referred to the Head of Staff or the Clerk of Session pending the outcome of the investigation.
7. The Head of Staff or his/her designee or the Clerk of Session will be the sole spokesperson for Oakland Avenue Presbyterian Church with regard to any media inquiries or contacts with civil authorities as appropriate.

Oakland Avenue Presbyterian Church Definitions

Infant: 0 through 1 year old (inclusive).

Preschooler: 2 year old through 5 year old (inclusive).

Children: Fifth Grade and under (inclusive).

Youth: Sixth Grade through 12th Grade (inclusive).

Adult: A person who is 18 years of age (inclusive) or older.

Volunteer / Worker: Any person participating in a ministry of Oakland Avenue PC(USA).

Officer: Any pastor, elder, or deacon of Oakland Avenue PC(USA).

Staff: Full and part-time employees of the church.

Trainer: Staff and members of Oakland Avenue PC(USA) who have been equipped to instruct others on our Safe Place / Sexual Misconduct Policy.

Neglect: The failure to use proper care or supervision of children or youth or the abandonment of the children or youth participating in any church sponsored activities.

Sexual Abuse is any contact or interaction with a child under the age of 18, or with an adult who lacks mental capacity or is physically incapacitated, when that person is being used for the sexual stimulation of another person. The behavior may or may not involve touching. Sexual behavior between an adult and a minor is always sexual abuse whether or not there is perceived consent.

Inappropriate Sexual Conduct is language, visual contact, touching or other behavior judged by a person to be injurious to his or her physical or emotional health. It involves crossing a reasonable boundary the allegedly injured person was attempting to set.

Rape is genital contact by force, threat, intimidation, or coercion.

Sexual Malfeasance is sexual conduct within a ministerial or professional relationship (e.g., minister with a parishioner, counselor with a client, church employee with a church member, Presbytery staff person with a volunteer). It includes sexual advances, requests for sexual favors, behavior of a sexual nature, and romantic relationships whether or not there is consent.

Sexual Harassment is a sexual advance, request for sexual favors, or other verbal, visual or physical conduct of a sexual nature that is unwelcome and is sufficiently severe or pervasive to make it difficult to work as a volunteer, employee or employer or under certain conditions specified by law.

Presumed Consent is the assertion that a particular act is between consenting adults. Presumed Consent does not apply where there is a disparity of authority, power, and responsibility.

South Carolina Legal Definitions

Abused Children/Youth: Under South Carolina law, an abused child or youth is one whose death results from or whose physical or mental health or welfare is harmed or threatened with harm by the acts or omissions of the child's parents, guardian, or other person responsible for his/her welfare.

Child: A child under South Carolina law is a person less than 18 years of age.

Oakland Avenue Presbyterian Church
Safe Place / Sexual Misconduct Incident Report Form
(please print all information)

Date & Time of Incident: _____

Name of child / youth / victim: _____

(Complete a separate form for each victim involved in order to maintain confidentiality.)

Address of child / youth / victim: _____

Phone number of child / youth / victim: _____

Name of parent/guardian: _____

Location of incident: _____

Names of Persons who witnessed the incident:

Name: _____ Phone: _____

Name: _____ Phone: _____

Name: _____ Phone: _____

Please describe incident as seen / heard and actions taken:

Any additional relevant information, please document:

Signature of person completing this form

Date

Oakland Avenue Presbyterian Church
Children & Youth Worker Application / Background Check Authorization
(please print all information)

Full Legal Name: _____
(First, Middle, Maiden, Last.)

Address: _____

Phone Number(s): _____ Email: _____

Social Security Number: _____ Date of Birth: _____

Driver's License Number: _____ State: _____ Expiration: _____

Copy of Driver's License is attached: _____ Yes _____ No Gender: _____ M _____ F

In which children/youth program(s) have you been involved in this congregation or other congregations?

Church Activity (for officers and volunteers)

When did you join Oakland Avenue Presbyterian Church? _____

If you have been a member of Oakland Avenue PC(USA) less than 6 months or you are not a member of Oakland Avenue PC(USA), please provide the following information.

Previous church membership – Church Name, Address (if known), City, State

Reference from former Church

Name: _____ Phone: _____

Address: _____

City, State, and Zip _____

Child Abuse Protection Policy Screen

The disturbing and traumatic rise of physical and sexual abuse of children has claimed the attention of our nation and society. The attached policies reflect Oakland Avenue’s commitment to provide protective care of all who participate in church-sponsored activities: children, youth, and adults.

Please answer each question. Your responses will be kept fully confidential.

You may choose to discuss your responses in confidence with a member of staff rather than answering it on this form. Answering Yes to either question or leaving either question unanswered could automatically disqualify an applicant from working with children and youth.

1. Have you ever been convicted of or pleaded guilty to a crime (other than a minor traffic violation)?
_____ Yes _____ No

2. Are you aware of any traits or tendencies that could pose any threat to or any reason why you should not work with children, youth, or others?
_____ Yes _____ No

If you answered Yes to either question above, please explain in detail.
(Attach additional pages if necessary.)

Application Verification and Release

I recognize that Oakland Avenue Presbyterian Church is relying on the accuracy of information contained herein. Accordingly, I attest and affirm that all of the information that I have provided is absolutely true and correct.

I authorize Oakland Avenue Presbyterian Church to contact any such person or entity to provide Oakland Avenue Presbyterian Church with information, opinions, and impressions relating to my background or qualifications.

I voluntarily release Oakland Avenue Presbyterian Church and any person contacted by the church from liability involving communication or information relating to my background or qualifications.

I further authorize Oakland Avenue Presbyterian Church to conduct a criminal background investigation.

I have received a copy of and understand the Safe Place / Sexual Misconduct Policy.

Printed Name: _____

Signature

Date

(Attach a copy of applicant’s Driver’s License.)