

# The First Church in Oberlin, United Church of Christ

## Policies and Procedures for a Safe Church

Adopted by the Executive Council on August 20, 2007

**I. POLICY PROHIBITING ABUSE, EXPLOITATION, AND HARASSMENT.** As a community of Christian faith, The First Church in Oberlin, United Church of Christ (hereinafter “the Church” and “UCC”) is committed to creating and maintaining programs, facilities, and a community in which members, friends, staff, and volunteers can worship, learn, and work together in an atmosphere free from all forms of discrimination, harassment, exploitation, or intimidation as defined in §V. All persons associated with the Church shall be aware that it is strongly opposed to sexual exploitation and sexual harassment and that such behavior is prohibited by Church policy. It is the intention of the Church to take action in an attempt to prevent and correct behavior that is contrary to this policy and, if necessary, to discipline any person who violates this policy. This policy shall become effective upon adoption by the Church’s Executive Council.

### II. MINISTERIAL CONDUCT

- A. Consistent with our understanding of the priesthood of all believers, **Authorized Ministers** are defined as “persons who hold ordained ministerial standing or have been commissioned or licensed by an Association of the UCC or Region of the Christian Church (Disciples of Christ).”
- B. **Ministers** to the congregation are defined as “persons authorized by the Church to carry out its ministry.” Ministers comprise elected or appointed leaders of the Church, paid personnel, and volunteers, as well as Authorized Ministers.
- C. It is important that all Ministers be adequately prepared and educated for the ministry in which they serve others and to understand the ways in which their use or misuse of authority may impact others.
- D. It is the policy of the Church to encourage its Ministers to nurture safety within **Ministerial Relationships** by being attentive to personal mental health, to education, to maintaining appropriate boundaries, and to the importance of referring those in need to supportive and helpful resources. A Ministerial Relationship is defined as “a relationship between one who carries out the ministry of the Church and the one being served by that ministry.”

### **III. REQUIREMENTS FOR CHRISTIAN EDUCATION MINISTERS TO CHILDREN AND/OR YOUTH.**

The Church is committed to providing a safe and healthy environment in which young people can learn about and experience God's love. In order to promote this, the Church hereby establishes the following requirements for ministry that falls within the purview of Christian Education for minors:

- A. All Ministers and all applicants for paid or volunteer positions in said ministry shall complete and submit the application/disclosure form appended hereto as Attachment 1.
- B. All applicants for paid or volunteer positions in said ministry shall be interviewed in person to assess the suitability of their character and qualifications for the position they seek.
- C. All applicants for paid positions in said ministry shall undergo a background check, including but not necessarily limited to inquiries of references and criminal-history-verification facilitated by fingerprint processing. The results of each background check shall be reviewed by the Personnel Committee and secured with other personnel records.
- D. The Director of Christian Education or, if that position is vacant, the Chair of the Christian Education Committee shall annually conduct a registered-sex-offender review for each paid or volunteer Minister in said ministry by searching for the Minister's name at the U.S. Department of Justice Web site, <[www .nsopr.gov](http://www.nsopr.gov)>. The results of each background check shall be reviewed by the Personnel Committee and secured with other personnel records.
- E. All volunteers in said ministry either shall have been members of the Church for at least six months or, if they are not members, shall have been associated regularly and frequently with the Church for at least six months. New members who have been friends of the Church need not fulfill an additional six-month requirement.
- F. Once these "Policies and Procedures for a Safe Church" are adopted, the Director of Christian Education shall provide awareness training and policy orientation to all Ministers in said ministry and shall also explain these policies and procedures to the Church's congregation.
- G. It is the policy of the Church to provide adequate supervision and safeguards for minors. In Christian Education situations in which all participants are not readily visible to each other, no fewer than two unrelated adults shall be present with children. Youth may assist an adult in supervising activities; however, such assistance does not alter the requirement that at least two adults be present. For the purposes of this policy, persons aged eighteen or over shall be deemed adults.
- H. Paragraphs A through G of this §III shall also apply to volunteer and paid Ministers in the Church Nursery.
- I. Written consent of one parent or guardian of each minor, as well as a completed medical release form, both forms appended hereto as Attachment 2, shall be required for all activities that take place away from Church property and for any overnight activities.
- J. Authorized Ministers of the Church shall attend all boundary workshops required by the UCC National Offices Guidelines or shall attend at least one UCC-approved workshop on this topic every three years, whichever is more frequent.

**IV. REQUIREMENTS FOR CERTAIN OTHER PAID MINISTERS.** The Church's commitment to providing a safe and nurturing environment extends beyond Christian Education for minors to encompass all Church members and friends in all Church programs and activities. Accordingly, the Church hereby establishes the following requirements for the Authorized Minister(s), the Director of Christian Education, the Director of Music, the Director of the Bell Choir, the Directors of the Church's Children's and Youth Choirs, the Preschool Teachers, the Secretary, the Sexton(s), the Nursery staff, and the Manager of the Church's Rental House.

- A. Paragraphs A, B, F, G, H, I, and J of §III shall also apply to paid Ministers in the aforementioned positions.
- B. All applicants for the aforementioned paid positions shall undergo a background check, including but not necessarily limited to inquiries of references and criminal-history-verification facilitated by fingerprint processing. The results of each background check shall be reviewed by the Personnel Committee and secured with other personnel records.
- C. The Personnel Committee shall annually conduct a registered-sex-offender review for each paid Minister who serves in one of the aforementioned positions by searching for the Minister's name at the U.S. Department of Justice Web site, <[www.nsopr.gov](http://www.nsopr.gov)>. The results of each search shall be secured with other personnel records.

**V. DEFINITIONS OF SEXUAL EXPLOITATION AND SEXUAL HARASSMENT.** Sexual Exploitation and Sexual Harassment of Church members or other persons by any Minister are unethical behavior and shall not be tolerated. Said members or other persons shall be understood to include gay, lesbian, bisexual, transgender, and straight individuals of all ages.

- A. **Sexual Exploitation** is defined as "sexual activity or contact (not limited to sexual intercourse) in which a Minister engaged in a Ministerial Relationship with another person takes advantage of the vulnerability of the person being served by causing or allowing that person to engage in sexual behavior with the Minister."
- B. **Sexual Harassment** is defined as "repeated or coercive sexual advances toward another person contrary to his or her wishes." It includes behavior directed at another person with the intent of intimidating, humiliating, or embarrassing that person or subjecting him or her to public discrimination.
  - 1. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute Sexual Harassment when:
    - a. Submission to such conduct is made either explicitly or implicitly a term, condition, or circumstance of instruction, employment, or participation in any Church activity.
    - b. Submission to, or rejection of, such conduct by a person is used as a basis for evaluation in making personnel or Church-related decisions affecting that person; or
    - c. Such conduct has the purpose or effect of unreasonably interfering with a person's performance or participation in Church activities or of creating an intimidating, hostile, or offensive work or Church environment.

## V. DEFINITIONS OF SEXUAL EXPLOITATION AND SEXUAL HARASSMENT, *continued*

2. Prohibited Sexual Harassment includes unsolicited and unwelcome contact that has sexual overtones, particularly:
  - a. Written contact, such as sexually suggestive or obscene letters, notes, e-mail messages, or invitations;
  - b. Verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender-specific traits, or sexual propositions;
  - c. Physical contact, such as intentional touching, pinching, brushing against another person's body, impeding or blocking a person's movement, assault, coercing sexual intercourse; and
  - d. Visual contact, such as leering or staring at another person's body, gesturing, or displaying sexually suggestive objects or pictures, cartoon, posters, or magazines.
3. Sexual Harassment also includes continuing to express sexual interest after being informed directly that the interest is unwelcome and using sexual behavior to control, influence, or affect the career, salary, work, learning, or worship environment of another.

**VI. PROCEDURES FOR HANDLING COMPLAINTS.** A subcommittee (hereinafter "**Response Team**") comprising no fewer than two members, one male and one female, shall be appointed by the Executive Council each year in preparation for the possibility of hearing complaints of Sexual Exploitation or Sexual Harassment under these Policies and Procedures for a Safe Church. This Response Team shall include the Director of Christian Education and one Executive Councilor of the gender opposite to that of the Director of Christian Education, unless said Director is the accused or the position is vacant. The subcommittee shall be familiar with the terms of said policies and procedures.

- A. A written summary of the Response Team's proceedings shall be maintained in all cases.
- B. The person(s) toward whom the inappropriate behavior is directed need not be the complainant. Moreover, neither consent nor acquiescence shall excuse or exonerate inappropriate behavior. At any time the Church may initiate or proceed with the formal complaint process specified in ¶¶ of this §VI.
- C. In determining whether alleged conduct constitutes Sexual Exploitation or Sexual Harassment, consideration shall be given to the record of the alleged incident(s) as a whole and to the totality of the circumstances, including the context in which the alleged incident(s) occurred.
- D. No person who files a complaint of Sexual Exploitation or Sexual Harassment or who assists in the investigation of such a complaint shall be adversely affected in terms and conditions of employment or Church membership or affiliation or shall be otherwise discriminated against or discharged.

## VI. PROCEDURES FOR HANDLING COMPLAINTS, *continued*

E. Several approaches may be taken in addressing an incident of alleged Sexual Exploitation or Sexual Harassment:

1. The complainant may attempt to resolve the matter directly with the person who is accused of Sexual Exploitation or Sexual Harassment;
2. The complainant may report the incident to the Authorized Minister, the Director of Christian Education, or the Moderator in an effort to resolve the matter informally; or
3. If an informal resolution of the complaint does not seem wise, appropriate, or possible, or if said resolution does not succeed, the complainant may request that the Response Team institute formal proceedings.

F. Formal proceedings shall comprise the following steps and actions:

1. The Response Team shall advise the Authorized Minister and the Moderator of the receipt of all complaints and shall inform them regularly of ongoing steps and actions taken. If the Authorized Minister or the Moderator is the accused, however, this notice requirement shall not apply;
2. The Response Team shall gather statements and/or other information from the complainant, the accused, and any other persons involved in the alleged Sexual Exploitation or Sexual Harassment and from others who may have pertinent information. The team shall present such information to the Executive Council or to an appropriate subcommittee thereof; and
3. The Executive Council, or an appropriate subcommittee thereof, shall make determinations and take actions appropriate to resolve the matter.

G. Resolution of the complaint shall take one of two forms:

1. If the Executive Council, or an appropriate subcommittee thereof, finds that Sexual Exploitation or Sexual Harassment **did not** take place, the Response Team may seek the advice of legal counsel or others to advise it in performing its functions; or
2. If the Executive Council, or an appropriate subcommittee thereof, finds that Sexual Exploitation or Sexual Harassment **did** take place and that the appropriate body of the Church should be called upon to take action, such action to comprise one or more of the following:
  - a. A formal reprimand, with defined expectations for changed behavior;
  - b. A recommendation of psychological or psychiatric assessment, counseling, and/or treatment;
  - c. Probationary standing, with the terms of the probation clearly defined; and/or
  - d. For paid personnel, dismissal from employment; for volunteers, dismissal by loss of affiliation with, or membership in, the Church.

## **VI. PROCEDURES FOR HANDLING COMPLAINTS, *continued***

H. If either the complainant or the accused is not satisfied with the Response Team's disposition of a matter of Sexual Exploitation or Sexual Harassment, he or she has the right to appeal to the Moderator, or to the Acting Moderator if the Moderator is the accused, who shall refer the matter to the Executive Council. The subject of any such appeal to the Executive Council shall be limited solely to whether the procedures specified in these Policies and Procedures for a Safe Church were followed. The matter shall not be reconsidered on its merits, and the decision of the Executive Council shall be the final resolution of the matter. If the Executive Council determines that the procedures of this policy were not followed, it shall refer the matter back to the Response Team to complete the processing of the complaint in accordance with these procedures.

## **VII. CHILD ABUSE**

- A. Apart from any legal requirements, the Church shall transmit a report to appropriate authorities, including but not limited to the State of Ohio Department of Job and Family Services, if at any time the Church has reasonable cause to believe that a minor may be abused or neglected.
- B. Any Minister who becomes aware of facts or circumstances that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future shall immediately report the matter to the Authorized Minister and the Moderator so that the Church can take appropriate action in a timely manner.
- C. The current Lorain County Child Abuse Hotline is 440-329-2121.

## **VIII. CLERGY**

- A. Apart from any disposition of a matter of Sexual Exploitation or Sexual Harassment by the Church, all allegations of behavior that call into question any Authorized Minister's fitness for ministry shall promptly be forwarded to the Church and Ministry Committee of the Western Reserve Association of the UCC.
- B. The telephone number of the Western Reserve Association is 216-749-3116.