

# Diocesan Manual

## Section II: Policies

Mission Statement .....	2
Alcohol and drug policy .....	3
Background checks.....	5
Bishop’s Office policy.....	5
Clergy Benefits.....	8
<i>Normal retirement</i>	
<i>Spouses</i>	
<i>Early retirement</i>	
<i>Spouses of retired clergy under the age of 65</i>	
<i>Disability retirement</i>	
<i>Post-retirement changes in status</i>	
<i>Death</i>	
<i>Divorce</i>	
<i>Deposed clergy</i>	
Clergy Continuing Education .....	9
<i>Canonical authority, policy</i>	
Clergy Supply.....	9
Retired, Non-parochial and Licensed Clergy .....	10
Retired Clergy from Other Dioceses, Licensing.....	10
Clergy Retreats .....	10
Clergy Transitions .....	10
Ethical Matters pertaining to the calling of Interims or assisting Clergy .....	11
Sexual Conduct.....	12
Standing Committee - Code of Ethics .....	18

## **Mission Statement**

The mission of the Diocese is the Great Commission of our Lord: “Make disciples of all nations, baptizing them in the Name of the Father and the Son and of the Holy Spirit, and teaching them to obey everything I have commanded you.”<sup>1</sup>

All policies of the Diocese are formulated to assist with this mission.

## **What is policy?**

For the purposes of this book, policy is defined as a course or method of action selected from among alternatives to guide and determine present and future decisions in the Diocesan community.

## **Who sets policy?**

In order to be policy, staff presumes that such a course or method must have the authority at least one of the following:

The Bishop  
Diocesan Convention  
Standing Committee  
Diocesan Council

---

<sup>1</sup> Matthew 28; 16-20

# **Policies: Alcohol and Drugs**

## **Diocesan Policy on Alcohol and Substance Abuse Recovery**

Alcoholism is recognized by mental and medical health authorities as a major health concern of our society. It affects not only the sufferer but also his or her family and, as a group, a variety of social areas. Alcoholism is to be understood as the social and physical state reached when a person's use of alcohol seriously interferes with his or her inter-personal relationships within the family, on the job, and generally.

The disease of alcoholism and other substance abuse is not limited to any segment of society. It has nothing to do with education or lack of it, wealth or absence of it, management or labor, profession, race or creed. It is most likely genetic, its occurrence unintentional rather than a matter of moral deficiency. The moral stigma often associated with addiction is fallacious. We believe that the Church, as the redemptive fellowship of Christian believers, must be sensitive to the need of exercising a healing ministry to the alcoholic and addict, and to members of his or her family. It is also a proper area of concern that the Church be prepared to give guidance to those confronted by all forms of substance abuse.

The determination of and response to addiction is a matter for pastoral concern and care, utilizing appropriate medical and behavioral science resources. Such is the policy of the Bishop of the Diocese of Southwest Florida, and he encourages the implementation of this policy through the diocesan family. Substance abuse is treatable, and he will support, assist and encourage effective treatment of these monumental health problems. Following is a series of guidelines and suggested procedures for those who, in whatever capacity, work with alcoholics and substance abusers and their families:

1. It is understood that alcohol and other forms of habitual substance abuse are illnesses which are treatable, and which should not be approached in a punitive action, but rather in a pastoral way. We seek to enlist the support and cooperation of the whole diocese in a pastoral approach to this problem—perhaps by educational methods, articles in *The Southern Cross*, parish newsletters, by annual retreats, with informative programs, especially for clergy, and regularly scheduled days with the bishop to heighten the diocese's awareness and understanding of addiction.

2. Job protection should be viewed as a primary matter. Job performance, not addiction recovery, will determine job security. The person who is under treatment should be accorded security in the job where he or she is, both during and after treatment time. It is likewise important that the recovered alcoholic have equal job opportunity after his or her recovery, and that following his recovery, attitudes toward him or her be free of prejudice. Those in recovery are, in a very real sense, a problem-solving persons rather than problem persons. This policy of job protection and re-employment should not be applied to those who refuse treatment or deny their need for help in identifying, understanding and treating their disease.

3. Aid in various forms should be immediately sought in the early stages of alcoholism and other substance abuse. There is need for sensitivity on the part of all involved with the alcoholic and drug abuser to certain distress signals, such as failure on the job, family problems, legal problems, financial distress, absenteeism, related health problems and abusive behavior.

4. Once the disease is recognized, caring and professional intervention, if available, should be planned and carried through. However, before intervention measures are initiated, we strongly recommend initial contact with members of the Committee on Alcohol and Substance Abuse Recovery (CASAR), Alcoholics Anonymous, and/or other accredited treatment centers.

5. In approaching the treatment of the alcoholic and other substance abusers, all possibilities should be considered. Such resources may include the Committee on Alcohol and Substance Abuse Recovery (CASAR), specialized psychotherapy, private or public institutions, Al-Anon, Alcoholics Anonymous and other Twelve-Step programs, and our own Episcopal Counseling Centers of the Diocese.

6. We have here used the phrase, "recovered alcoholic" to designate one who has accepted the reality of his or her disease and has undergone recommended treatment or has voluntarily become an integral part of Alcoholics Anonymous or other Twelve-Step programs. Alcoholism, though not curable, is most

definitely treatable. For this reason, treatment should not be seen as a “one shot” deal but as a program of ongoing sobriety and regular attendance at Twelve-Step meetings.

7. Suitable alternatives to alcoholic beverages shall be provided at all diocesan and parish social functions.

8. In declaring its dedication to use its resources to help in the healing of addiction, the diocese in no way renounces the Church’s traditional theological affirmation of the inherent goodness of God’s created order. The historic stance of the diocese has been and is against the abuse rather than the use of alcoholic beverages and other addictive substances. Puritanical and prohibitive attitudes toward the use of alcohol may aggravate rather than solve the problems.

9. A Committee on Alcohol and Substance Abuse Recovery has been appointed to advise and assist the Bishop, clergy and laity of the diocese.

### **Episcopal Church resources**

RACA - Recovered Alcoholic Clergy Association for clergy and their families.

NECAD - National Coalition on Alcohol and other Drugs) for clergy and laity.

PARISH NEWSLETTERS carry articles on addiction.

ALL TWELVE-STEP PROGRAMS - Contact your local Alcoholics Anonymous office or call the diocesan office.

## Background checks

All lay employees and clergy must have a background check, either initiated by the Church, School or through the Diocesan Office.

- a. **Conviction Check** [for all]
- b. **Driving Record** [if driving any vehicle]
- c. **Credit Check** [if handling any and all monies]
- d. **Sex offender registry check**

## Bishop's Office Policy

**Time and attendance:** The normal business hours for the Bishop's Office are Monday through Friday from 9 a.m. to 4:30 p.m. It is expected that each person will be ready to work promptly at 9 a.m.

There will be no personal business conducted during above working hours. This is to include work for churches and/or committees which is not part of the job description. Personal business may be conducted before or after working hours or at lunch.

Personal telephone conversations and E-mail transmissions are to be kept to a minimum.

**Vacation:** Paid vacation will be provided as follows:

1st year -- vacation will accrue at the rate of one day per month, starting Jan. 1 not to exceed two weeks.

2nd year -- two weeks

3rd year -- three weeks

6th year -- four weeks

It is expected that each person will take all of his or her vacation time each year. Carryover of unused time will be allowed by consent of the administrator for specific reasons, not to exceed two years. No more than two persons can be on vacation at the same time. Requests for specific vacation days should be made in writing to the administrator by January 31st. Subsequent requests will be considered on a first-come-first-serve basis.

One half of a day is the minimum time off for vacation.

The Bishop(s) and all Executive Staff will have four weeks vacation annually.

**Sick Leave:** Sick leave will accrue at one day per month of employment, to a maximum of ten days per year. A maximum of 20 sick leave days may be accumulated. Vacation leave may be utilized for illness in excess of the available sick leave accumulation. If you are ill and will be taking a sick leave day, you should call the Administrator as soon as practical.

The scheduling of doctor's appointments should be arranged that they do not require more than one hour of business time OR the time off will be treated as sick leave or vacation time. The minimum will be one half of a day.

**Maternity Leave:** Absence due to the delivery and recovery from childbirth will be treated as sick leave.

**Bereavement Leave:** In the event of the death of an immediate family member (spouse, child, parent, sibling or grandparent, step-parent or step-child) up to three days, may be granted with full pay. Travel time and distance may extend this time frame.

**Jury Duty:** If you are subpoenaed to serve on a jury you will be paid full salary for time served during your regular working hours. For compelling reasons the Administrator may ask that you petition the court for a postponement of your jury duty.

**Compensatory Time:** The staff in attendance at the Diocesan Convention will receive one day of compensatory time off at their choice.

**Pension:** The Diocese maintains a defined contribution retirement plan for lay employees and will contribute to for each employee with more than one year of employment and who has reached the age of 21. The current contribution level is 10% of gross compensation for support staff and 15% of gross compensation for executive staff.

The employee may participate in a voluntary 403(b) tax deferred annuity plan and contribute up to another 20% in the current plan.

The Diocese provides all clerical members of the staff a defined benefit retirement plan through the Church Pension Fund retirement program.

**Life Insurance:** Support staff employees will be provided group life insurance coverage in the amount of \$10,000 at no cost to the employee.

Executive staff will be provided group life insurance coverage in the amount of \$25,000; the Diocesan Bishop and any other Bishop will be covered in the amount of \$50,000.

**Health Insurance:** Health insurance coverage shall be made available to all diocesan employees. The employees shall be eligible for individual coverage at no cost. Those lay employees who elect to be covered under their spouse's policy may receive a supplemental payment of \$600 per year.

The Bishop and executive staff will be provided family coverage at no cost. If a spouse is eligible for coverage under another policy it is expected that the Diocese will not provide coverage.

The Diocese will provide lay employees, who have retired with at least 10 years of service to the Diocese a supplement of \$55 per month. No benefits are provided to spouses and/or dependents.

Clerical members of the staff are provided post retirement benefits in accordance with the separate benefits policy of the Diocese.

**Holidays:** The following are the paid holidays observed:

New Years Day  
Independence Day  
Day after Thanksgiving  
Martin Luther King, Jr. Day  
Labor Day  
Christmas Eve  
Presidents Day  
Columbus Day  
Christmas Day  
Good Friday  
Veterans Day  
Memorial Day  
Thanksgiving Day

**Compensation:** Compensation increases will be considered as part of the normal budgetary process of the diocese and will be effective on January 1 of each year. New employees will receive a review and adjustment to their compensation after three months in their position.

**Standards and Training:** People with hiring authority for employees working in any institution in the Diocese will obtain a background check prior to hiring.

For **employees entrusted with church funds** an employment credit check and a check for criminal convictions are required prior to hiring.

For **employees who routinely drive on church business** a driving record check and a check of criminal convictions is required prior to hiring.

1) A minimum of four (4) hours of training in the area of child **sexual abuse prevention** is required for:

- i) **All clergy**
- ii) **All employees**
- iii) **Volunteers who regularly supervise youth activities**

2) A minimum of four (4) hours of training in the area of **sexual harassment in employment** is required for:

- i) **All clergy**
- ii) **All employees**

**Safeguarding God's Children** is our Diocesan offering to assist congregations to comply with these standards. It is conducted at least 3 times a year in the Diocese.

**Termination and severance:** Any employee of the Diocese with **ten years or more** of service shall upon termination of employment, prior to entitlement of immediate retirement benefits, receive severance benefits from the Diocese as follows:

1. Continued monthly payments equal to monthly compensation paid by the Diocese at the time of termination, for a period of six months, and
2. Continued health insurance benefits for a period of twelve months after termination.

Any employee of the Bishop's Office with **more than one year and less than ten years** of service shall upon termination of employment, prior to entitlement of immediate retirement benefits, receive severance benefits as follows:

1. Continued monthly payments equal to monthly compensation paid by the Diocese at the time of termination, for a number of months equal to that proportion of six months which the number of years bears to ten and
2. Continued health insurance benefits for a number of months equal to that proportion of twelve months which the number of years of service bears to ten.

In any event, entitlement to and payment of severance benefits shall cease at the time the terminated employee secures another position of employment or upon qualifying for immediate retirement benefits, whichever event occurs first.

This policy is subject to modification by the Diocesan Council on a case by case consideration.

**Conflict of interest:** All potential conflicts of interest, both perceived and actual, are to be avoided. As stated in the Code of Ethics<sup>2</sup> of The Diocese the hiring, supervision or utilization of family members within the same church, school and organization shall be avoided. The Diocese recommends that no husband/wife should serve on the vestry.

**Retirement:** All members of the Bishop's Staff will retire from the Staff within ninety (90) days after attaining the age of 65 years.

**Bishop's office will also comply with all other diocesan policies.**

---

<sup>2</sup> Approved by the Standing Committee, September 6, 2000. Section V, "Clarity of Relationships."

# **Policies: Clergy**

## **Clergy Benefits, General**

Medical insurance is to be provided to all active stipendiary clergy and their families. Dependents with medical coverage provided through their employers or other sources may be excluded. Although it is not mandatory to obtain the coverage through the Church Insurance Company, the benefits provided through other insurers shall be equal or greater than those of the diocesan plans.

1. Group term life insurance protection, as provided through the diocesan group plan, is mandatory for all full-time stipendiary clergy. The amount of the coverage currently is \$25,000.
2. Participation of all eligible clergy in the Church Pension Fund retirement program is mandatory.

## **Clergy Benefits, Medical, Retirement**

### **Normal Retirement**

The Diocese will provide clergy who retire at age 65 or more and have at least 10 years of *full time* credited service in this diocese, Medicare Supplement coverage through The Medical Trust. This provides coverage for coinsurance and deductibles for Part A of Medicare. Individuals not eligible for Medicare will receive a credit equal to the current Medicare Supplement premium rate for coverage maintained through The Medical Trust.

### **Spouses of Clergy under normal retirement**

Spouses are provided the same Medicare Supplement coverage as above, provided they are eligible for Medicare. Individuals not eligible for Medicare will receive a credit equal to the current Medicare Supplement premium rate for coverage maintained through The Medical Trust.

### **Early retirement**

Clergy who retire prior to the age of 65 and have at least 10 years of full time credited service in the diocese, will be provided a credit, and computed as follows:

In 2003, the Diocese will pay \$55 per month for an unmarried clergy and \$110 per month for a clergy and spouse. The amount of the Diocesan stipend shall be reevaluated each year based on the programs being offered by The Medical Trust and the financial ability of the Diocese.

To be eligible for the above cost sharing, insurance coverage must be carried only through one of the programs of The Medical Trust.

### **Spouses of Retired Clergy who are under the age of 65**

Spouses of clergy who have retired with at least 10 years of service in this diocese will be eligible for the same benefits as outline above under "Early Retirement."

### **Disability retirement**

The Diocese will provide health insurance coverage for a member of the clergy who is *totally and continuously disabled*. The coverage for the beneficiary and spouse will continue until they are eligible for Medicare coverage and at such time the Medicare Supplement coverage will be provided. Other dependents will be covered until age 19. If the spouse or any dependents are eligible for paid health insurance coverage through other sources, no benefits will be provided by the Diocese.

### **Post-Retirement Changes In Status**

If the beneficiary marries or remarries subsequent to or within one year prior to retirement, no health insurance benefits will be provided to the new spouse.

### **Death**

In the event of the death of a beneficiary, the Diocese will provide medical insurance coverage for the spouse and other dependents. Spouses will be covered for life or until such time as they may remarry. When they are eligible for Medicare, the supplemental coverage will be provided. Other dependents will be covered to age 19 if they are full time students and live with the remaining spouse or are deemed dependent

by the Church Pension Fund. If the spouse or dependents are eligible for other health insurance coverage, the Diocese will provide no benefits.

### **Divorce**

In the event of divorce, the spouse will be permitted to continue to participate in the program; however, this must be paid for by either the former spouse or the beneficiary of the medical insurance benefits. This is subject to the eligibility requirements that may be established by the Episcopal Church Clergy and Employees Benefit Trust.

### **Deposed Clergy**<sup>3</sup>

Effective March 15, 2003, health insurance premium assistance would not be provided to clergy and their spouse if the clergy are deposed or renounced their ministry after March 15, 2003. The Bishop has the power to intervene in individual cases.

## **Clergy Continuing Education**

### **Canonical authority**<sup>4</sup>

Each diocese, through the cooperative efforts of the bishop and the commission on ministry, or other designated body, shall be responsible for:

- 1) Establishing minimum standards for continuing education, including what constitutes an acceptable program and the number of days or hours required per year;
- 2) Providing the ways and/or means, in collaboration with the leadership in the diocese, parish, and/or other institution, for continuing education to be made available to all clergy and lay professionals;
- 3) Developing standards and methods of accountability for assurance of compliance with their plan.

### **Policy**<sup>5</sup>

A) All active clergy<sup>6</sup> will take thirty-six (36) contact hours<sup>7</sup> of continuing education annually to be divided as follows:

- 1) Twelve (12) hours Religious Studies” from any of these six canonical areas — Scripture, Ethics, Theology, Church History, Liturgics, Contemporary Society. It is hoped that over a period of several years, each of these areas will receive attention.
- 2) Twelve (12) hours “Professional Studies.” These hours may include the canonical area Theory and Practice of Ministry and such things as Developing Community, Leadership Skills, Effective Communications, Demographics, Church Financial Planning, Volunteer Management, etc.
- 3) Twelve (12) hours “Personal Studies.” These hours may include such things as Interpersonal Skills, Living with Stress, Healthy Living, Meditation, Directed Retreat, etc.

B) All congregations and institutions of the diocese remunerating clergy must make adequate provisions of money and time to comply with this policy.

### **Accountability**

Using the form in the “Forms” section, complete and send to Diocesan House by March 1 for the activities of the previous calendar year. Form will be kept on file and referred to when clergy seek other deployment within the diocese or when references are requested from another diocese.

## **Clergy Supply**

The minimum stipend for supply clergy is \$125 for one service; \$150 or higher for two services; and \$200 or higher for three services.

All reasonable hotel and meal costs shall also be reimbursed.

Mileage is reimbursed at the current IRS rate.

---

<sup>3</sup> Diocesan Council, March 15, 2003

<sup>4</sup> Resolution a 074, General Convention, 2000

<sup>5</sup> Authority: Bishop and commission on Ministry, 2003

<sup>6</sup> Includes non-parochial, licensed and Canonically resident clergy.

<sup>7</sup> Contact hour: each hour the student and instructor are together in a learning situation. NOT a CEU.

## **Retired, Non-Parochial and Licensed Clergy**

Such clergy are required to report annually to the Bishop on the exercise of their office. Failure to do so will leave the Bishop with no other option than to presume that the cleric has abandoned the ministry of the Church. The Bishop's Secretary will mail out the necessary report forms. They are to be completed by March 1 for the year previous. A copy of the form is printed in the "forms" section of this Manual.

## **Retired Clergy from Other Dioceses, Licensing<sup>8</sup>**

Retired clergy who desire a license to officiate in this Diocese will...

**1) Get in touch with their Bishop of canonical residence.** We will conduct a telephone reference check as part of our practice of diligence. This will cover any known history of sexual misconduct, drug/alcohol abuse, financial misconduct and church discipline.

**2) Get copies of SMART training certificates.** This diocese requires the standard training for the prevention of sexual misconduct in a church setting (4 hours) and for the prevention of child abuse (4 hours).

**3) Get the support of a SWFLA Rector/Vicar.** While it is true that a priest is ordained for the whole Church, we are also called into collegiality. Bishop Lipscomb relies heavily upon the rectors and vicars in the Diocese to assist him with the supervision of all clergy. He will not license a priest unless he is first contacted by a Rector or Vicar who is willing to provide local oversight. This does not imply that you will join the parish staff.

**4) Authorize (sign a form for) a background check.** We will require a formal background check that involves a credit check for employment purposes, a county-by-county criminal arrest record and a driving record check. We expect that the cost of this will be borne by the congregation of the priest asking for you to be licensed.

**5) After licensing, you will be free to be listed as Supply Clergy.** To do so, contact the Deployment Office at (941) 556-0315. To make an appointment with the Bishop, talk to the Bishop's executive assistant (ext. 259) The Bishop will occasionally delegate such a meeting to a member of his Executive Staff.

## **Clergy Retreats**

Regular spiritual retreats, a program of continuing education, and appropriate sabbaticals are expected.

## **Clergy Transitions**

An Interim is a priest of the Church with specialized training from the Interim Ministry Network or a Diocesan Interim Ministry Training School. Information regarding the availability of Interim Clergy should be arranged through the Bishop's Office.

The title "Interim Rector" will apply only to those clergy who have completed formal training acceptable to the Bishop or Deployment Officer.

The title "Priest-in-Charge" will apply to all other full-time clergy serving in the transition having charge of the congregation.

The title "Supply Priest" will apply to clergy not serving in a full-time capacity.

---

<sup>8</sup> Source: Bishop Lipscomb, February 12, 2003

## **Ethical matters pertaining to the calling of the Interim or any assisting clergy to the Office of Rector.<sup>9</sup>**

There is an overwhelming body of evidence that tells us that, while there are exceptions, it is usually disastrous to call the Interim or clergy assisting in any way to be the Rector of the parish.

- 1) Such clergy have an unfair advantage of visibility to the congregation.
- 2) If done, a precedent would be set in the Diocese resulting in clergy seeking interim assignments for the purpose of being called as Rector, thus greatly damaging the whole Diocesan search process.
- 3) The Congregation may pass up better leadership than it is getting, even with a good interim (or assistant), if it fails to consider a larger number of potential candidates.
- 4) Clergy in the interim process may often lead in ways that would be unacceptable on the parish if he or she were to be called as Rector.
- 5) During the time of interim ministry, the parish is often uniquely vulnerable and therefore develops a relationship with the Interim or Assistant based on need and insecurity.

**Therefore, it is considered unethical for Interim clergy or clergy assisting under any title in the parish to be considered as a candidate for Rector.**

---

<sup>9</sup> Bishop Harris' policy statement of February 28, 1992. See also "Ethics of Transition " SWFLA Standing Committee action of March 18, 2000.

## Policies: Sexual Conduct<sup>10</sup>

- 1) **General Policy.** Sexual misconduct in any form is unacceptable behavior for any cleric, lay person, volunteer or employee. The Diocese reaffirms the principle that employees as well as church members have the right to be free from sexual misconduct including sexual harassment. Any behavior determined to be sexual misconduct will result in appropriate disciplinary action which may include for employees termination of employment, and for clerics, deposition.
- 2) **Youth Policy.** The Diocese prohibits any relationship between minors and anyone (i) who has a civil or criminal record of child sexual abuse, (ii) who has admitted inflicting prior sexual abuse, or (iii) who is known to have paraphiliac diagnosis<sup>11</sup> as defined by the American Psychiatric Association.
- 3) **Sexual Harassment.** The Diocese reaffirms the principle that harassment in any form is both inappropriate and unacceptable behavior. Sexual harassment is a form of sex discrimination and may be a violation of federal law under Title VII of the Civil Rights Act of 1964 and state law, and may be verbal, nonverbal or visual. This includes any unwelcomed sexual behavior where there is an employment, mentor or colleague relationship between persons involved. This includes but is not limited to:
  - unwelcome sexually-oriented humor or language
  - questions or comments about sexual behavior or preference
  - unwelcome or undesired physical contact
  - inappropriate comments about clothing or physical appearance
  - repeated requests for social engagements
- 4) **Sexual Exploitation.** This involves sexual or romantic relationships [actual or attempted] between a *church worker* and a person with whom she/he has a *pastoral relationship*, **whether or not** there is apparent **consent** from the individual. Such exploitation constitutes a betrayal of trust, and includes any of these activities during the course of the *pastoral relationship*.
  - sexual intercourse
  - erotic kissing
  - touching of genital area/breasts
  - verbal suggestions of sexual involvement
  - use of force [physical/emotional/supervisory] to gain sexual gratification

**Boundary Violations:** A boundary defines what is not appropriate or comfortable behavior.

Boundaries are violated when someone says or does something that another person feels is offensive, frightening, disrespectful, or injurious. A boundary violation can be verbal or physical. Boundaries provide limits that allow for safe connections between “you” and “me.”

- 5) **Sexual Misconduct.** The term sexual misconduct includes sexual abuse, harassment or exploitation:
  - a. *Sexual abuse* or *sexual molestation* is sexual involvement or sexual contact with a person who is a minor or who is legally incompetent;
  - b. *Sexual harassment* is unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature including 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 unwelcome requests for social engagements;

---

<sup>10</sup> First draft was submitted for review to the Standing Committee for their meeting August 19, 2003, and to the Diocesan Council for approval at their meeting August 23, 2003.

<sup>11</sup> e.g., pedophilia, exhibitionism, voyeurism.

- c. *Sexual exploitation* is the development of or the attempt to develop a sexual relationship between a cleric, employee or volunteer and a person with whom there is a pastoral relationship, whether or not there is consent.

**6) Allegations of Misconduct.** Allegations of misconduct may be reported to the Bishop or to individuals designated by the Bishop as Report Persons. In certain situations, defined under Title IV of the Canons of The Episcopal Church, a Charge may be filed directly with the Standing Committee. Allegations of sexual harassment of employees also may be reported to the Florida Commission on Human Relations and the Federal Equal Employment Opportunity Commission.

## **Application: Sexual Conduct Policy** <sup>12</sup>

- 1) These policies are equally applicable to every congregation and
  - a) Church-affiliated schools (including pre-schools)
  - b) movements within the Diocese such as Cursillo, Kairos, all youth programs or mission trips,
  - c) to facilities such as DaySpring or to
  - d) any other Diocese-related institution or group.
- 2) Those responsible for management or leadership of such organizations will fulfill the same reporting, investigative and other responsibilities described for congregations.
- 3) In cases of sexual abuse, certain duties fall upon Church personnel regardless of the identity of the perpetrator or the involvement of the Church. Church Leaders need to know that:
  - a) Sexual misconduct extends to “consensual acts”,
  - b) It is not dependent upon the existence of physical violence
  - c) There is almost always disparity in relationships and perceived power, “consent” is not possible
- 4) Any and all allegations will be taken seriously, and this uniform protocol will be used to insure justice and consistency.
- 5) We recognize the possibility of wrongful allegations occurring. A shared approach involving the Bishop, legal, mental health, and pastoral approaches is highly desirable.
- 6) Open communication between all involved will be encouraged while respecting privacy, which precludes involving anyone who is not directly involved or needed in evaluating a case. The Diocesan Office, Standing Committee and Youth Council, are committed to continuing dialogue and communication of all of these issues.
- 7) These standards will be evaluated and updated as needed.
- 8) Every instance of sexual misconduct must be regarded as serious and receive attention of the highest priority by all clergy and lay leadership of congregations. There are few if any matters on any Church agenda which surpass these in importance, in spiritual terms, in human terms, in terms of potential legal consequences to all of the individuals involved.

### **Standards and Training:**

People with hiring authority for employees working in any institution in the Diocese will obtain a background check prior to hiring.

- 1) **Background Checks** [including Criminal convictions] will be obtained for all clergy, lay professionals or volunteers who work with children and youth.

---

<sup>12</sup> Continuing policy rationale from 1996 Diocesan Manual.

- 2) For employees entrusted with church funds an **employment credit check** and a **check for criminal convictions** are required prior to hiring.
- 3) For employees who routinely drive on church business a **driving record check** and a **check of criminal convictions** is required prior to hiring.
- 4) A minimum of four (4) hours of training in the area of child **sexual abuse prevention & sexual harassment in employment** is required for:
  - a) All clergy
  - b) All employees
  - c) Volunteers who work with children & youth
  - d) Sunday school teachers
  - e) Eucharistic ministers/Eucharistic visitors
  - f) Diocesan leadership

Power is cumulative. It comes from another's vulnerability and this imbalance demands trustworthy behavior. Power and responsibility must be linked so that power is used in positive and beneficial ways. A **Church Worker** is any member of the Clergy [paid, volunteer, non-stipendiary, honorary]; any Lay Employee; any Lay Person working on behalf of the Church who is engaged in pastoral relationships.

**Pastoral Relationships** are relationships of trust between any Clergy Person, Lay Church Worker, Employee or Volunteer who:

- 1) provides counseling, pastoral care, spiritual direction, or spiritual guidance; or
  - 2) receives a confession or confidential or privileged information; or
  - 3) is in any mentoring or other relationship dependent upon trust
- and any person** [child, youth or adult] who is connected to the congregation in any way, either as a member, visitor, client, etc.

## **Standards for Programs for Youth and Young Adults**

[A Community Covenant incorporating these standards will be used for all Diocesan Youth Events. This Covenant and the other forms used for Youth Events can be found in the Youth Resources section]

**Standards for SAFETY at any Events:** These standards apply to all diocesan events that involve youth, i.e., those under the age of 18, or those over 18 who are still in high school. Only adults (25 or older – unless a 21-25 year old is employed by a church for youth work) may be advisors. Two adult supervisors must be present during any youth activity. No person attending any diocesan event is to be physically, emotionally, or sexually abused.

- 1) **Physical abuse** is defined as bodily injury of one person by another.
- 2) **Emotional abuse** is the devaluing of another, such as name-calling or indicating to another that he/she is worthless.
- 3) **Sexual abuse** is any sexual activity between a child and an adult or between children when there is an unequal distribution of power, such as when one is significantly older or larger. In addition, sexual misconduct will not be tolerated. Sexual misconduct includes sexual abuse, exposing a child or youth to sexually provocative material, inappropriate exposure by an adult to a youth, etc.

## Standards for Adults who Work with Youth

- 1) All adult advisors are to refrain from giving personal gifts or money privately to youth without first consulting the parents, or youth advisor or rector/vicar. Individual gift-giving is discouraged, unless all youth are included.
- 2) Youth advisors will meet regularly to openly discuss problems, accountability, policy clarification, personal feelings, and issues that interfere with youth ministry efforts. These meetings should be held under the supervision of a lay youth professional or clergy person. Annual Diocesan training for adults who work with youth will be provided each August. If there is sufficient need for additional training, a spring training session will be scheduled
- 3) No adult youth worker is to date a youth or become romantically or sexually involved with a youth or a child.
- 4) **All adult workers will be screened.** When a person has expressed an interest in working with children and/or youth, and has attended a church for 6-12 months, a formal interview with the rector/vicar, the person[s] responsible for youth ministries [e.g.: vestry person, youth director, etc.] is required. This “waiting period” will give the church an additional opportunity to evaluate applicants and volunteers, and will help to repel persons seeking immediate access to children. After the interview, the person must comply with the Diocesan policies. Copies of verification must be kept at both the local church office and at the Diocesan Office.
- 5) **Safeguarding God’s Children Training.** Training will be conducted at least 3 times a year.
- 6) **Background Check** [either initiated by the Church or through the Diocesan Office]. Minimum requirements for Adults who supervise or work with youth include:
  - a. **Conviction Check** [for all]
  - b. **Driving Record** [if driving children/youth]
  - c. **Credit Check** [if handling monies for children/youth events]
- 7) Any adult convicted of prior incidents of sexual misconduct or abuse will not be used in any capacity for diocesan youth programs. Any adult who is accused of improper behavior is to be removed from any positions which would give him/her access to children or youths, until the situation is resolved.

## Standards for Youth Participants at Events:

- 1) **Illegal drugs, alcohol, or over-the-counter stimulants** may not be used or be in possession of any adults or youth on or at diocesan youth activities. Anyone found with these substances will be excluded from the activity and sent home. **All diocesan youth activities prohibit smoking for ALL participants, team members and adults/sponsors.**
- 2) Youth left at a site for a diocesan activity are required to remain there under the supervision of the advisors until they have been picked up, and signed out by their parents/guardians. Parish adult advisors who participate in the activity and bring their youth to an event are required to maintain supervision of them.
- 3) ***Sexual relations between youth and/or inappropriate displays of affection will result in the youth involved being sent home.***
- 4) All youth must have parental/guardian, and rector/vicar’s permission to attend any diocesan event.
- 5) Once youth “check -in” at a diocesan event, any cars, trucks or other vehicles driven by youth to the event are to be parked in a designated area, and all keys are to be turned in to the adult sponsor or director of the activity or event. No youth is to drive during the course of the event or activity until returning home at the conclusion of the event.
- 6) All participants, youth and adults, will take responsibility for dressing appropriately;
  - Under garments may not be exposed
  - Pajamas may be worn only in sleeping area
  - Straps on tank shirts must be at least two inches wide
  - Midriffs may not be exposed
  - Finger-tip rule applies to shorts
  - Modest bathing suits are required. In the event a participant wears an immodest suit, they will be required to wear a dark colored t-shirt – bathing suits may not be worn in the dining hall
  - Participants will be asked to change clothes if their attire is inappropriate

- Flip-flops, sandals and any other open toed shoes are not allowed on the waterfront or ropes/challenge course. Only closed toed shoes such as water shoes, old sneakers, or similar footwear are acceptable.
- Shoes must worn be at all times. The only exception are the pool decks

## Standards for Events

- 1) No one will be discriminated against at any diocesan activity on the basis of race, color, gender, sexual orientation, physical disability, origin, ancestry, or religion.
- 2) No youth event in the diocese shall have less than two adult advisors. At the minimum, the national church standard of **one adult for every five** youth will be followed. The adult leadership will be reflective of the youth attending so that if there are male and female youth there must be male and female adult advisors. Experienced adult youth workers are to be included with adults who are newcomers to youth ministry
- 3) **No youth may attend any Diocesan Youth Event, Provincial/National Program without meeting Diocesan requirements for supervision.**
- 4) Separate sleeping arrangements for males and females will be provided for all overnight activities/events. A single adult and a single youth will never sleep alone in the same quarters. In addition, separate bathroom/shower facilities will be provided by gender (or specific times to use a single facility). Adult sponsors/advisors must either use separate shower facilities, or do so at a different time from the youth.
- 5) Adult advisors may not drop-off and/or pickup youth without being accompanied by another adult. Families should be made clearly aware that the family or parish is responsible for transporting children/youth to and from Church or Diocesan activities. This should be done by family members or a person selected, approved and identified to the parish or diocesan group. Children/youth may only be picked up by parents/guardians unless prior written permission naming the non-family member who is to provide transportation. Children and youth should never be allowed to remain alone on Church or diocesan property at the conclusion of activities. Two adults must remain until the last participant has departed
- 6) No circumstances should exist in which one adult is present with only one child/youth [e.g. riding in an automobile, or assignment to sleeping quarters, or a meeting or event which only one child/youth attends. At times when one-on-one interactions with youth cannot be avoided, another adult is to be present or must be aware of the place of consultation and who is being counseled. Every attempt will be made for the counseling to take place in a public place such as a corner away from but in clear view of others. Seclusion is to be avoided.
- 7) Children/youth are to be checked into an event or activity at a designated “registration area”, and are to be signed out by the person providing return transportation at the designated sign-out area.
- 8) All child/youth bringing prescription or over-the-counter medication must be in the original container, labeled with the participant’s name and dosage. Medication must be checked in with the event nurse at registration for the event.
- 9) All youth events are to function with an open-door policy. Clergy, parents, church staff members, parishioners all have a right to observe any youth activity at any time. All visitors to a youth activity/event must provide identification, and must sign-in/sign-out of the activity/event.
- 10) No one is to strike or hit anyone at any time. No weapons are to be brought to diocesan youth activities. Anyone in possession of any weapon will be sent home
- 11) No one is to be deprived of the basic human needs of food, shelter, sleep and clothing at any diocesan event. The national requirement is to provide 8 hours of sleep per night for youth events.

### Standards for Young Adult Events [ for Young Adults 18 years and older only]

We desire to build a welcoming and compassionate community of individuals knit together by the love of Christ and a shared quest for spiritual growth. Therefore, we pledge to refrain from those activities which

can produce divisions and destroy the safety of the community that we endeavor to create. We will abide by the following rules to insure a community that is Christ-centered:

- No alcohol or non-prescription drugs will be used while at any Diocese of SWFLA Young Adult event
- No persons will abuse, destroy deface or vandalize any property of the church or the diocese
- No persons will promote, engage in or force anyone else to engage in any behavior that constitutes sexual harassment or sexual or physical abuse
- Persons wishing to smoke will do so in a designated area
- No firearms or weapons of any type will be allowed

In addition to the above we will welcome each individual who wishes to join us and revel in the gifts that the diversity of our races, genders, religions, sexual orientations, ethnicities, and political views bring to our community.

I have read the above and desire to be an active part of such a community. I realize that my presence at the Youth Event will leave an impact on both the environment and the people around me, and I will endeavor to make that impact a positive one.

I authorize such medical treatment as necessary, and such additional procedures as are considered necessary during the course of medical examination. I hereby certify that no guarantee or assurance has been made as to the results that may be obtained.

I agree to grant the Diocese of Southwest Florida permission to photograph, videotape, or audiotape my participation in the any diocesan Young Adult Event.

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_

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

## **Procedures to follow if an Incident Occurs**

Any person who feels that he or she has experienced improper behavior is encouraged to report it to an adult advisor, the diocesan director of youth, young adult and higher education ministries, or the bishop as soon as possible. Any adult advisor who receives a report of any suspected or actual misconduct or abuse must report it to **the bishop at (800) 992-7699 or the dean of your deanery within 72 hours**. Anyone who has any questions about a specific situation and whether they should report it , is encouraged to report it anyway.

If there is reason to suspect there has been child sexual abuse, call the **Florida Abuse Hotline at (800) 962-2873**.

The parish treasurer should provide notification to the insurer which provide coverage to the congregation. (Notification should be put in the file as to the name of the person giving this notice, the name of the person to whom the notification is given, and the date and time.)

# Code of Ethics

**Diocese of Southwest Florida**  
**As approved by the Standing Committee Sept. 6, 2000**

## **A Covenant Based Relationship**

The nature of a Christian vocation is a covenant relationship where the love of God is the binding force and the source of grace that enables all to be faithful. The relationship between church leaders, especially the clergy, and their congregations is only effective where the bond between them is based on trust. Therefore, ethical norms must not only be seen legalistically, but as a loving means by which those who work within and represent, the church can be open to helping themselves, and those they care about, to avoid breaches of trust.

Specifically, the purpose of this Code of Ethics is:

- To affirm the rights of all persons.
- To emphasize that the behavior of individuals defines the realms of life and ministry.
- To set appropriate boundaries.
- To encourage the identification and resolution of issues before they become problems.
- To provide opportunities for support and help.
- To enable church members to be effective examples in word and action.

Each congregation must keep on file statements signed by its clergy, other employees, volunteers who regularly supervise youth activities, and vestry members, indicating that they have received the Code of Ethical Conduct; understand its contents, and affirm their commitment to these standards.

Prevention can avoid problems, for example, through background checks for prospective employees and volunteers who regularly supervise youth activities. Each congregation should be familiar with Diocesan policies, especially those concerning employment practices and guidelines for working with children. (See Diocesan Manual, *Policies and Procedures Regarding Sexual Misconduct*, dated 12/01/96.)

## **I. Responsibilities for Self**

As members of the church, we have made a commitment to pattern our lives in accordance with the teachings of Christ, so that we may be wholesome examples. One part of this commitment is to care for God's gift which we embody in ourselves and thus to proclaim in deed as well as word the Gospel of Jesus Christ by fashioning our lives in accordance with its precepts.

We express this care by intentionally:

- giving adequate attention to our spiritual physical and emotional health.
- committing ourselves to personal care and growth through supervisory, collegial or therapeutic support and spiritual direction; and when there is need, identified by ourselves, our friends or colleagues, by seeking appropriate assistance for our own personal problems or conflicts.
- providing time for personal growth, education and spiritual nourishment, as well as by encouraging clergy and staff to comply with the policies of the Diocesan Manual, Diocese of Southwest Florida, regarding vacations, sabbatical leave and continuing education.
- spending significant time with our family, household and community.
- seeking avenues of involvement in the wider community which allows us to relate to others in ways other than as congregational leaders.

## **II. Confidentiality**

The author of the letter of James well understood the importance of what we choose to say or not to say, recognizing that one of the most common human failings is the inability to control one's tongue, especially to keep silent [James 3].

Much of the work undertaken in the church is of a personal and confidential nature. As members or employees of the church, we should treat our work in a confidential manner. Specifically, the following standards should be upheld:

- "The secrecy of a confession is morally absolute for the confessor, and must under no circumstances be broken." [Book of Common Prayer, page 446]
- Information received other than through sacramental confession (counseling, spiritual direction, supervision, etc.) should be kept confidential unless:
  - a. Permission is given to share the information.
  - b. The law requires disclosure, such as in instances of child abuse.
  - c. A careful examination of the likely consequences of disclosure upon the individual, other persons, and the community, leads to the conclusion that, in the leader's best judgment, it is more responsible to disclose the information. If disclosure is indicated, it should occur only after consultation with the priest-in-charge.
- In all other matters and conversations, church members must respect the privacy of others.

## **III. Pastoral Relationships**

God calls each of us to wholeness through Jesus Christ and to know God's redemptive love through participation in the Body of Christ, which is the Church. Within the church, and for its nurture, God calls some to serve as counselors, entrusting to them the responsibility to care for those whom they serve as counselors. Faithful to this calling, and to promote healing and trust in pastoral relationships, we commit ourselves to the following standards:

In all pastoral relationships, we should:

- Make appropriate referrals when the needs of a counselee exceed those that the counselor can competently provide.
- Either be supervised on an ongoing basis by a mental health professional or refer the person being counseled to such a professional after six sessions around a given issue.
- Respect the right of the counselee to make decisions, and to help the counselee to understand the consequences of their decisions.
- Be cognizant of the vulnerability that exists between them and the counselee, and must not exploit the trust and dependency of these persons.

In all pastoral relationships we should not:

- Claim directly, or by implication, professional qualifications that exceed our actual qualifications or abilities.
- Charge fees or accept donations for pastoral care. Any persons charging fees for counseling outside the scope of church employment must have the appropriate professional credentials and carry their own professional liability insurance.
- Work in isolation, but must maintain interprofessional associations for the purposes of consultation, support and referrals.

In order to assure that the relationships within the Body of Christ remain free of conflicts, or the appearance of overreaching, members of the Church should not accept responsibility for the financial affairs of those in

their pastoral care, such as service as a financial advisor, executor, trustee, personal representative, or a power of attorney.

## **IV. Finances**

Throughout the scriptures, God demands justice and charity. We, as stewards, are called to exemplify a spirit of integrity, justice, charity, and compassion in all financial matters.

The following standards enable us to be faithful in matters of financial responsibility.

- The biblical tithing is the minimum standard of giving.
- Faithful stewardship of discretionary funds, defined as those funds to be used at the discretion of an individual clergy person, requires:
  - a. Clear written boundaries for use of these funds.
  - b. That such funds only be used for the needs of others.
  - c. Clarifying to the donors that discretionary gifts are not accepted for specific purposes.
  - d. Compliance with the *Internal Revenue Code*.

In addition, the role of clergy in financial matters of the congregation is not to control those operations, but to see that such matters are carried out morally and in accordance with the Diocesan Manual, Diocese of Southwest Florida, revised 12/01/96.

Congregations have both a canonical and an ethical obligation to provide financial support, at a level that allows the clergy to meet their financial needs without supplemental income, to those priests who serve the congregations.

Clergypersons are not to accept monetary gifts in excess of \$1,500.00 from members of their parish.

## **V. Clarity of Relationships**

Effective family relationships are built on a system of empathy, mutual support, and unconditional love. Effective organizational relationships are built on a system where responsibility, accountability, and authority are clearly defined. Family relationships within a church organization will impact how we deal with others, and how others deal with us.

For these reasons, the hiring, supervision or utilization of family members within the same church organization should be avoided.

## **VI. Exploitation of Others**

By virtue of our Baptismal Vows, we are charged to love, to serve and to nourish Christ's people, and to be vehicles of Christ's reconciling love. As members of the church, we shall treat others in ways that affirm life, not diminish it.

Exploitation concerns the abuse of power, disregard of another's dignity, and a betrayal of the trust and integrity of the professional relationship. All of us in the church, lay and ordained, should seek to live within the following guidelines as an expression of our desire to "love and serve Christ in all persons." (*Book of Common Prayer*, page 305.)

- Exploitation of others by conduct will not be allowed. Clear boundaries must be established and maintained by pastors and counselors to guard against any exploitation of a relationship of trust or dependence. The nature of these relationships is such that true consent to exploitive behavior is never possible.
- Exploitation can occur in the following ways:

1. **Sexual Abuse:** 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. This conduct includes, but is not limited to conduct which violates the criminal law. (Florida Statutes, Title XL VI, Chapter 775)
  2. **Sexual Harassment:** Sexually oriented humor or language; questions or comments about sexual behavior or preference; undesired physical contact; inappropriate comments about clothing or physical appearance; or repeated requests for social engagements.
  3. **Sexual Exploitation:** Shall include, but not be limited to, the development of, or the attempt to, develop a sexual relationship between a clergyperson, employee or volunteer and any person to whom such clergyperson, employee or volunteer provides counseling, pastoral care, spiritual direction or spiritual guidance or from whom such clergyperson, employee or volunteer has received confessional confidential or privileged information.
  4. **Inappropriate Contact:** Shall include behavior, suggestions or activity which compromise the physical and emotional health or welfare, of children and youth. Those with criminal or civil records of child abuse, or those with mental health diagnoses of pedophilia, exhibitionism or voyeurism or those who have admitted prior sexual abuse are prohibited from interaction with children and youth.
- Marriage is affirmed as the only appropriate setting for sexual intimacy. Employees of the church are expected to avoid any behavior, in word or deed, which would give public offense or become an impediment in their relationships with others. By exercising common sense, they should avoid places and circumstances where temptations may exist, and they should be aware of the danger signs of sexual boundary breakdown.
  - Unmarried employees should exercise common sense and discretion in dating, continuing to model healthy relationships within the congregation. Dating is never appropriate within a pastoral or a counseling relationship.
  - Behavior that attacks, belittles or maligns another on the basis of race, color, ethnic origin, sexual orientation, physical disabilities or age is not allowed.
  - Those who learn of exploitative behavior have an ethical and may have a legal responsibility to report such behavior, within the guidelines of confidentiality outlined above.

## VII. Assumptions Regarding Allegations of Misconduct

The policies regarding allegations of misconduct are based on the following assumptions:

- Prevention can avoid problems. By acknowledging a shared set of ethical expectations, thoroughly investigating prospective employees, and establishing and enforcing guidelines for these sensitive areas in our lives together, we can avoid actions and situations which distract us from, and may be destructive to, our shared spiritual journey.
- Every allegation of misconduct deserves serious consideration, and a timely response. Failure to respond promptly and appropriately to an allegation of misconduct can cause further damage, both to potential victims and to clergypersons, church employees, and volunteers who may be wrongly accused of misconduct.
- The Bishop must be made aware of alleged incidents of misconduct immediately. The Bishop, and others in positions of authority, hold both pastoral and disciplinary responsibilities. The Bishop, and others in positions of authority may ask for the assistance of, and consult with, other persons in confidence with respect to alleged incidents of misconduct.
- The church's pastoral concern is for the accused, and those making accusation, as well as possible victims, and the families and congregations of all involved. In cases where misconduct has been established, pastoral care should include legal and mental health concerns.