

SAVANNAH PRESBYTERY
Children & Youth Protection Policy

I. Policy Statement and Purposes

A. Policy Statement

It is the policy of Savannah Presbytery (SP) that the General Presbyter/Stated Clerk, all minister members of SP, staff and volunteers of SP, maintain the integrity of the ministerial, employment, professional and volunteer relationships which reflect the high calling of membership in the Church of Jesus Christ. Sexual misconduct is not only a violation of the principles set forth in scripture, but also of the ministerial employment, professional relationship, and volunteer service expected in the Church, and is never permissible, tolerated or acceptable.

B. Purposes

SP adopts this policy on children & youth abuse protection for the use of all entities of the Presbytery under its oversight. Its purposes are as follows:

1. To set and enforce standards of ethical behavior consistent with scripture and secular law;
2. To provide procedures for inquiry and effective response to allegations of the breach of duty of emotional, spiritual, and physical care and protection of children and youth in our care.
3. To serve as a guide for SP under the PC (USA) Form of Government and the Rules of Discipline (see Book of Order, D-1.0101 and D-2.0101);
4. To recommend personnel policies for the administration of staff and volunteers who serve the children and youth of SP.
5. To serve as a guide for prevention of sexual misconduct;
6. To demonstrate pastoral concern for those who may be the victims of, or accused of, sexual misconduct;
7. To promote the peace and purity of the Church.

II. Definitions

- A. **Accusation** is a statement or claim that an offense may have occurred. It must be put into writing by the alleged victim or accuser for it to be acted upon.
- B. **Accused** is the term used to represent the person against whom a claim of sexual misconduct is made.
- C. **Accuser** is the term used to represent the person claiming knowledge of sexual misconduct by a person covered by the policy. The accuser may or may not be the

victim of alleged sexual misconduct. A person such as a family member or friend of the alleged victim may be the accuser whose information initiates the inquiry.

- D. **Child Abuse** has four primary types: physical abuse, sexual abuse, emotional abuse and neglect. Sexual abuse includes, but is not limited to, any contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the adult person or of a third person. The behavior may or may not involve touching. Sexual behavior between a child and an adult is always considered forced whether or not consented to by the child. In the Presbyterian Church (USA), the sexual abuse definition of a child is anyone under age 18.
- E. **Mandated Reporter** is a person required by state law to report any and all suspected incidents of child abuse, including child sexual abuse, that come to their attention. Under Georgia law, ministers serving in congregations are not mandated reporters. However, ministers serving as professional counselors or marriage and family therapists or as teachers are mandated to report if they have reasonable cause to believe that a child has been abused. (Official Code of Georgia Annotated, Section 19-7-5)
- F. **Reasonable Suspicion** or **A Reasonable Cause to Suspect** refers to a belief or opinion based on fact or circumstances that are sufficient for a prudent person to want to inquire further or to take protective action or to report to authorities.
- G. **Response** is the action taken by SP or its Response Team when a report of sexual misconduct is received.
- H. **Response Team** is a body constituted by SP to facilitate the process of responding to allegations of sexual misconduct by a person covered by this policy. The team will be comprised of the Stated Clerk/General Presbyter (unless he/she is the accused), the Moderator of the Presbytery and a member of Council from the district in which the allegation has been reported. The Response Team Lead will be the SC/GP.
- The duties of the Response Team may include:
1. Pastoral care for alleged victims and their families and others;
 2. Pastoral care and rehabilitation for the alleged perpetrators, and care for their families.
- I. **Secular Authorities** are the governmental bodies, whether city, county, state, or federal, who are given the responsibility to investigate and/or bring civil or criminal charges against individuals accused of sexual crimes or offenses against adults and children.
- J. **Secular Law** is the body of municipal, state, and federal laws and is often referred to collectively as civil and criminal law. Prohibited behavior addressed by this policy may result in criminal and/or civil charges filed under secular law.
- K. **Sexual Misconduct** is the comprehensive term used in this policy to include:
1. Child sexual abuse as defined above;
 2. Sexual harassment;
 3. Rape or sexual contact by force, threat, or intimidation;

4. Sexual conduct (such as offensive, obsessive or suggestive language or behavior, unacceptable visual contact, unwelcome touching or fondling) that is injurious to the physical or emotional health of another; and
5. Sexual Malfeasance. Sexual malfeasance is defined for this policy as follows: the broken trust resulting from sexual activities within a ministerial relationship or other professional relationship.

III. Standards of Conduct

The ethical conduct of all who minister in the name of Jesus Christ is of vital importance to the Church because through these representatives is conveyed an understanding of God and the gospels' good news. Their manner of life should be a demonstration of the Christian gospel in the Church and the world (Book of Order, G-6.0106).

A. Principles of Conduct

The basic principles guiding this policy are as follows:

1. Child abuse is a violation of the role of the SC/GP, minister members, Presbytery staff, and volunteers of any kind who are called upon to exercise integrity, sensitivity, and caring in a trust relationship. SP has a covenant to act in the best interests of the children and youth in its care.
2. Child abuse is a misuse of authority and power which breaches Christian ethical principles by misusing a trust relationship to gain advantage over another for personal pleasure in an abusive, exploitative, and unjust manner. If the child or youth initiates or invites sexual content in the relationship, it is the SC/GP, minister members, Presbytery staff or volunteer's responsibility to maintain the appropriate role and prohibit a sexual relationship.
3. Child abuse takes advantage of the vulnerability of children and persons who are less powerful and therefore less able to act for their own welfare. It is antithetical to the gospel call to work as God's servant in the struggle to bring wholeness to a broken world. It violates the mandate to protect the vulnerable from harm.
4. Sexual child abuse is any offense involving sexual conduct in relation to (1) any person under the age of 18 years or anyone over the age of 18 without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of office or position.

B. Victims and Families

The Response Team will offer care to, and may advise and aid in securing treatment for, the alleged victims of sexual misconduct and their families. The type, manner, and quality of care is at the discretion of the Response Team. It has sometimes been

the case that the alleged victim or family is so angry and alienated from the church, that offers of help have been perceived as insincere or attempts at a cover-up. If the alleged victim or family at first refuses, the Response Team should continue to offer help. The Response Team's concern shall never be to protect the church but, rather, to seek the truth and to offer care to alleged victims and accused.

The extent of the damage to the alleged victims of sexual misconduct will vary from person to person, influenced by such factors as the degree of severity of abuse, the age and emotional condition of the alleged victim, personality dynamics, and the importance of their religious faith. SP and its response team shall assume in all cases in which a person has been determined to have been a victim that the person has been wounded by the experience.

Feelings of guilt, shame, anger, mistrust, lowered self-esteem, unworthiness, and feelings of alienation from God, self, the religious community, and family are frequent injuries suffered by victims. It is important for the Response Team to be sensitive to the victim's pain and need for healing and to make appropriate pastoral care available. The type, manner and quantity of such care will be left to the discretion of the Response Team.

C. Presbytery

The Council of SP and Response Team should be aware of the problems Presbytery may experience resulting from allegations of sexual misconduct by the SC/GP, a minister, staff person, or volunteer. The allegations may polarize the Presbytery, damage morale, and create serious internal problems. Efforts should be taken to recognize and identify the problems and heal the damage done to the Presbytery.

D. The Accused

The Response Team may offer treatment and care for the accused and the family of the accused, as well as for alleged victims and families. Wherever possible, an attempt should be made to rehabilitate the accused, if found guilty. Where that is not possible or desirable, reasonable attempts should be made to help them get on with their lives in another area of service in the world. In any case, the accused should continue to receive the love and care of the church. If a person is cleared of charges, it is important that the governing body or entity, when requested to do so by the accused, communicate the acquittal as fully as it deems appropriate. If the accused is convicted of the charges by the secular authorities, the Response Team should meet with the accused to discuss the policy of integration into the life of the church. The Response Team should brief the accused on the conditions of resuming life within the church that would both protect the victim, the victim's family and the

family of the accused while honoring that all are children of God. Each case would be individualized but may include, but not be limited to, the accused being banned from volunteering with children, visiting certain areas of the church campus unsupervised and attending children specific functions.

E. The Non-Victim Accuser

In many cases the non-victim accuser is the parent, guardian, or other advocate for a child who has been the alleged victim of sexual misconduct. Because of a child's minority status, an adult must file the action on behalf of the child.

Secular Authorities:

When child sexual abuse or other misconduct that violates criminal laws is alleged (under circumstances that do not prohibit disclosure), the secular authorities will immediately take control of the investigation and disposition of charges against the accused. SP's Response Team will cooperate with secular authorities in any secular investigation of sexual misconduct. Investigation by the response team may be concurrent and cooperative with investigation by secular authorities. The church has its own disciplinary concerns which are not automatically resolved by a secular court. The Session or response team has a duty to make its inquiry and enforce disciplinary procedures if warranted when it can be done without interfering with the secular authority, or in cases when civil authorities have dropped action in the case.

Response to complaints of child abuse will be governed by this children and youth protection policy as it is consistent with sexual misconduct policy in the Book of Order. Allegations may result in charges filed against a church member or minister under the Rules of Discipline and may lead to temporary or permanent removal from office. Allegations against those not governed by the Book of Order will be subject to SP's personnel policy regarding sexual misconduct and may be subject to temporary or permanent removal from employment.

IV Practices

Implementation of this policy requires that SP adopt the following practices:

1. The SC/GP, all minister members, Presbytery staff and volunteers interacting with children and youth must complete training on preventing child and youth abuse at least every three (3) years.
2. The SC/GP, all minister members, Presbytery staff and volunteers that work with children or youth will complete a background questionnaire. It is further the policy of SP that the SC/GP, all minister members, Presbytery staff and volunteers shall sign a release authorizing a criminal background check.
3. Pre-screening Applicants: SP will maintain stringent hiring practices of staff. If an applicant is unknown, the employer should confirm the applicant's identity by requiring photographic identification such as a driver's license.
4. **The policy and guiding principles are intended for volunteers, as well as employees.** If the volunteer is new or unknown to the church, a screening application and some informal checking will take place before allowing the volunteer to work with children or youth. In such cases, there will be a **six month** delay in using volunteers who are new to the Presbytery.
5. The SC/GP, all minister members, Presbytery staff and volunteers are required to sign a written acknowledgment indicating that they have received a copy of this Children & Youth Protection Policy.
6. The SC/GP, all minister members, Presbytery staff and volunteers are required to sign a written acknowledgment indicating that they have received a copy of SP's Code of Conduct.
7. Record Keeping: SP shall maintain a personnel file on the SC/GP, all minister members, Presbytery staff and volunteers who interact with children and youth. **The file should contain an application, any employment questionnaires, reference responses, certificate of completion on child and youth abuse prevention training, written acknowledgement of receipt of both the Children & Youth Protection Policy and the Code of Conduct and criminal background check verification.**
8. This policy shall be distributed to the SC/GP, all minister members, Presbytery staff and volunteers of SP. The policy shall also be made available to all persons who accuse others of misconduct.

V. Response Procedure

A. Receiving Initial Reports

Reports of sexual misconduct may occur in a variety of ways. Because a governing body or entity cannot control to whom the accuser of sexual misconduct will first speak, it is important that church officers, employees, and persons highly visible to

church members and visitors understand how reports of incidents are channeled to the proper persons. **The Lead of the Response Team will be the SC/GP.**

Reports of sexual misconduct should never be taken lightly or disregarded and allowed to circulate without concern for the integrity and reputation of the accuser, the accused, and of the Church. Reports should be dealt with as matters of highest confidentiality, before and after they have been submitted to appropriate authorities.

The first person to learn of an incident of child abuse should not undertake an inquiry alone or question either the accuser or the accused. If the accuser is hesitant to talk to "higher authorities," the person receiving the initial report has a special pastoral responsibility to encourage willingness to speak with higher authority, lest the Church be unable to respond because no one is able to give firsthand information.

B. Subsequent Reporting

A member of SP receiving information from any source shall submit a written statement of the alleged offense to the Response Team who will courtesy copy the Savannah Presbytery Slated Clerk. (Refer to Savannah Presbytery policy on Sexual Misconduct.)

VI. Child & Youth Protection Response Team

The Response Team is a body of persons appointed to respond quickly and objectively to reports of child and youth abuse. The team will be comprised of the SC/GP (unless he/she is the accused), the Moderator of the Presbytery and a member of the Council from the district in which the allegation has been reported. The Response Team Lead will be the SC/GPr. **The Response Team shall work with and be available to the accuser, the accused, the alleged victim, the families of both the alleged victim and the accused, and to the congregation.**

The Response Team shall be briefed on the primary functions and responsibilities of its role to respond to allegations of child abuse and to recognize and identify the issues involved in child abuse. Response Team members should be familiar with the legal, administrative, and disciplinary procedures of the Presbytery and the WIPC policies on child abuse protection. This briefing will take place annually in February once the officers have been ordained and installed.

When the accuser claims sexual abuse of a child under the age of eighteen (18) years of age, the Response Team shall not interview the child or children because

of possible secondary trauma caused by the interview itself. Secular authorities should be notified immediately by the Response Team if a report has not been filed by accuser. The Response Team is to be guided in its actions by the recommendations of secular authorities. If the Response Team needs a consultant to advise it concerning the effects and complications involving a child victim, it should contact an expert in child sexual abuse. The Response Team shall make secular authorities aware that it wishes, insofar as the law allows, to be kept informed of the developments of the allegation(s).

Primary Functions and Responsibilities of the Response Team:

1. Receive the written report of alleged sexual misconduct.
2. Verify that secular authorities have been contacted as governed by law.
3. Begin its work as soon as possible but within ten (10) days of written notification;
4. Provide for the pastoral care of **all involved** parties;
5. Provide assistance to begin the healing process within the congregation;
6. Consider the need for, and to make recommendations to any or all parties involved to seek professional psychological counseling;

The Response Team Is NOT Intended to Do the Following:

1. To interview the child or children because of possible secondary trauma caused by the interview itself.
2. To advocate for any involved party;
3. To act as legal counsel for any involved party;
4. To determine the guilt or innocence of the accused;
5. To enforce a specific disciplinary action;
6. To act as professional counselor for any involved party.

The Response Team and SP governing body shall keep detailed records of its actions and minutes of its deliberations, copies of reports received from the Response Team; correspondence related to the case; and copies of the reports from committees or commissions. Such records will be held by SP and marked "confidential." After the case has been resolved, the Response Team will prepare a brief summary report. The report will be included in the accused's permanent personnel file (with the exception of the specification noted below). A copy of the report will be given to the accuser and the accused. The accused will have the right to attach a signed personal statement and/or other documents to the report in the permanent personnel file.

Specification: In the case of a sexual misconduct charge involving another adult, when the accused is vindicated of the charge, or the charge has been dropped because it was found to have no substance, the accused's personnel file shall contain no reference to

the charge. Neither shall the charge become a part of any reference, by congregational or governing body personnel, for future employment.

The ability of SP to respond promptly and justly to child abuse is related in part to the opportunity to receive allegations and to gather evidence soon after the occurrence. This Policy, however, recognizes the special problems sometimes related to discovery and recognition of certain forms of sexual misconduct.

For example, child sexual abuse may not be recognized until the victim of abuse reaches the age of awareness or recognition. Awareness or recognition of child sexual abuse, along with the willingness to come forward, may thus be delayed for many years.

In accord with the Rules of Discipline (D-10.0401) and the Sexual Misconduct Policy approved by the 1991 General Assembly, Presbyterian Church (USA), there is no statute of limitations for filing charges alleging sexual abuse. However, because of the difficulties in evidence, and aware of the psychological complications involved in allegations of abuse many years in the past, the Presbytery and its committees are advised to move with extreme caution in such cases.

VII. Pastoral Care by the Response Team

- A. Upon receiving written notice of alleged child abuse, the Response Team will immediately confer to coordinate the pastoral care process. The Response Team shall do the following:
- 1 Meet to confer that secular authorities have been contacted and what immediate needs are required to be addressed.
 - 2 Notify a representative from the Synod of South Atlantic.
 - 3 Assess and recommend resources for:
 - a. Pastoral care and/or professional psychological counseling for the alleged victim and accused, and/or families of both;
 - b. Pastoral care and/or needs of the congregation.

When it is determined during the initial contacts that professional counseling is needed for the alleged victim, the accused, and/or their families, the Response Team may refer any or all of them to a counselor(s) (ordinarily separate counselors) specifically trained to work with issues of child abuse. **The Response Team should maintain a referral list of counselors and counseling centers which have special expertise in child abuse issues and issues of faith and spiritual needs.**

Additionally, the Response Team should be sensitive to all parties' ability to pay for counseling services. Although SP is not obligated to pay for such counseling, it may be considered a pastoral response to a need, in which case a time limit should be placed on such counseling service.

SP Staff and Volunteer Child Care Code of Conduct*

1. As children of God, all Staff and volunteers will respond to children with respect and kindness and treat all children equally regardless of gender, race, and religion, sexual identity or culture.
2. At no time during SP programs shall a staff person or volunteer be alone with a child where the staff person or volunteer cannot be heard or observed by others. Doors should be open or have windows, curtains/blinds should be open.
3. Staff and volunteers shall never leave a child under the age of 18 unsupervised.
4. Staff and volunteers will assure that a restroom is not occupied before allowing younger children to use the facility and stand in the doorway while children use the restroom. When physically helping children, who require assistance, doors to the facility must remain open.
5. Staff and volunteers will conduct and supervise private activities (such as diapering) in pairs. When this is not feasible, adults should be positioned so that they are visible to others. Adults, not youth helpers, should change diapers.
6. Staff and volunteers shall not abuse or neglect children or use harsh punishment of any kinds to include physical, verbal, sexual or mental abuse.
7. Staff and volunteers will respect children's right to not be touched in a way that make them feel uncomfortable or to be touched, other than during diapering, in areas of their bodies that would be covered by a bathing suit.
8. Appropriate touch will be used by staff and volunteers avoiding the touching of personal areas.
9. Positive guidance including redirection, positive reinforcement and encouragement will be utilized rather than comparison and criticism.
10. Because gift giving can be a form of "buying" silence or loyalty, gift giving must be done on a group basis and for specific occasions only.
11. Possessing obscene or pornographic material by staff or volunteers is prohibited.
12. Smoking, using, possessing or being under the influence of alcohol or illegal drugs while working with children is forbidden.

13. Profanity, inappropriate jokes, sharing intimate details of one's personal life, harassment and bullying are prohibited.
14. Staff and volunteers are not to transport children in their own vehicle without prior written parental approval.
15. Staff and volunteers will not have private interaction with any children in the program through social media, computers or other devices. Contact should be made through parents.
16. Staff and volunteers should not release a child to anyone other than the authorized individual/s documented parent or guardian unless prior arrangements have been made.
17. Staff and volunteers are required to report any suspicion of child abuse to the proper authorities, to any SP member or staff and are required to read and sign all policies relating to identifying, documenting and reporting child abuse and attend prevention training.

**Sources: Stewards of Children & YMCA of the USA's Code of Conduct*

Savannah Presbytery's
Children & Youth Protection Policy
and
Code of Conduct

ACKNOWLEDGMENT OF RECEIPT

I hereby acknowledge that I received on (date) _____ copies of both the Savannah Presbytery's "Child & Youth Protection Policy" and the "Code of Conduct" and that I will read the policy and conduct myself in accordance with them.

Printed Name

Signature

Date

Witness

Date

Witness Printed Name