

Abuse Awareness, Prevention, and Response Policy

Mid Michigan Church Sample

Revised by Council February, 2000

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I. Introduction

Mid Michigan Church (“MMC”) is committed to providing a safe, nurturing, and secure environment in which adults and children may worship and grow in love and service to God. Unfortunately, even in a church setting, some individuals may be at risk of being physically or sexually mistreated or abused. (See the Report of the Committee to Study Physical, Emotional and Sexual Abuse, *Agenda for Synod 1992*.)

To assure that MMC remains a safe place for all persons, the Council of MMC adopted the following Safe Church Policy with Abuse Awareness, Prevention, and Response Policies and Procedures (“Policy”). The Policy shall govern all church-sponsored programs or activities. For purposes of the Policy, the terms “misconduct” and “child abuse” are defined as follows:

Child Abuse (as defined by Michigan law) means harm or threatened harm to a child’s health or welfare that occurs through non-accidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment, by a parent, a legal guardian, or any other person responsible for the child’s health or welfare or by a teacher, a teacher’s aide, or a member of the clergy.

Misconduct is behavior that is offensive to the person upon whom it is inflicted or actionable in a church setting and may not reach the legal standard for the definition of abuse.

Physical misconduct means:

- threatened harm or non-accidental injury inflicted on a **minor or legally protected adult**
- or offensive or harmful contact to **any adult** where “offensive” means behavior that is clearly socially unacceptable in the broader church community. Physical misconduct is sometimes a single event, but more often a chronic pattern of interacting with a minor or an adult.

Sexual misconduct includes:

- exploiting or grooming (preparing) a person whether **minor or an adult**—regardless of consent or circumstances—for the purpose of sexual touch, sexual activity, or emotional intimacy with the result of either sexual gratification or power and control over the **minor or adult**;
- unwelcome touch, sexual activity, or emotional intimacy **between co-workers, co-volunteers** where “unwelcome” means behavior that is clearly unwanted or unacceptable in the broader church community;

- or sexual suggestion, sexual touch, sexual activity, or emotional intimacy **between a supervisor and a subordinate** who serve together in a church program or church ministry.

II. **Abuse Prevention Committee**

The Senior Pastor or designee, a member of the Council, and at least two members of the congregation shall form the Abuse Prevention Committee (“Committee”). All members of the Committee shall be trained in abuse awareness and response.

Responsibilities of the Committee are:

- A. Recommend policies and procedures for reducing the risk of child abuse in the church building, in church-sponsored programs, and by church volunteers or church staff.
- B. Assist in providing information and training of the congregation on the Policy, recognizing signs of child abuse, and appropriate response and behavior when working in church ministry.
- C. Provide oversight of all reports of child abuse related to church volunteers or staff.
- D. Provide oversight of the response to alleged offenders who are church volunteers or church staff.
- E. Communicate with the Classical Safe Church Team and with civil authorities as appropriate.
- F. Clarify whether the Committee or the first-hand reporter maintains a liaison with law enforcement officials.
- G. Notify legal counsel whenever a reasonable suspicion of child abuse has occurred related to church volunteer or staff.
- H. Notify the church insurance agent as appropriate when directed by legal counsel.
- I. Ensure that pastoral care is provided for the individuals and families who are party to the allegations.
- J. Provide disclosure and confidentiality as appropriate to:
 1. protect victims from further misconduct or abuse
 2. protect alleged offenders from unfair prejudice
 3. prevent additional persons from being victimized and
 4. promote healing.
- K. Maintain records on history of child abuse allegations reported at MMC . Committee files including reports and responses will be kept in the church office at an appropriate level of confidentiality.
- L. Report to the Council through the Senior Pastor or the Senior Pastor’s designee and/or the Council member who serves on the Committee.
- M. One member of the Committee shall be designated as the Clerk and shall be responsible for maintaining the records of those who have been trained.
- N. Other officers may be designated as the Committee determines to be helpful.

III. **The Policy**

Mid Michigan Church is committed to the following:

- A. Allegations of misconduct or abuse will be taken seriously.
- B. Sexual and physical misconduct or abuse against a child or adult in a church building, in a church-sponsored program, or by church volunteers and church leaders will not be tolerated.
- C. Any applicant for a church volunteer or staff position with a previous history of sexual misconduct or physical assault, or misdemeanor or felony conviction of child abuse, or pleading of no contest to any misdemeanor or felony charge will not be allowed to serve in any positions that put others at risk.
- D. Various means to prevent misconduct or abuse will be utilized to reduce the risk of sexual and physical misconduct or abuse in a church building, in a church-sponsored program, or by church volunteers and church leaders.
- E. Allegations by a minor of sexual or physical misconduct by a church volunteer or church leader, in a church facility, or in a church-sponsored program will be reported to child protection authorities will be notified within 24 hours if there is reasonable cause to suspect that child abuse has occurred. MMC will cooperate with the civil authorities responsible for handling reported incidents of abuse.
- F. An accused person has the right to due process, both civilly and in the church.
- G. A victim is not to be held responsible for misconduct or abuse that occurs.
- H. A volunteer or church leader who is accused of misconduct will be removed from serving until the allegations are resolved.
- I. A volunteer or church leader who confesses or is found guilty of sexual or physical misconduct against a minor or adult parishioner will be removed or dismissed from position or office.
- J. A volunteer or church leader removed or dismissed from position or office will not be considered for re-entry or reinstatement to any position that puts others at risk. No decisions regarding reinstatement will be made without the advice of legal counsel.
- K. All persons directly or indirectly involved with incidents of misconduct or abuse are to act with honesty, charity, and confidence in God's power to forgive and heal.

IV. Abuse Awareness and Prevention

- A. **Screening of Employees:** All prospective employees shall agree to:
 - 1. Complete an employment application.
 - 2. Authorize MMC to obtain background information and opinions from former employers, personal references, educational institutions, credit agencies, reporting services and governmental agencies.
 - 3. Allow MMC to verify background information and credentials.
 - 4. Allow MMC to obtain criminal and credit history, motor vehicle records, and to check the sex offender registry.
 - 5. Different levels of background checks are conducted depending on the responsibilities of the relevant employee position.
- B. **Screening of Volunteers:** All potential volunteers who will be working with vulnerable people in "at-risk situations"*** shall agree to:

1. Complete a volunteer information form.
2. Authorize MMC to do a criminal record search, a statewide sexual offender search, and for any volunteers who are likely to be driving a church vehicle in their volunteer capacity, to obtain driving or motor vehicle records.

****Definition:** “At-risk situations” means situations anticipated to include private one-on-one contact in non-public settings with children, youth under age 18, or developmentally disabled adults. At-risk situations do not include, for example, Sunday School classes, group activities, or volunteers in the nursery during worship.

- C. **Screening Responsibilities and Confidentiality:** Staff members are responsible for having the volunteers and employees in their area of supervision complete a volunteer information form or employment application and a background check release form. All information received will be confidential; background check information will be available only to the Senior Pastor, the Director of Service Ministries, and to those who are directly responsible for making the selection of an employee or volunteer.

(See the Abuse Prevention – Background Check Screening and Implementation Policy adopted by Council for more details.)

- D. **Ministry Guidelines:** Each ministry area will maintain written guidelines designed to protect program participants from abuse. These guidelines must be reviewed periodically by the ministry director, the church ministry staff, and the Abuse Prevention Committee. These guidelines will be consolidated as the Abuse Prevention, Safety, and Discipline Guidelines and will be used to train church volunteers and church leaders to prevent misconduct and to create positive role models in the church. Guidelines will be available for review by members of MMC or anyone with children or other vulnerable individuals participating in church programs. (See Abuse Prevention –Ministry Guidelines for details.)
- E. **Training:** Soon after the beginning of each church program year, staff, leaders, teachers and volunteers working with minors or developmentally disabled adults, who are new or who have not been previously trained, shall be trained in abuse awareness, prevention, and response. This training will include a review of the church’s Abuse Prevention, Safety, and Discipline Guidelines, reporting procedures, and how to recognize inappropriate behavior and signs of mistreatment or abuse. Staff and volunteers must repeat the training every three years.
- F. **Facility Guidelines:** MMC will endeavor to incorporate features in its buildings and to maintain its facilities in a manner that helps prevent misconduct and abuse, that enables persons with disabilities to participate, and that reduces safety risks to all who come to the church.

V. Reporting

- A. **All Allegations:** Staff, volunteers, or anyone in a position representing MMC are required to report any allegations of misconduct or any suspected abuse to the Senior Pastor or to the ministry director who will report the allegation to the Senior Pastor. Individuals should report to the Chair of the Elders and Chair of the Deacons if the Senior Pastor is involved in the allegation(s). It is not the responsibility of the reporting person to substantiate the alleged misconduct or suspected abuse, but only to report the suspected abuse or the incident.
- B. **Additional Reporting for Suspected Child Abuse:** If the alleged victim is a child, the first-hand reporter may report the suspected abuse or the incident directly to Children's Protective Services. They must complete an MMC Report of Possible Child Maltreatment. This information is confidential; the identity of the reporter will also be kept confidential so far as possible. Upon receiving the report, the Senior Pastor and/or the Chair of the Elders and the Chair of the Deacons shall make an initial determination of whether there is reasonable cause to suspect that abuse has occurred. If the Senior Pastor and/or Chair of the Elders or Chair of the Deacons conclude that there is reasonable cause to suspect that abuse has occurred, the Senior Pastor or a member of the Committee shall report the suspected abuse to Children's Protective Services.

VI. Responding to Allegations

- A. A small Response Team of church leaders will oversee the response to allegations. This team is comprised of at least two of the following: the Senior Pastor, the Chair of the Elders, and the Chair of the Deacons.
- B. The Response Team should first promptly determine:
 - 1. Whether the alleged victim is a child or an adult
 - 2. Whether the alleged offender is a church leader (paid staff, office bearer, or appointed volunteer)
 - 3. Whether there is reasonable cause to suspect that misconduct or abuse has occurred. "Reasonable cause" is defined as a suspicion founded on circumstances sufficiently strong to justify a reasonable person in the belief that the allegations are true.
- C. **Allegations Involving a Child**

If there is reasonable cause to suspect that a person at MMC is involved in an incident of misconduct, the Response Team should determine in consultation with the Abuse Prevention Committee the appropriate course of action based on the known information and the circumstances of the incident or situation. The Response Team should respond using the principles and guidelines outlined in this policy.
- D. **Allegations By an Adult Against A Church Leader**
 - 1. If the allegations are made by an adult against a church leader (paid staff, office bearer, or appointed volunteer) of MMC, the Response Team shall consult with the Committee and determine the appropriate response and course of action using the principles and guidelines

outlined in this policy. The Response Team and the Committee are encouraged to contact the Classis Safe Church Team if one of MMC's ministry staff members is accused.

2. If the allegations are made by an adult against a church leader (paid staff, office bearer, or appointed volunteer) of another Christian Reformed Church, the Response Team shall consult with the Committee and notify the appropriate Classical Safe Church Team.
3. After receiving the Classical Safe Church Team's Report, the Response Team in consultation with the Committee shall convene to discuss the allegations and the Classical Report and determine the appropriate course of action.

VII. **Criminal Proceedings:** For either church leaders or non-church leaders, if criminal proceedings are involved, the Response Team and the Abuse Prevention Committee shall promptly revisit the matter at the conclusion of the criminal proceedings and take other such action as the circumstances may dictate.

VIII. **Press Statements:** The church legal counsel will handle all press statements with the Senior Pastor or the Chair of the Elders and/or the Chair of the Deacons. Requests for press statements will be referred to the church attorney.

IX. **Compassionate Response for Families:** The Chair of the Elders will appoint a small group of wise and experienced pastoral persons to minister with compassion to all the individuals and families involved.

X. **Records, Confidentiality, and Disclosure.**

A. **Records:** All information received and efforts to respond will be documented.

B. **Confidentiality:** Any information received and any record maintained by MMC regarding allegations of misconduct or abuse shall be kept confidential. This means that only those who need to know will have access to these records and only to the records for the case in question. Those with a need to know may include for example the attorney representing the church, the Response Team, and the Abuse Prevention Committee.

C. **Disclosure:** MMC should disclose allegations of misconduct against a church leader only when appropriate as decided by the Council under advisement from the Committee.

1. If someone in the church is convicted of criminal child abuse, the congregation will be notified in a manner the Committee deems appropriate for the situation.
2. MMC should disclose information related to allegations of misconduct or abuse by a church leader as needed to protect and minister to the needs of children and families.