

**Episcopal Diocese of Western New York  
Safe Church Guidelines  
2019**

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## Definitions

### Definitions:

**Youth** – Any person 18 years of age or under.

**Adult** – Any person older than 18 years of age.

**Supervising adult** – a person at least 21 years of age who has accepted a role as a leader in youth ministry and who meets the following requirements:

Has completed the Diocesan “Safe Church” and Anti-racism training or the equivalent with written documentation.

Has regularly attended church at one congregation for at least a year.

Has NO history of sexual misconduct or abuse. Persons with such a history may not be used in any capacity with a youth event. Any person accused of improper behavior is to be removed from diocesan youth ministry until the issue is resolved.

**Chaperone** – Any adult assisting at a youth event under the direction and authority of a supervising adult.

Has completed the Diocesan “Safe Church” training with written documentation and has completed an application form.

**Abuse of a youth** - includes the following acts or omissions by a person:

- Mental or emotional injury to a youth that results in an observable and material impairment in youth’s growth, development, or psychological functioning;
- Causing or permitting the youth to be in a situation in which the youth sustains a mental or emotional injury that results in observable and material impairment in youth’s growth, development, or psychological functioning;
- Physical injury that results in substantial harm to the youth, or the genuine threat of substantial harm from physical injury to the youth, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian, or managing or possessory conservator that does not expose the youth to substantial risk of harm;
- Failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the youth;
- Sexual conduct harmful to a youth’s mental, emotional, or physical welfare, including conduct that constitutes the offences of indecency with a child, sexual assault, or aggravated sexual assault under New York State Law.
- Failure to make a reasonable effort to prevent sexual contact with a youth, as defined in this policy.
- Compelling or encouraging the youth to engage in sexual conduct;
- Causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child or youth if the person knew or should have known that the resulting photography, film, or depiction of the youth is obscene or pornographic;

- The current use by a person of a controlled substance in a manner or to the extent that the use results in physical, mental, or emotional injury to a youth;
- Causing, expressly permitting, or encouraging a youth to use a controlled substance; or
- Causing, permitting, encouraging, engaging in, or allowing a sexual performance by a youth.

**Neglect of a youth** includes:

- The leaving of a youth in a situation where the youth would be exposed to a substantial risk of physical or mental harm, without arranging for necessary care for the youth, and the demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the youth.
- The following acts or omissions by a person:
  - Placing a youth in or failing to remove a youth from a situation that a reasonable person would realize requires judgment or actions beyond the youth's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the youth;
  - Failing to seek, obtain, or follow through with medical care for a youth, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the youth;
  - The failure to provide a youth with food, clothing, or shelter necessary to sustain the life or health of the youth
  - Placing a child in or failing to remove a youth from a situation in which the child or youth would be exposed to a substantial risk of sexual conduct harmful to the youth; or
- The failure by the person responsible for a youth's care, custody, or welfare to permit the youth to return to the youth's home without arranging for the necessary care for the youth after the youth has been absent from the home for any reason, including having been in residential placement or having run away.

## Community Covenant

### **Community Covenant:**

This agreement delineates how we deal with one another during diocesan youth events. If we accept Christ's charge to "Love one another" and to "Love our neighbors as ourselves" then we must accept that certain behaviors are unacceptable. Some of these behaviors are:

**Discrimination** – No person shall be discriminated against on the basis of his or her race, color, gender, sexual orientation, physical abilities, origin, ancestry or religion.

**Violence** – No person is to strike or hit anyone else at any time. Bullying, intimidation and/or threats of violence are forbidden. No weapons of any kind are to be brought to diocesan youth events. Anyone found in the possession of such weapons will be sent home.

**Alcohol or illegal drugs** – No alcohol or illegal drugs may be in the possession, or used by, any adults or youth at diocesan youth events. Exception is made for wine used in the Eucharist. Anyone found in possession of, or having consumed these items will be sent home. The Diocese does not rule out the possibility of legal action against such persons.

**Physical, emotional or sexual abuse** – No person is to be abused while attending a diocesan youth event.

**Tobacco** – while we recognize the intensity of the addiction associated with tobacco the use of tobacco products by youth is prohibited. We encourage all adults to refrain from smoking as much as possible during youth events. Any smoking by adults must be done discretely at a designated location.

**Denial of basic human needs** – No person is to be denied access to the basic human needs of food, shelter, sleep and clothing at any diocesan youth event.

**Social Media** - The same expectations for respect, compassion, and treating every human being with respect that apply to face to face communication at Diocesan youth events apply to the use of texting, twitter and other social media at Diocesan youth events. Failure to comply with the community standards in the virtual world is as serious as a violation of community standards as in the physical world.

### **Guidelines for Appropriate Expression of Affection**

The program is committed to creating and promoting a positive, nurturing environment for our youth ministries that protects our children from abuse and neglect and our church personnel from misunderstandings. When creating safe boundaries for youth, it is important to establish what types of affection are appropriate and inappropriate. All adults will carefully follow these guidelines when working around or with youth.

- Positive and appropriate expressions of affection include:
- Brief hugs
- Brief pats on the shoulder or back
- Handshakes
- "High-fives" and hand slapping
- Verbal praise
- Briefly touching the hands, faces, shoulders and arms of youth

- Arms around shoulders
- Holding hands during prayer

**Negative and inappropriate expressions of affection include:**

- Inappropriate or lengthy embraces
- Kisses on the mouth
- Holding children over three years old on the lap
- Touching bottoms, chests or genital areas
- Showing affection in isolated areas such as bedrooms, closets, staff-only areas, or other private rooms
- Occupying a bed with youth
- Touching knees or legs
- Wrestling with youth
- Tickling
- Piggyback rides
- Any type of massage, whether given by the adult to the youth or by the youth to the adult
- Any form of unwanted affection
- Comments or compliments (whether spoken, written or electronic) that relate to physique or physical developments (e.g. “You sure are developing”, “You really look good in those jeans”).
- Snapping bras, giving wedgies, or similar touching of underwear, whether or not it is covered by clothing
- Giving gifts or money to individual youth outside of the context of a specific program
- Private meals with individual youth without the knowledge of another adult

**Other behaviors may also be added to this list as required for youth events.**

## **Youth Event guidelines:**

All diocesan youth events must meet the following standards:

Two Adult Rule – Two supervising adults are present. The ratio of youth to adults should never exceed 5 to 1. Adult leadership should reflect the youth attending. Events with both male and female youth require male and female supervising adults.

Parental Permission – Parental permission in writing must be obtained IN ADVANCE for events. A basic medical release form and photo release form is also required

No Isolated Counseling – No adult should be alone with a youth outside of the eyesight of other counselors or staff. If being alone is unavoidable the adult should be sure that another adult is aware of the meeting and is checking in periodically. Counseling should never be done between youth.

Overnight events – Separate sleeping facilities for males and females are required. A single adult and a single youth must never sleep alone together. Appropriate toilet/shower facilities, by gender, must be made available or be made available at specific times by gender if only one facility is available.

Open Door policy – No youth event is to function with a closed-door policy. Clergy, parents, church and staff members have a right to observe any youth event at any time. Such a request to view an event MUST take into consideration the needs of the event and be as respectful of those needs as possible.

Late arrival/ Early departure – Once a youth has arrived at an event they will remain there until the end of the event unless there is an emergency. Late Arrivals or Early Departures must be negotiated with supervising adult(s) in charge of the event PRIOR TO THE EVENT.

Transportation – Unless otherwise stated youth and their families are responsible for transportation to and from events. If a youth arrives in their own vehicle for an event s/he must park the vehicle for the duration of the event (except as noted in above)

CPR and First Aid – It is the expectation that there be at least one adult trained in CPR and First Aid at every overnight event.

### **Disciplinary Guidelines for youth events in the Episcopal Diocese of WNY**

These guidelines are provided to insure fairness and consistency, and to provide youth event leaders (including camp directors) a procedural foundation when required. We respect the need for these leaders to be given latitude to deal with disciplinary problems as is best for their individual communities. Routine disciplinary problems should be dealt with within the historic norms of the

event or similar events. **These guidelines are intended to offer a structure within which discipline of the most serious offenses can take place.**

Certain behaviors have been historically defined as unacceptable at any diocesan youth event and should result in the expulsion of the person(s) involved.

They include, but are not restricted to:

The possession or use of illegal drugs

The possession or use of weapons

The possession or use of alcohol

Other behaviors that require additional concern include, but are not restricted to:

Inappropriate sexual behavior

Violence (physical, verbal)

Theft

If an event leader believes that a disciplinary problem rises beyond the level of the routine he/she is advised to do the following:

1: Determine the facts.

Have an adult leader talk with each person involved. Ideally this should be an adult familiar with that young person (Senior Counselor at camp). They should attempt to get all the details and get that person's "side" of the incident in question.

An adult leader should also speak with any possible witnesses, if there are any, about the incident.

These discussions should take place in a calm, quiet private environment and should be consistent with diocesan standards and Safe Church guidelines.

Those adults should then confer with the event leader and chaplain (if there is one) to piece together the best idea of what actually happened and why.

2: If the investigation doesn't seem to support that a problem requiring more serious discipline be involved the event leader should proceed as they feel is best. They should be guided by common sense, historic standards of the event and with the best advice available to them.

3: If the investigation seems to support that a serious problem has taken place the following actions are recommended:

Do NOT take sudden action unless it is required for the safety of the people at the event. Time for consideration and lowering of emotional volume is important.

Consult with the leadership team of the event. While the event leader is the person ultimately responsible for the event she/he should take advantage of the considered opinions of those available.

Consider **all** possible responses to the problem before picking one. Sending someone home is the ultimate punishment and should be treated with care and caution.

4: Once a determination has been made speak with all persons involved quietly and privately. Explain to them what the problem was, the considerations that have gone into the decision, and what the final decision is. If no mitigating circumstances arise follow through on the decision.

5: If the final decision is to expel a person from the event separate them as quickly and completely as possible from the rest of the group. This avoids new tensions and possible confrontations. Make sure

that sufficient adult leadership is available to enforce this separation. All information gathered during the investigation along with rationale for decision should be included in a written report. That report should become part of the record of the event and kept on file with the appropriate persons (event leader/camp director/diocesan staff or archives)

6: Contact the parent or guardian immediately. Explain to them briefly what has gone on and what is needed from them. Be prepared to discuss this event in greater detail once they arrive.

7: Determine if you are going to discuss the discipline (but not necessarily the incident) with the group. The adult leadership on site are in the best position to determine if this will be beneficial.

### **Guidelines for Social Media and Virtual Communications**

Social media changes all the time and very quickly. No policy can be completely up to date – but this policy seeks to give broad general guidelines on using social media with youth.

#### **Guidelines for Interactions with Children and Youth on Social Media**

The underlying philosophies of the Diocesan Safe Church policy apply to social media usage that is:

- Adults and youth are not equals – the adult holds a position of power due to both their age and position and is therefore responsible for the physical, emotional and spiritual safety of the young person in any interaction
- Interaction between adults and youth should take place in public and in view of others. Adults should not be alone with one youth.
- Adults should not seek to build special relationships with individual youth either through gift giving, one on one interaction or communication
- The Adult is ultimately responsible for maintaining appropriate boundaries in relation to youth.

Adults who minister to children and youth are strongly encouraged to set very stringent privacy settings on any social networking profile. Individual personal profiles are to be used to interact with real friends (as opposed to virtual “friends”), family, and peers.

Adults should not submit “friend” requests to minors or youth. Youth may not be able to decline such requests due to the disparity of power between youth and adults. Youth may ask to be “friends”, and adults should discern the level of contact they want to maintain with youth prior to responding to these requests.

If an adult chooses to accept friend requests from minors or youth who are associated with their community of faith, other adult leaders must have full access to all aspects of that adult’s profile and correspondence.

If an adult chooses to accept friend requests from minors or youth who are associated with their community of faith they are required to monitor the privacy settings on their social media accounts and to ensure that the privacy settings remain stringent as the social media sites change and adapt.

Adults who wish to connect via a social networking website with youth to whom they minister are strongly encouraged to set up a page that youth may like. Youth requesting to “friend” an adult can then be invited to like the page rather than be accepted as a friend on an adult’s personal profile account.

### **Guidelines for Working within Groups of Children and Youth on Social Media**

Closed groups, but not “hidden” groups or open pages, should be used for Youth Commission purposes.

Groups should have at least two unrelated adult administrators, as well as at least two youth administrators.

Invitations to youth to join the group should be made by youth administrators, unless a youth has previously asked an adult administrator to invite him/her to join the group.

The same standards of conduct that apply at youth events shall apply to posts made on social media.

Social networking groups for youth should be open to parents of current members.

Adult leaders and former youth members who, due to departure, removal from position, or are no longer eligible because they have graduated from high school should be immediately removed from all groups/ListSERVs etc. maintained by the Diocese. Pages which are open to everyone should be the primary vehicle for the distribution of information

### **Guidelines for Video Chats, Blogs, and Video Blogs**

Adults should refrain from initiating video chats with youth, outside of regular group meetings that may take place over this media.

Participants in a video chat or blog should consider what will be shown in the video such as their surroundings, their clothing/state of dress, etc.

All transcripts of online text chats, video chats, blogs or video blogs should be saved when possible.

All clergy and adults involved in ministry with youth should consider the content and nature of any post that will be read by or visible to youth. Your voice is often considered the voice of the church.

### **Guidelines for Publishing/Posting Content**

Signed Media Release forms should be secured from adults and guardians of minor children who participate in activities that may be photographed or videoed for distribution.

Photos that are published on Diocesan-related websites shall not include names or contact information for minor children or youth.

Care will be taken in posting videos to YouTube or similar video sharing sites. Video of youth events is covered by the same rules as photos and other recordings.

When posting photos to social media, individuals may “tag” themselves, but should not tag others.

Photos will be removed at the request of any subject pictured therein.

### **Guidelines for the Use of Email/Texting/Twitter**

Email can be an appropriate and effective means of communicating basic factual information such as event announcements, meeting agendas and minutes, and sharing documents.

Email is not an appropriate communication method for matters that are pastorally or legally sensitive, emotionally charged, or require extensive communication.

If an email message is longer than a couple of sentences, then the matter might more properly be addressed via live conversation.

Humor and sarcasm can be easily misinterpreted in an email.

All email users should take a moment to consider the ramifications of their message before clicking on the “send” or “reply to all” button.

The same expectations for respect, compassion, and treating every human being with respect that apply to face to face communication at Diocesan youth events apply to the use of texting, Twitter and other social media at Diocesan youth events. Failure to comply with the community standards in the virtual world is as serious as a violation of community standards as in the physical world.

## **Adult Qualifications**

### **Screening**

All *adults* shall be screened and selected utilizing, at a minimum, the following:

- A standard application completed by the applicant that includes an authorization for the release of information to conduct background checks and includes acknowledgment that the applicant has received and read these policies.
- Driving or Motor Vehicle records check if the person may be transporting children or youth.
- References from at least two people who are not immediate family of the applicant and who have reason to know about his/her experience with children and youth.

All information gathered about an applicant will be carefully reviewed and evaluated by the person or people in charge of the Diocesan youth program, to make a determination, in consultation with others as necessary, of whether this is an appropriate person to work with youth.

Adults must have a personnel file that is kept on file at the Diocesan offices.

To the extent possible, no two immediate family members will be permitted to exclusively work together with or to supervise one another 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.

## **Training**

Training in prevention of sexual misconduct is required

Training must use the *Safeguarding our Children* materials developed by The Episcopal Church. A copy of the certificate issued at the end of the training will be placed on file in the Diocesan office.

Training must be repeated a minimum of once every three (3) years.

The underlying philosophy of the Diocesan Safe Church policy apply to all adult leaders:

- Adults and youth are not equals – the adult holds a position of power due to both their age and position and is therefore responsible for the physical, emotional and spiritual safety of the young person in any interaction
- The adult is ultimately responsible for maintaining appropriate boundaries in relation to youth
- All adults are considered mandated reporters for child abuse and neglect.

## **Code of Conduct**

Adults understand that they have a moral and legal responsibility to protect youth. They understand that the church will not tolerate abuse or neglect of youth.

Adults in this diocese commit themselves, both in spirit and in action, to each of the following:

- Adults agree to do their best to prevent abuse and neglect among youth involved in church activities and services.
- Adults agree not to abuse or neglect a youth.
- Adults agree to comply with the policies for general conduct with youth as defined in these Policies.
- All Adults agree to comply with the Guidelines for Appropriate Expression of Affection with youth.
- In the event that adults observe any inappropriate behaviors or possible policy violations with youth, adults agree to immediately report their observations.
- All adults acknowledge their obligation and responsibility to protect youth and agree to report known or suspected abuse of youth to appropriate church leaders and state authorities in accordance with these policies and state law.
- Adults understand that the Diocese will not tolerate the abuse of youth and agree to comply in spirit and in action with this position.

## **Guidelines for Appropriate Interaction**

- Adults will respond to youth with respect, consideration and equal treatment, regardless of sex, race, religion, sexual orientation, culture or socio-economic status. Adults will portray a positive role model for youth by maintaining an attitude of respect, patience and maturity. They will avoid even the appearance of favoritism.
- Adults are prohibited from the use, possession or distribution of alcohol or illegal drugs, or the misuse of legal drugs while participating in or assisting with programs or activities specifically for youth.
- Parents or guardians must complete written permission forms before adults transport youth for a church sponsored activity for any purpose.
- 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.

- Adults are prohibited from dating or becoming romantically involved with youth.
- Adults are prohibited from having sexual contact with a child or youth.
- Adults are prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, clothing, etc.) on church property or in the presence of youth except as expressly permitted as part of a pre-authorized educational program.
- Adults are prohibited from using the Internet to view or download any sexually oriented materials on church property or in the presence of youth.
- Adults 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 youth.
- Adults are prohibited from sleeping in the same bed with youth. Adults will not sleep alone in a room with youth.
- Adults are prohibited from dressing, undressing, bathing, or showering in the presence of youth.
- Adults are prohibited from using physical punishment in any way for behavior management of 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 youth or others.
- Adults are prohibited from using harsh language, degrading punishment or mechanical restraint (such as rope or tape).
- Adults are prohibited from participating in or allowing others to conduct any hazing activities relating to youth ministry or camp activities.

## **Mandated Reporter Policy**

### Reporting Suspected Abuse of Children or Youth

All adults are required by this policy and state law to report known or suspected abuse or neglect of youth to the appropriate church authorities, to the NYS Child Protective Services Hotline (when the alleged abuse was committed by a parent or legal guardian of the child) and to police authorities in all other cases.

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 submitted the report believes what he or she is reporting to be true.

In addition to reporting to the state authorities, adults are required to report any suspected or known abuse of youth that may have been perpetrated by adults in the Diocesan youth program directly to the youth missionary or appropriate authority so that immediate and proper steps may be taken to ensure the safety of alleged victims.

The Diocese will cooperate with any investigation by civil or criminal authorities to the fullest extent. A concurrent internal investigation, under the guidance of the appropriate civil or criminal authorities, will be directed by the Diocese.

**What to Report** - You are to report any reasonable suspicion of abuse or neglect. The definitions of abuse and neglect are contained in this policy. A good rule of thumb is that if you are asking yourself whether or not you need to report something – you do need to report it.

## **How to Report**

Reports of suspected child abuse or maltreatment should be made immediately -- at any time of the day and on any day of the week -- by telephone to the New York Statewide Central Register of Child Abuse and Maltreatment (sometimes referred to as the State Central Register or SCR).

**Child Abuse Hotline Number:  
1-800-342-3720**

The Child Protective Specialist who answers your call will ask you for as much information as you can provide about both the suspected abuse or maltreatment and the family about which you are calling. Below are examples of some questions the Child Protective Specialist might ask you when you call. Even if you have very little information available to you, please call the SCR. The specialists will analyze the information you do have and determine if it is sufficient to register a report.

- What is the nature and extent of the child's injuries, or the risk of harm to the child?
- Have there been any prior suspicious injuries to this child or his/ her siblings?
- What is the child's name, home address, and age?
- What is the name and address of the parent or other person legally responsible who caused the injury, or created the risk of harm to the child?
- What are the names and addresses of the child's siblings and parents if different from the information provided above?
- Do you have any information regarding treatment of the child, or the child's current whereabouts?

You can report anonymously – if you choose to give your name and contact information you may be contacted by the investigator assigned to the case for additional information.

You should also inform the person in charge of the event of what suspicions you have and what actions you have taken. If you are the person in charge the event you should convey this information to the Youth Missioner.

## **How and who follows up on a report**

- The Child Protective Service (CPS) unit of the local department of social services is required to begin an investigation of each report within 24 hours. The investigation should include an evaluation of the safety of the child named in the report and any other children in the home, and a determination of the risk to the children if they continue to remain in the home.
- CPS may take a child into protective custody if it is necessary for the protection from further abuse or maltreatment. Based upon an assessment of the circumstances, CPS may offer the family appropriate services. The CPS caseworker has the obligation and authority to petition the Family Court to mandate services when they are necessary for the care and protection of a child.
- CPS has 60 days after receiving the report to determine whether the report is "indicated" or "unfounded". The law requires CPS to provide written notice to the parents or other subjects of the report concerning the rights accorded to them by the New York State Social Services Law. The CPS investigator will also inform the SCR of the determination of the investigation.

It is not appropriate for an adult volunteer to attempt to intervene following a report. Once a report has been made the professionals will handle it. You should treat the youth in the same way that you treat every other youth in the program and you should not attempt to involve yourself in the family situation.

## **Incident Reports**

Incident Reports will be filed in two circumstances:

1. When there is an injury to a youth or adult
2. When there is a significant deviation from the guidelines contained in this document.

In both cases the incident report will be in writing and will include:

1. An explanation of what occurred, why and what actions were taken
2. The names and contact information of all people involved
3. The names and contact information of any witnesses
4. The signature of the person making the report
5. The date the report was made

Incident reports will be added to the file of the event and kept on file according to the record keeping guidelines.

## **Record Keeping**

For each event, a file will be created including:

- All registration and release forms for youth participants
- A list of all supervising adults and chaperones
- All incident reports arising from the event

The file will be labeled with the name and date(s) of the event and kept on file in the Diocesan office for 15 years or until the youngest person present at the event reaches the age of 25, whichever is longer.