

**Ethical Guidelines
for the Conduct of Ministry:
Policies and Procedures**

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The Diocese of Northern Indiana

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PART 1: THEOLOGICAL BASIS AND DEFINITIONS

I. The Need for A Code of Ethics for Ministry

All Christian ministers, whether they are formally ordained or not, bring God's healing and saving presence to men and women through the mediation of ancient and powerful symbols. The exercise of this symbolically mediated grace is complex, subtle and pervasive. It is both conscious and unconscious; both open and hidden. The presence of the symbolic power of ministry is clear in the sacramental elements, or in sacred readings and prayers. But it is also exercised in uncountable subtler, and more intimate and personal ways: in the choice of words, gestures, and actions; and in the communication style of the minister. Surrounding all of these elements, immense personal power is implicitly present in the very context of being a minister to another. This presence of symbolic power, often hidden and implicit, touches those ministered to at the deepest and most fragile places in their lives and memories. There is, consequently, present in every act of ministry an uncalculated, profound potential to heal or to wound, without either the minister or the one ministered to being fully aware of what has taken place.

This profound potential to heal or to wound is influenced by a minister's attention to his/her own spiritual, emotional and physical health. When any one of these is out of balance, a minister is at risk of inflicting wounds, or at the very least, impeding healing. The following guidelines are offered as a framework by which ministers can tend to their own health needs, and thus further enable them to preach and live the Gospel for those to whom they minister.

II. Definitions of Sexual Misconduct Involving Pastoral Care

A. Sexual misconduct involving pastoral care is unethical behavior by a clergy person, employee or volunteer involving a person with whom he or she has a pastoral relationship.

1. 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; forms of sexual abuse include **non-physical** (indecent exposure, obscene phone calls, voyeurism, viewing pornography, posing for pornography), **physical** (fondling, genital or oral stimulation, sexual intercourse), and **violent** (rape, beatings, other forms of sadistic abuse).

2. Sexual harassment in a situation where there is an employment, mentor or colleague relationship between the persons involved, including but not limited to, sexually-oriented humor or language; questions or comments about sexual behavior or preference unrelated to employment qualifications;

undesired physical contact; inappropriate comments about clothing or physical appearance; or repeated and unwelcome requests for social engagements.

3. Sexual exploitation, including but not limited to, the development of or attempt to develop a sexual relationship between a cleric and a person with whom he or she has a pastoral relationship, whether or not there is apparent consent from the individual.

B. Pastoral Relationship means a relationship between a cleric, employee or volunteer and any person *to* whom such cleric, employee or volunteer provides counseling, pastoral care, spiritual direction, or spiritual guidance or *from* whom such cleric, employee, or volunteer has received confession or confidential or privileged information.

C. Dual Relationship means that two types of relationships exist simultaneously between a cleric, employee or volunteer and any person *to* whom such cleric, employee or volunteer provides counseling, pastoral care, spiritual direction, or spiritual guidance or *from* whom such cleric, employee, or volunteer has received confession or confidential or privileged information. For example, a priest who has received privileged information from a parishioner may also consider that parishioner his/her friend. As such the priest/parishioner relationship exists simultaneously with the friend/friend relationship. When such **dual relationships** exist, they should be considered to be permissible only insofar as they do not conflict with each other. At such times as conflicts do arise, the priest (or other church worker) should consider the priest/parishioner obligation to be primary.

D. Church Worker (in this document) means any person, clergy or lay, paid or unpaid who works on behalf of the church.

III. The Nature of the Pastoral Relationship

In a relationship when one person assumes an established and accepted position of authority and responsibility over another person, that person is said to hold power over the other. This establishment of power can arise from a number of sources including one's 1) occupation, 2) experience or expertise, 3) physical size and/or attractiveness, 4) socio-economic status, 5) gender. Such accumulation of power implies an imbalance of power in relationships.

In the rite of ordination, "...God gives authority and the grace of the Holy Spirit to those being made bishops, priests and deacons, through prayer and the laying on of

hands by bishops.” (BCP 860-861). While the ministry of all Christians is “to represent Christ and his Church,” the authority granted to ordained ministers in particular endues those ministers with power to proclaim God’s word, administer sacraments, act in Christ’s name for reconciliation, pastor congregations, serve those less fortunate. In short, the type of power that is conferred on ordained ministers is not conferred on the laity, and as a result, an imbalance of power exists in any pastoral relationship between an ordained clergy person and a lay person.

Where this imbalance of power exists, the potential for abuse is heightened. The clergy person must always keep the needs of the parishioner and the church as a priority in all relationships. In the pastoral relationship, by virtue of the authority and responsibility conferred on them, ordained clergy have a duty of TRUST to those they serve. Such a *fiduciary duty* charges them to place the needs of others above the needs of themselves.

Any breach of pastoral ethics violates this duty of trust; and sexually abusive violations especially damage not only the person being violated, but the whole of Christ’s church.

PART 2: CODE OF ETHICS

The following guidelines are suggested as a way for clergy to maintain their responsibility to God, to others and to themselves. The focus is on maintaining positive spiritual, emotional and physical health and on exercising ministry in a way that keeps all involved safe and healthy. Though not a legal document, these guidelines establish the ethical standards that govern professional conduct in ministry.

- A. The role of the clergy is to promote spiritual, emotional and interrelational health within their constituencies.
- B. At all times, clergy avoid harming the individuals they serve and treat them with respect, dignity and acceptance.
- C. Clergy are responsible for outlining to groups and individuals that they serve, the nature, goals and purpose of their helping relationship, and the limitations of such a relationship.
- D. Clergy inform their congregations, groups and individuals whom they serve of their levels of education, training, and areas of competency. They offer services only within the scope of their knowledge, training and competency.
- E. Clergy obtain regular training, particularly in the areas of abuse prevention and professional ethics, in order to increase their education and keep their skills current.
- F. Clergy promote trust among the individuals they serve by keeping communication with those individuals confidential. They respect individuals' right to privacy except in those instances where others may be harmed or where local state or federal laws would be violated.
- G. Clergy are aware and acknowledge that given their role as clergy, in relationships, their status and power are unequal and they have power over those they serve.
- H. Clergy recognize that dual or multiple relationships increase the risk of harm to those whom they serve, including the possibility of exploitation and sexualized relationship. They make efforts to avoid the establishment of such relationships, or establish them only cautiously. When such relationships do exist, they seek consultation so as to examine any areas that might compromise their ability to provide services.
- I. Clergy engage in reasonable activities to promote their physical, emotional and spiritual health; if such health declines to the extent that it impairs the clergy's level of functioning, they will seek consultation to help determine the extent to which competency is impaired,

- J. and whether or not the workload needs to be redirected until functioning is restored. This may include referring parishioners to other helping professionals.
- K. Clergy adhere to diocesan policies regarding sexual abuse and harassment and all local, state and federal guidelines regarding the reporting of neglect and abuse. *In the State of Indiana, all persons (including clergy) are mandated to report instances of child neglect and abuse.*
- L. Clergy seek consultation and supervision when assisting parishioners with mental health issues, and refer these parishioners to therapists and other professionals when the mental health issues are beyond the clergy's level of education, competency or training.
- M. Clergy do not engage in sexual harassment with members of their parishes or organizations they serve, colleagues, postulants, candidates for ordination, or others whom they supervise.
- N. Clergy respond to unethical behavior of colleagues by talking directly with the colleague and, if no resolution occurs, may report the colleague to the Bishop or the Canon to the Ordinary.

PART 3: POLICIES AND PROCEDURES FOR THE PREVENTION OF SEXUAL MISCONDUCT IN YOUTH/CHILDREN'S MINISTRIES

CODE OF CONDUCT FOR PROTECTION OF 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. A **Code of Conduct** (See Appendix C) has been adopted by the Diocese of Northern Indiana to help the church 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 Code and 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.

I. GENERAL DEFINITIONS

A. 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:

1. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church.
2. All paid personnel whether employed in areas of ministry or other kinds of services by the diocese, its congregations, schools or other agencies.
3. Those who contract their services to the diocese, its congregations, schools or other agencies.
4. 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.

B. 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. A **youth** may also be an individual who is 18 years old or older, but still in high school.

C. 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:

1. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church.
2. 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.
3. 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.
4. All persons who provide transportation to children or youth without other adults in the vehicle more often than occasionally.
5. Any paid personnel whose living quarters are on the grounds of the church, school or other related agency.
6. All 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
- Volunteer youth directors
- All Church Personnel who work or assist in the nursery more than four times a year
- All Church Personnel who work in the nursery if they are the only person over 21 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

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:

1. Church school teachers.

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

D. TYPES OF ABUSE

1. **Physical abuse** is non-accidental injury, which is intentionally inflicted upon a child or youth.
2. **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, child or youth.
3. **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.
4. **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.
5. **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.
6. **Economic exploitation** is the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a child or youth's belongings or money.

II. SAFEGUARDS FOR CHILDREN AND YOUTH

A. SCREENING AND SELECTION

1. Any and all Church Personnel who REGULARLY OR OCCASIONALLY WORK WITH OR AROUND CHILDREN OR YOUTH shall be screened and selected utilizing at least the following:

- a. 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 C).
- b. SEXUAL OFFENDER REGISTRY CHECK in any state where the applicant has resided during the past seven (7) years.
- d. INDIVIDUAL INTERVIEW with the applicant.
- e. REFERENCE CHECKS of persons outside the congregation who know the applicant, preferably who know how the applicant works with children.
- f. DRIVING OR MOTOR VEHICLE RECORDS CHECK

2. Any and all Church Personnel who OCCASIONALLY WORK WITH OR AROUND CHILDREN OR YOUTH shall be screened and selected utilizing at least the following:

- a. Signature of the CODE OF CONDUCT (Appendix C).
- b. INDIVIDUAL INTERVIEW with the applicant.
- c. AT LEAST ONE REFERENCE CHECK, if the applicant is unknown to the congregation.
- d. DRIVING OR MOTOR VEHICLE RECORDS CHECK.
- e. SEXUAL OFFENDER REGISTRY CHECK.

3. 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.

4. Church Personnel who work with or around children or youth must have a personnel file that is kept where other church records are kept.

5. Sexual offender registry checks will be conducted every five (5) years for Church Personnel who Regularly Work With or Around Children or Youth.

6. To the extent possible, no person will be permitted to supervise an immediate family member when working with or around children or youth. For the purpose of this policy, immediate family member is defined as spouse, partner, child, parent, sister, brother, similar in-law relationship, stepchild, stepparent, stepsibling, grandparent, or co-habitant.

7. Church Personnel who transfer within the Diocese of Northern Indiana 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 personnel file 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 personnel file.

B. EDUCATION AND TRAINING REQUIREMENTS

1. 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 or, if that is not possible, one hour of child abuse awareness training before they start their work and the rest of the training within three months of starting.

2. One hour of child abuse awareness education and training is required for all CHURCH PERSONNEL WHO OCCASIONALLY WORK WITH OR AROUND CHILDREN OR YOUTH before they start their work with children or youth.

3. Church Personnel who are responsible for screening, selection and supervision of others in programs for children and youth are required to complete an additional three (3) hours of specialized education and training in screening, selection and monitoring every two years.

C. 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 guideline 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.

1. Every program for children and youth must have established ratios for adults and children. Compliance with the established ratio is required at all times, including activities that occur off church premises.
2. Church Personnel are prohibited from being alone with a child or youth or multiple children or youth where other adults cannot easily observe them.
3. Church Personnel over the age of 21 must directly supervise Church Personnel under the age of 18 and be physically present during all activities.
4. 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.
5. 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.
6. Each program will develop age-appropriate procedures to ensure the safety of children and youth using restrooms and showers or baths.
7. 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.
8. At least two unrelated Church Personnel must supervise activities. When both boys and girls are participating, male and female adults must be present.

D. 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.

1. All Church Personnel who work with children or youth must agree to comply with the Diocesan Guidelines for Appropriate Affection (Appendix A).
2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.
8. Church Personnel are prohibited from dating or becoming romantically involved with a child or youth.
9. Church Personnel are prohibited from having sexual contact with a child or youth.
10. Church Personnel are prohibited from possessing any sexually oriented 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.

11. 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.
12. 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.
13. Church Personnel are prohibited from sleeping in the same beds, sleeping bags, tents, hotel rooms or other rooms with children or youth unless the adult is an immediate family member of all children or youth in the bed, sleeping bag, tent, hotel room or other room. *It is acceptable to have multiple adults sleep with all the children or youth participating in one open space such as a church basement or camp lodge.*
14. Church Personnel are prohibited from dressing, undressing, bathing, or showering in the presence of children or youth.
15. 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.
16. Church Personnel are prohibited from using harsh language, degrading punishment, or mechanical restraint such as rope or tape for behavior management.
17. 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.

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 for Protection of Children and Youth from Abuse, they must immediately report their observations. *Examples of inappropriate behaviors or policy violations 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, if the person is not the rector,
 - c. A telephone call or meeting with a church warden if the person is the rector;
 - 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.
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 of the 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 may be reported to the Diocese of Northern Indiana in the following ways:
 - a. A telephone call, meeting, or fax to the bishop;
 - b. A telephone call or meeting with the rector, if the rector is not the person being complained about.
 - c. Submit a NOTICE OF CONCERN (Appendix B), signed or unsigned, to the bishop.
5. The Diocese of Northern Indiana 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 Northern Indiana.

PART 4: INFRINGEMENTS OF THE CODE

I. Due Process for Allegations of Sexual Misconduct

A. General Principles

1. Sexual misconduct in any form is forbidden on the part of any church workers, clergy or lay, in this Diocese of Northern Indiana.
2. In cases of reported sexual misconduct the safety and well-being of the victim will be given the utmost care and consideration. The parish church or diocesan institution where the incident has been alleged is deserving of the most caring and sensitive pastoral care from the bishop and from the diocesan representatives as well.
3. Church workers can be wrongfully accused of sexual misconduct; thus, principles of fairness and due process as well as pastoral care of the accused and their families must be compassionately and sensitively provided.
4. The bishop holds both pastoral and disciplinary responsibility for actions to be taken. However, it is the intention of this policy to provide the bishop with a structure and a team to evaluate and pastorally act on allegations as quickly as possible.
5. Accusations should be directed to the bishop by written statement documenting the allegations in detail as soon as possible.
6. The privacy of all individuals should be preserved within the limits of due process of law. The bishop should therefore, take care not to place any conversations regarding allegations within the sacramental context.
7. Unless an allegation is seen to be obviously or patently unfounded or trivial, the bishop should employ the policies and procedures of this manual for every allegation.
8. In cases of alleged child abuse, the Bishop or employer will notify relevant law enforcement authorities and cooperate fully with them. Further ecclesiastical action will be guided by the progress of any law enforcement investigation.
9. If the Bishop is the alleged offender, the president of the Standing Committee will assume the roles otherwise delegated to the Bishop in consultation with the Presiding Bishop's office.

B. Response Procedures

1. Any allegation of sexual misconduct must be made in writing and must be signed by the person making the allegation or by a legal representative of that person, except in those instances where an anonymous complaint is supported by strong corroborating evidence.

2. Upon receipt of the written allegation, the bishop will, within one working day, notify the Chancellor of the Diocese and the Church Insurance Corporation, the Investigative Response Team, and the Pastoral Response Team.

3. The bishop or depute of the bishop will meet with the person making the allegation at the earliest possible date following receipt of the written allegation to listen to her or his complaints and concerns of that person. Persons making allegations will at all times be treated with courtesy and compassionate concern, and their allegations will be carefully investigated even when there are doubts about the seriousness of the complaint. A member of the Pastoral response team will be present as an advocate for the accuser. Other persons who may be present at this meeting are: the chancellor, diocesan staff or consultants, at the request of the bishop; legal counsel or supportive family or friends, at the request of the person making the complaint. This meeting should be informal enough and the number present should be small enough so as not to be intimidating for the person making the allegation. A written report shall be kept of the interview, and the report reviewed, approved and signed by the person making the allegation. The Chancellor, or his designee, will be responsible for creating the written report.

4. The bishop or depute of the bishop will meet with the church worker against whom the allegation is made as soon as possible. This meeting may be before or after the meeting with the complainant in #3 above. The same considerations, informality, and procedures apply in this meeting as apply in the meeting above. A member of the Pastoral Response Team will be present as an advocate for the accused.

5. Should the bishop be presented with conflicting stories, then he or she will advise both parties of their right to provide additional documentation or other relevant material. A member of the Pastoral response team will be available to the accused and another member will be available to the accuser for the purpose of pastoral care.

6. If the facts of the allegation are admitted by a church worker who is a clergy person, or circumstances are so grave as to pastorally warrant it, the bishop may, in accordance with canon law, direct the accused to refrain from the exercise of ordained ministry while procedures are pending. If the church worker is a lay employee, the bishop may ask their rector or other direct employer to suspend their services pending investigative procedures. A member of the Pastoral Response Team will be available to the accused and another member will be available to the accuser for the purpose of pastoral care.

7. If the allegation is already public, or is widely known in the parish or institution of the church worker, the bishop or depute of the bishop will meet as soon as possible with the leaders of the parish or institution to assess their immediate pastoral needs.

8. Investigative Response Team: The bishop will have appointed a permanent, trained Investigative Response Team of no less than three members, and in which there will be lay and clergy as well as female and male representatives to:

- a. Carry out an investigation and determine if there are sufficient grounds for disciplinary action.
- b. Report their findings to the bishop and the chancellor.
- c. Advise the bishop as to appropriate disciplinary procedures, treatment resources, and appropriate deployment of the Pastoral Response Team.

- 9. Pastoral Response Team:** The bishop will have appointed a permanent, trained Pastoral Response Team of no less than three members, and in which there will be a lay and clergy as well as female and male representatives, to be sent at the proper time to the parish or institutional community for the purpose of facilitating pastoral and spiritual healing.

Whether the allegation is admitted, challenged, or dismissed, pastoral meetings with the congregation or institution involved may occur as appropriate:

- a. One meeting with the lay leadership
 - b. One to three meeting(s) with the congregation or institution, with the actual number to be determined in consultation with the lay leadership. The bishop will decide at what point in the investigative process to deploy this team.
- 10.** In the event that disciplinary action is recommended and the accused church worker wishes to challenge the recommendation, the bishop may act in accordance with the canons to restrain the church worker from the practice of ministry pending the resolution of the matter.
- 11.** Written documentation shall be made of each of the procedural steps outlined above, as these steps are taken. Such records will ordinarily be regarded as confidential, although the bishop will cooperate by furnishing to appropriate civil or criminal authorities, on request, any materials that would ordinarily be obtained by a proper subpoena.
- 12.** If it is determined that there is no substance to the allegation, the bishop will place a note in the file of the accused, recording the determination of “no substance”. Due to the nature of such an allegation, a member of the Pastoral Response Team will be made available to the one against whom the allegation was made, for pastoral care.
- 13.** Whenever an evaluation of evidence indicates sexual misconduct by an individual, before being re-employed or returned to service in the church or institution a professional rehabilitation assessment and recommendation shall be obtained. This procedure will be done in consultation with the Church Insurance Company. In addition, CIC requires:
- a. If ordained clergy, endorsement by the bishop of canonical residence and bishop of current jurisdiction (if different), and

- b. A requirement that the offender make amends to any aggrieved parties to the satisfaction of ecclesiastical superior.
14. Should the accused church worker be recommended for treatment while continuing in some form of ministry, the bishop, or appointed deputy of the bishop, shall receive reports from the clinical providers as to the progress in treatment on, at least, a semi-annual basis.
 15. Whenever the recommendation for treatment is based on evidence of child sexual misconduct, the accused will not be deployed in ministry during treatment, and will not be deployed in any form of ministry involving direct contact with youth even after treatment, unless they are cleared of the allegations.
 16. The bishop, or appointed deputy of the bishop, will maintain pastoral contact with the person making the allegation, and will make every reasonable effort to assist that person in obtaining appropriate treatment
 17. Written material which is produced in this process will be filed in the bishop's office in a locked file. Except for circumstances detailed in procedure #11, these files will not be released. Once both church and civil investigations are complete and recommendations made, however, the results whether negative or positive, as well as the recommendations, and treatment progress reports will be entered by the bishop into the regular file of the person accused. The bishop will be responsible for the discreet use of this information to prevent inappropriate future deployment or employment. In the case of a lay church worker, the rector or director of the parish or institution will receive said results and recommendations and similarly be responsible for their discreet use.

Part 5: Background Checks

The Diocese of Northern Indiana has a legal and ethical responsibility to make an adequate investigation of past employment and ministry of clergy, lay employees and volunteers for a reasonable assurance that they are not at risk for possible sexual misconduct.

A. Clergy

1. The Diocese has entered into an agreement with the Oxford Document Management Co., Inc. (ODM) of Minneapolis to administer and conduct investigative background checks for new clergy entering the diocese.
2. In the parish search process to call a rector/vicar or assistant the Bishop will require that the final candidates, usually between three and five, be screened by ODM. The Canon to the Ordinary will arrange for the investigation but the cost of the check will be borne by the parish.
3. Persons who wish to enter the ordination process will also be screened before being admitted as postulants. The cost for this service is the responsibility of the applicant.
4. Members of the clergy who are canonically resident in other dioceses and wish to exercise their ministry in Northern Indiana by becoming licensed here will also be required to undergo such an investigation. The cost for this will be the responsibility of the person seeking license.
5. The investigation will consist of a five year check or the last two employers which ever is longer. ODM will also conduct a credit check. This information is highly confidential and will not be disclosed to any person other than the Bishop and the person so designated to administer the program within the diocese. The diocesan requirement is in keeping with the regulations as set forth by the Church Insurance Company (CIC).
6. Clergy who presently serve in the diocese are not required to undergo the investigation, but may do so if they wish. The Canon to the Ordinary will assist in arranging for this service. The cost will be borne by the parish.

B. Lay Employees/Volunteers

1. The diocese and each parish have a further responsibility to ensure that lay employees and volunteers who come into contact with parishioners, have nothing in their past to indicate that their service might place members of the congregation at risk.
2. It shall be the responsibility of each rector/vicar or in the case where there is a vacant cure, the senior warden, to notify the Canon of the Ordinary when a new employee or a volunteer begins service so that an investigation can be conducted. The CIC has determined that investigations are not necessary for church school teachers. The rationale for this is that in the usual course of duty teachers are not in isolated circumstances with children. The “rule of thumb” for determining who should be screened is those persons who, in the course of service, might be alone with parishioners. Such persons might include youth workers, choir directors, lay eucharistic ministers, and sextons. The cost of this service is the responsibility of the parish.

It is further recommended that persons who have a responsibility for driving children for church activities have a driving record check.

APPENDIX A

GUIDELINES FOR APPROPRIATE AFFECTION

The Diocese of Northern Indiana is 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 Guidelines 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 guidelines 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:

- Brief hugs.
- 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 given by a child or youth to an adult.
- Any type of massage given by an adult to a child or youth.
- 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.

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:

Date:

Reviewed by:

Once completed, please submit to the Office of the Diocese of Northern Indiana, marked CONFIDENTIAL.

APPENDIX C

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 policies 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 **GUIDELINES 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.