

## **Sycamore Presbyterian Church Sexual Misconduct Prevention Policy**

Sycamore Church staff, officers, employees, and volunteers (age 18 or over), whether members or not, shall maintain the integrity of the ministerial and employment relationship at all times. Sexual conduct outside the bounds of marriage between church employees or volunteers and others is a violation of this Policy and is therefore NEVER PERMISSIBLE.

This Policy also applies to the SPC Preschool. However, the Preschool also has compliance requirements in this area that are mandated by the State of Ohio. If a conflict should arise between this Policy and the requirements of the State of Ohio, the requirements of the State shall prevail.

This policy shall be provided to all employees at hire, when modified, as well as made available on the church web site and Media Center.

Maintenance of this policy and all related documents, shall be the responsibility of the Personnel and Administration Committee.

### **Policy Statement Definitions**

Persons covered by this policy include anyone serving as pastor, officer, employee, volunteer, counselor, youth leader or assistant, supervisor, teacher or advisor of any kind in this church.

A child, under Ohio law, is defined as one who is “...under eighteen years of age or a mentally retarded , developmentally disabled, or physically impaired child under twenty-one years of age...”.

- Physical Sexual Misconduct includes:
- Physical sexual contact within a ministerial, employment, teaching, volunteering or advisory relationship;
- Rape, or sexual contact by force, threat or intimidation;
- Sexual harassment as defined below;
- Child sexual abuse as defined below
- Any other type of physical sexual contact whether or not consented to or initiated by the other party involved.
- Mutual consent is NOT POSSIBLE when one party is in a position of authority. Sexual misconduct is a misuse of authority and power, which breaches the trust of leadership.

Sexual Harassment includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting that individual; or
- Such conduct has the purpose or effect of unreasonable interfering with an individual's work performance by creating an intimidating, hostile or offence working environment.
- Harassment may also include but is not limited to risqué jokes, innuendo, unacceptable visual contact, unwelcome casual touch, insults, unwelcome and inappropriate hugs and kisses, and suggestive pictures.

*Comment: The above definition of Sexual Harassment comes from the Title VII of the Civil Rights act of 1964. Be advised that the Federal Law interprets sexual harassment from the position of the individual receiving the harassment. The intention of the offender is not a factor. What counts is how the person being harassed receives or feels about the actions, comments, or advances of harasser.*

**Child Sexual Abuse includes:**

- ANY sexual contact or interaction between a child and an adult;
- Any use of a child for sexual stimulation of an adult, a third party, or the child
- Child sexual abuse may or may not involve touching.
- Child sexual abuse may also include but is not limited to risqué jokes, innuendo, unacceptable visual contact, unwelcome casual touch, unwelcome and inappropriate hugs and kisses, and sexually suggestive pictures.
- Sexual behavior between a child and an adult is ALWAYS considered forced and is NEVER permissible.

**Background Check Requirements for Employees, Volunteer Leadership, Financial Leadership(JFC) and volunteers, and All Volunteers Working With Minors**

All employees, Elders on Session, Deacons, Trustees Financial Leadership and volunteers (JFC) and IHN Core Leadership Team/volunteers, along with all volunteers who work with minors, must successfully complete the required background check prior to hire or commencement of work. The background authorization needs to be completed within 30 days of receipt. The background check process used by the church shall be that process in force at the time.

Successful background checks are valid for a period of one (1) year. Those employees and volunteers who have been checked must renew their background check annually in order to continue to serve in the capacity that required the current background check. This will be automatic through the background checking service.

If a volunteer working directly with children will serve in a position for a limited duration of time, (not to exceed **30 days**), and the volunteer will be under the supervision of an employee of the church, the background check may be waived by the church at its discretion.

A signed copy of ACCEPTANCE of this Sexual Misconduct Policy and Prevention Statement must be filed with the Director of Operation's office for each employee, officer and volunteer.

The staff leader for each ministry will be responsible for initiating background checks of volunteers in their areas of activity.

The Director of the Preschool will be responsible for initiating background checks for employees or volunteers in the Preschool.

The Director of Operations will be responsible for initiating background checks on all new employees of the church, all officers and others not covered above.

### **Incident Reporting**

Instructions for the reporting of incidents, or suspected incidents, of sexual misconduct are contained in Appendix 1, entitled "**Procedures for Reporting Incidents of Sexual Misconduct**".

### **Team Teaching and Chaperoning**

The church will strive to assign two teachers per class for children and youth. In the event that only one teacher is present, the door to the room must be left open.

If a group of Sycamore Presbyterian Church (SPC) children or youth stays overnight at the church, or if a church-sponsored group leaves the premises, two or more leaders shall be present. When the group has both boys and girls there shall be at least one male and one female adult leader/volunteer assigned to the group. If the above requirements cannot be met, the event will be cancelled.

### **Open Classrooms**

Classrooms or childcare rooms may be visited without prior notice by church staff, parents, or other volunteer church workers.

## **POLICY ON CHURCH PHOTOGRAPHY, PUBLICITY/MARKETING AND THE INTERNET**

Photography and videography of events in the life of Sycamore Presbyterian Church are important ways of documenting that life, important moments in our congregation's experience together and moments in the life of the community we serve. Additionally, sharing them with the broader community is a dynamic way of accurately portraying life at Sycamore. At the same time, we recognize and respect the rights of all to choose whether or not to be photographed.

In general, photography of church-related events is to be expected by our congregants and by the community visiting the church.

To these ends, SPC adopts the following policy on photography and videography and their use.

- The church shall maintain a mechanism for all members and their families to decline to be photographed as part of their church activities.
- We shall not feature nor utilize individual photos of children or youth under the age of 18 years on the church web site or in other publications who have provided written notification to the church of their desire not to have their photos or other likenesses used in church publications or on the church web site.
- No identifying information about a person under the age of 18 shall be revealed in any photo contained in any public promotion or display without express written permission of the parent or guardian.
- In general, photos shall focus on group events, rather than individuals, a group being defined as three or more persons gathered together. Should a photo focus on an individual, church records must be checked for that person's opt-out privilege before that photo may be used in any promotional way or on the church web site.
- All publicly visible image files of children under 18 shall be appropriately named – no use of the individual's last name is to be associated with the file.
- All photos are to be taken of persons in appropriate dress and in appropriate activities.

To accomplish these policies and practices, SPC shall:

- Provide an opt-out form to be used by members of the church for themselves and for a child or children under 18 years of age to decline the use of their photo or identifying information in church publications or on the church web site. SEE addendum.
- All related forms shall be retained by the church office for a period of no less than 10 years.

The access of internet pornography is NEVER acceptable by pastor, officers, employees, or volunteers of this church. Proof of pornographic access on church computers may be grounds for discipline or removal.

### **False Reports**

If an investigation of a report results in a finding that the reporting individual falsely and maliciously accused another of sexual misconduct, the reporting individual will be subject to appropriate disciplinary action, including possible termination of employment.

## **APPENDIX**

1. Procedures for Reporting Incidents of Sexual Misconduct
2. Photography Opt-Out Form
3. Photography Name Use Consent Form
4. Types/Signs of Physical Abuse
5. Policy Acknowledgement Form

**PROCEDURES FOR REPORTING  
INCIDENTS OF SEXUAL MISCONDUCT**

The following procedures are to be followed when an incident of abuse, misconduct or harassment is observed or suspected on the property of Sycamore Presbyterian Church.

**PHYSICAL SEXUAL MISCONDUCT**

**1. Involving an Adult and a Child:**

- **Remove child from scene, if at all possible.**
- **Call Hamilton County Sheriff: 825-1500 or 683-3445.** The sheriff will be responsible for providing medical attention and protecting evidence if necessary.
- **Report incident to Pastor/Head of Staff or member of the Designated Response Team (DRT)\*:** that person will be responsible for contacting the custodial parent or legal guardian.

**2. Involving the Pre School:**

- **Remove child from scene, if possible.**
- **Report to the Pre School Director.**
- **Call Hamilton County Sheriff: 825-1500 or 683-3445.** The sheriff will be responsible for providing medical attention and protecting evidence if necessary.
- Director shall report the incident to the Pastor/HOS or member of the DRT, and they, acting collaboratively, will determine who shall contact the custodial parent or legal guardian.

**3. Involving Adults:**

- Separate the involved parties if necessary and remove from premises.
- Report incident to Pastor/Head of Staff.

**SEXUAL HARASSMENT.**

**1. Of a Child by an Adult:**

- Remove the child from the scene.
- Report incident to the Pastor/Head of Staff or member of the DRT.

**2. Of a Child by a Child:**

- Separate the parties.
- Report incident to the Pastor/Head of Staff or member of the DRT.

**3. Of an Adult by an Adult:**

- Report incident to the Pastor/Head of Staff or Assoc. Pastor.

**NOTES:**

- All of the above procedures require, by definition, *immediate* action.
- The **Designated Response Team (DRT)** consists of:

- Pastor/HOS
- Associate Pastor
- Director of Children's Ministries
- Director of Student Ministries
- Executive Director of Family Ministries
- Director of SPC Pre School (if involved in a Pre-School incident)

**In all cases, NO statements are to be made to the press, media or public at large. The Pastor/Head of Staff, or his/her designated representative, is the ONE voice of the church.**

Under Ohio law, a person is considered to be a child if he/she is under the age of eighteen years, or under 21 years if mentally or physically handicapped.

If incidents of sexual misconduct occur off-site, i.e. a SPC sponsored mission trip or outing, the responsible adult should intervene, separate the parties, call the local police authority (if appropriate) and report to the Pastor/HOS at the earliest opportunity (including telephone contact from the site).

In the event that the Pastor/Head of Staff is, or is suspected of being, personally involved in an incident of sexual misconduct, the matter shall be immediately referred to the Chairman of the Joint Personnel and Administration Committee. The Chairman shall investigate the circumstances to the extent possible and prepare a written report to the clerk of session, to be presented at an emergency meeting of the session, said meeting to be moderated by the Associate Pastor. If the circumstances warrant, the matter will then be referred to the Presbytery, Committee on Ministry, for further action, all in accordance with the requirements of the Book of Order, The Rules of Discipline, Chapters III and X.

## Sycamore Presbyterian Church Photography Opt-Out Form

Realizing that Sycamore Presbyterian Church takes photographs and video of many of its events, that said photos and video are used to document the life of the church and may be used for public dissemination, the following named person(s) **DECLINE** the use of their photos or video images for any public consumption, including for event publicity and marketing.

Parents or guardians of individuals under the age of 18 must sign on behalf of their child.

<u>Individual Name Printed</u>	<u>Relationship</u>	<u>Use of my/our child's name is:</u>	
_____	Adult	n/a	
_____	Child	<input type="checkbox"/> permitted	<input type="checkbox"/> not permitted
_____	Child	<input type="checkbox"/> permitted	<input type="checkbox"/> not permitted
_____	Child	<input type="checkbox"/> permitted	<input type="checkbox"/> not permitted
_____	Child	<input type="checkbox"/> permitted	<input type="checkbox"/> not permitted
_____	Child	<input type="checkbox"/> permitted	<input type="checkbox"/> not permitted

**By signing this consent I certify that I have legal custody of, and authority over, the child(ren) named above and possess the corresponding authority to grant said consent.**

Parent/Guardian Name (please print): \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

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

### Sycamore Presbyterian Church Child/Youth Photography Name Use Consent Form

Sycamore Presbyterian Church takes the issue of child safety very seriously, including the use of images (photos and video) of our children. The church occasionally uses the images of children in publications and on our web site, but always with a significant duty of care to reduce any risks associated with their use. Accordingly, we will never use identifying information of an individual child without prior permission of the child's parent(s) or guardian(s)

Further, parents may permit the use of their child's name in various forms of media and print. To that end, I hereby acknowledge that I give permission to the use of my child's name to Sycamore Church in its printed publications, website or in other media. I understand that said information will be used solely for church purposes and that the identity of my child(ren) will be protected unless otherwise indicated below:

**Name of each child (please print):**

**Use of my child's name is:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

permitted     not permitted  
 permitted     not permitted  
 permitted     not permitted  
 permitted     not permitted

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**By signing this consent I certify that I have legal custody of, and authority over, the child(ren) named above and possess the corresponding authority to grant said consent.**

Parent/Guardian Name (please print): \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

## Types/Signs/Indicators of Behavioral or Physical Issues

Child abuse and neglect can and does happen to anyone. It is important for every person to take child abuse and neglect seriously, to be able to recognize when it happens, and to know what to do next.

### There are four types of child maltreatment:

1. Neglect
2. Physical Abuse
3. Sexual Abuse
4. Emotional Abuse

### Neglect

Neglect is the failure to act on behalf of a child. It is an act of omission and is generally characterized in three categories:

**Physical Neglect:** Failure to meet the requirements basic to a child's physical development, such as supervision, housing, clothing, medical attention, nutrition and support.

**Emotional Neglect:** Failure to provide the support and/or affection necessary for the child's psychological and social development.

**Educational Neglect:** Failure to educate a child or attend to special education needs.

*Note: Cultural standards of care in the community and poverty may be contributing factors indicating the family is in need of information or assistance/resources.*

### Indicators of Neglect:

#### Physical Indicators of Neglect:

- Chronic uncleanliness or poor hygiene including lice, scabies, severe or untreated diaper rash
- Untreated illness or injury
- Unsuitable clothing, missing key articles of clothing such as socks, shoes, or a coat
- Height and weight significantly below age level

#### Behavioral Indicators of Neglect:

- Chronic hunger, tiredness or lethargy
- Begging or collecting leftovers
- Unusual school attendance (frequent or chronic absence)

## **Abuse**

Abuse represents an action against a child. It is an act of commission and is generally characterized in three categories:

### **Physical Abuse: The non-accidental injury to a child**

#### **Physical Indicators**

- Unexplained, chronic or repeated bruising
- Unexplained burns
- Other unexplained or repeated injuries

#### **Behavioral Indicators:**

- Behavioral extremes (withdrawal, aggression, regression)
- Excessive fear of the parent or caregiver
- Unusual shyness, wariness of physical contact
- Attempt to hide injuries
- Depression, excessive crying
- Antisocial behavior, such as substance abuse, truancy or running away

### **Sexual Abuse**

Any act of a sexual nature upon or with a child. The act may be for the sexual gratification of the perpetrator or a third party. This would, therefore, include not only anyone who actively participated in the activity, but anyone who allowed it. (Includes rape, touching, fondling, or involving a child in pornography).

#### **Physical Indicators:**

- Somatic complaints, including pain and irritation of the genitals
- Sexually transmitted diseases
- Pregnancy
- Bruises or bleeding from external genitals, vagina or anal region
- Genital discharge
- Torn, stained or bloody underclothes
- Frequent, unexplained sore throats, yeast or urinary infections

#### **Behavioral Indicators:**

- Poor peer relationships, inability to relate to children
- Sudden changes in behavior

- Promiscuity or seductive behavior
- Aggression or delinquency
- Truancy or chronic running away
- Prostitution
- Substance abuse
- Reluctance to participate in recreational activity
- Recurrent nightmares, disturbed sleep patterns, or fear of the dark
- Sudden decline in school performance
- In young children, preoccupation with his/her sexual organs, his/her parents' or other children's

### **Emotional Abuse**

Chronic or consistent attitude or acts, which interfere with the psychological and social development of a child. (Such as criticizing, insulting, rejecting or withholding love from a child).

#### **Physical Indicators:**

- Eating Disorders
- Speech disorders, such as stuttering
- Weight or height significantly below the norm
- Flat or bald spots on infant's head
- Nervous disorders such as hives, rashes, facial tics, or stomachaches

#### **Behavioral Indicators:**

- Habit disorders, such as biting, rocking, head banging
- Regressive behaviors, such as thumb sucking, "baby talk" etc.
- Poor relations with peers
- Self-Isolation
- Cruel behavior to other children or animals
- Substance abuse, excessive risk taking, suicide attempts, prostitution, delinquency
- Fire setting

**Signature of Acceptance**

**ACCEPTANCE AND ACKNOWLEDGEMENT**

I \_\_\_\_\_ have read this sexual misconduct policy and prevention statement. I hereby affirm that I have not resigned from or been terminated from a position for reasons relating to sexual abuse or misconduct as defined in this policy statement. I further acknowledge having received a copy of these policies and agree to abide by them.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**Please complete this form, detach it from the policies, and return the form to your staff leader or to the Director of Operations.**