

SAFEGUARDING GOD'S CHILDREN
The Episcopal Diocese of Tennessee's Policies and Procedures
January 2011



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Preface

The Rt. Rev. Dr. John Bauerschmidt

September 3, 2009

Dear People of God,

I commend to you “Safeguarding God’s Children”, the Diocese of Tennessee’s Policies and Procedures regarding the prevention of sexual misconduct and sexual abuse. These materials have been prepared by our Diocesan Committee, but the members have benefited themselves in their preparation from the wisdom of other dioceses and churches and have drawn from the experience of the Church as a whole. We have learned so much as a Church in the last two decades about the way in which we must respond to sexual misconduct and abuse, if we would serve God’s family.

The theological underpinnings are important as the Church seeks to speak and address these evils. Each of us has a responsibility to and for our neighbor that is rooted in Jesus’ command to love God, and the neighbor as oneself. Remember it was Cain, the murderer of his brother, who asked “Am I my brother’s keeper?” (Gen. 4:9). The answer to this question is “Yes”, emphatically “Yes”. The love of neighbor compels us to care for each other, and to be careful of each other. The story of sin in the Scriptures begins with a lie told in the Garden, but with the story of Cain and Abel it moves quickly to violence. Deception and violence, of course, run as underlying currents in sexual misconduct and abuse, so here we have not moved far from the original fault.

There is another theme as well. When Jesus responds to the question, “Who is my neighbor?” (Lk. 10:29), he tells a story about a Samaritan who goes out of his way to help a pious Jew in distress. Jews and Samaritans were strangers to each other, even enemies. Again we are brought face to face with the responsibility we have toward each other, especially the stranger in distress. We are not allowed to pass by or to turn away in the face of our own astonishment and distress. Human lives are involved, and love for the neighbor compels our attention in this matter, even when the subject is difficult for us to come to grips with.

I am grateful for the work of our Diocesan Committee for the Prevention of Sexual Misconduct in preparing these policies and procedures. I commend them to the attention of the Church. We still have more to learn, and much work to do.

Yours faithfully,

+John Bauerschmidt

XI Bishop of Tennessee

SECTION ONE: *Theological & Ecclesiological Foundations*

For the Care of Children

Almighty God, heavenly Father, you have blessed us with the joy and care of children: Give us calm strength and patient wisdom as we bring them up, that we may teach them to love whatever is just and true and good, following the example of our Savior Jesus Christ. Amen. (*Book of Common Prayer* 829)

In our churches, each time we baptize a child of God, whether an infant or an adult, we renew our Baptismal Covenant and are reminded that our call as members of the body of Christ is to “seek and serve Christ in all persons, loving our neighbor as ourselves” and to “strive for justice and peace among all people, and respect the dignity of every human being” (*BCP* 305). As the Body of Christ, we come together to form a loving, trusting community of believers committed to the promises of God in Jesus Christ. Whether we are lay or ordained, we are to treat members of our congregations, other staff members, and all in need who come to us, in such a manner that they may experience the healing ministry of Christ and be received with the same care and dignity our Lord showed to those who came to him.

Our churches are to be places of sanctuary for all of God’s people. The expectation of sanctuary in a sacred space is one of safety and community. To be a sanctuary, the Church must form itself as a pastoral community where trust is expected and upheld. Trust is fundamental to covenantal love and the well being of the Christian community. Christian people have the right to expect that those they choose as leaders, lay and ordained, are committed to standards of behavior that are trustworthy. Pastoral leadership in the Church is a calling that entails the highest standards of personal responsibility and integrity.

The Episcopal Church recognizes the tragic reality of the existence of sexual misconduct by clergy and other church workers (for more on this Resolution B008, see Appendix A). It is a problem that reaches far and wide and is not confined only to religious institutions. It is a problem that does not discriminate based upon race, ethnicity, gender or social and economic standing. The issue of sexual misconduct by church workers, clerical or lay, is an extremely difficult one. The abuse of power and position has devastating effects for all parties involved and causes great pain for the whole congregation.

Sexual misconduct and the abuse of power or position are condemned; neither will be tolerated in the Diocese of Tennessee. However, it is also understood that sexual misconduct may be committed unknowingly (or for causes not immediately recognized). Also, allegations of such misconduct may be made mistakenly or without foundation. Consequently, it has become imperative to express, as official Diocesan policy, a statement of policies and procedures for dealing with allegations of sexual misconduct against clergy and other church workers.

Allegations of sexual misconduct will be taken seriously and will be investigated promptly. These policies and procedures provide fairness to the accusing party and to the accused and include a healing process for the accusing party, the accused, and, if applicable, an affected congregation. By increasing our awareness of the issues related to abuse, harassment, and exploitation we increase the possibility

of identifying those persons in our midst who may be abused. With knowledge, we can reach out pastorally to those persons, offering them the experience of empathy, compassion, and support. We pray that by promulgating these policies and procedures, church workers, both lay and ordained, will recognize their proper boundaries and, armed with that knowledge, will stay within those boundaries.

THE CHURCH AS SANCTUARY

*GOD's a safe-house for the battered,
a sanctuary during bad times.
The moment you arrive, you relax;
you're never sorry you knocked.
(Psalm 9: 9-10 , The Message)*

Durham Cathedral, England. Below the carved stone archway of the Norman Cathedral on the north porch door, hangs the replica of the bronze, lion-like Sanctuary Knecker. During the medieval ages, Durham Cathedral was a place of sanctuary and the concept of the church as sanctuary is as relevant as it ever was before (if not more so).

More and more people seem to come knocking on our doors needing a sanctuary. Not simply a sanctuary as a place of worship and offering but sanctuary as a place of refuge; an oasis; a safe place to breathe, to rest, to pray and to grow more fully into all that God has made and wishes for them to be.

To be a sanctuary, a safe place within this world has always been part of our call as the church. Hidden within all the clamor during the height of construction on the great cathedrals, like Durham, was this steady premise that the church building was to be like a ship who carried her passengers to Heaven (hence why the place we sit within our sanctuaries is called the “nave,” coming from the Latin word, “navis” meaning “ship.”) or she is to be like an ark providing refuge from the floods.

The church as sanctuary, as safe space and place, is part of our call in this world and it is this safe sanctuary, this incarnate presence of the living Christ, that this world so deeply needs.

Today we more readily recognize that the church is more than a building designated as sacred space. The church is people. We are the church. And keeping the church as sanctuary therefore includes safeguarding God’s people and God’s space.

Maintaining Sacred Space through creating Safe Churches:

Creating a safe church involves community discernment of both policies *and* practices. Through both, ministers are equipped, sacred space is sustained and the church continues to answer her call in this world. *Parishes are therefore called upon to develop such policies and practices in accordance with the Episcopal Diocese of Tennessee.*

Safe Church Policies and Practices:

1. **Established Ratios:** *every program much have established ratios for adults and children/youth, including activities that happen off church property. A minimum of 2 adults should be present during any church activity.*
2. **Visibility:** *church school classrooms and nursery rooms must permit visibility into the room at all times.*
3. **Open Door Policy:** *all programs and activities will take place under an open door policy, meaning that parents, clergy, staff have the right to visit and observe at any time, unannounced.*

You also, like living stones, are being built into a spiritual house to be a holy priesthood, offering spiritual sacrifices acceptable to God through Jesus Christ (I Peter 2: 5, NIV)

The church as sanctuary, as a haven, a safe place; and the church as a community of believers vowed to support each other in our life in Christ, has an innate responsibility to discern how best to safeguard all of God's children, regardless of age thus continuing to be a viable, living, active and essential presence in this world.

*But as he who called you is holy, you also be holy in all your conduct, since it is written, "You shall be holy, for I am holy."
(I Peter 1: 15-16, ESV)*

4. Age Guidelines: *all children/youth under the age of 18 must be supervised directly by adults over the age of 21.*
5. Safety procedures: *programs should develop age-appropriate procedures to ensure the safety of children/youth using restrooms, crossing streets etc. Particular procedures for nursery care should also be developed, in regards to tasks such as diaper changing and parent-child relationship identifiers.*
6. Congregation-Sponsored Program List: *an up to date list of approved congregation-sponsored programs for children/youth will be maintained and posted by the church office.*
7. Permission Forms: *written permission forms must be completed and signed before church personnel may transport to any activities. Whenever possible, each vehicle should contain two unrelated adults. Drivers should be at least 25 years of age.*
8. Release Forms: *signed release forms must be completed prior to participation in church activities. Procedures to ensure that children/youth are released only to their parents/guardians or those designated by signed release.*
9. Screening and Background checks: *Paid Staff and clergy as well as non-paid staff and volunteers must all be subject to appropriate screening and background checks. Training for the Safeguarding of God's people is also required where appropriate.*
10. Sleeping arrangements: *church personnel are prohibited from sleeping in the same beds, sleeping bags, tent, hotel rooms or other rooms with children/youth unless the adult is an immediate family member of all the children/youth present in the beds, sleeping bags, tent, hotel rooms or other rooms. Multiple adults can sleep in one open space with children/youth.*

SECTION TWO: *Standards of Behavior for Adults Working With Youth & Children*

DEFINITIONS

CHILDREN AND YOUTH

- A child is defined as anyone under the age of 12 years.
- A youth is defined as anyone who is at least 12 years old, but not yet 18 years old. A youth may also be an individual who is 18 years old or older, but still in high school.
- An adult is anyone over the age of 18 years old that is not in high school.

SEXUAL MISCONDUCT

The Diocese of Tennessee considers all forms of sexual misconduct intolerable and unacceptable. This includes, but is not limited to:

- *Sexual abuse*
- *Sexual molestation*
- *Sexual harassment*
- *Sexual exploitation*

Summary of the Requirements for All Clergy, Employees, and Volunteers

Clergy (including priests licensed to officiate, deacons, and transitional deacons) **must:**

- Grant consent for and complete a Sexual Misconduct Background Check and reference check.
- Complete the *Safeguarding God's Children* training module. This participation must be documented in writing.
- Read all of the established diocesan policies pertaining to prevention of sexual misconduct.
- Successfully undergo a review of Sexual Offender Registries; success is defined as no listing.

Rectors and Priests-in-charge of parishes are responsible along with their vestries for the maintenance of prevention of sexual misconduct training materials, manuals, and registers of training sessions/attendees in the parish office.

11. Viewable Counseling: *one on one counseling with children/youth will be done in an open, public or other place where private conversations are possible but occur in the full view of others.*

12. Remaining in View: *church personnel (paid or unpaid) are prohibited from being alone with a child/youth or with multiple children/youth.*

13. Establish specific behavioral norms for all who work in the church with children/youth (paid or unpaid).

ABUSE

No person attending or leading a diocesan sponsored program is to be emotionally or sexually abused. This includes but is not limited to:

- Physical abuse defined as non-accidental bodily injury of one person
- Emotional abuse defined as the spoken or unspoken devaluing of another such calling or indicating that s/he is worthless. Bullying may fit into this category.
- Sexual abuse defined as any sexualized behavior between a youth, adult or other youth when there is an unequal distribution of power, such as when one party is significantly older, larger, stronger, or holds more authority.

Lay Employees who Work with Children and Youth Must:

- Grant consent for and complete a Sexual Misconduct Background Check and reference check.
- Complete the *Safeguarding God's Children* training module.
- Read all of the established diocesan policies pertaining to prevention of sexual misconduct.
- Successfully undergo a review of Sexual Offender Registries; success is defined as no listing.

Documentation of participation in this workshop must be maintained in the parish office.

Volunteers (in direct ministry with children or youth) Must:

- Complete the *Safeguarding God's Children* training module including a review of all established diocesan policies pertaining to prevention of sexual misconduct.

Lay Church Employees (not in direct ministry with children or youth) Must:

- Grant consent for and complete a Sexual Misconduct Background Check and reference check.
- Successfully undergo a review of sexual offender registries; success is defined as no listing.

Vestry Members Must:

- Complete the *Safeguarding God's Children* training module.
- Review all of the established diocesan policies pertaining to prevention of sexual misconduct.

STANDARDS OF BEHAVIOR

Following the lead of the 74th General Convention of The Episcopal Church, which in Resolution B008 (see Appendix A) recommits itself to A Children's Charter for the Church and a vision of the role of children in the Church, the following behavioral norms are expected from all who work with children and youth in the Diocese of Tennessee:

- Respect for the privacy and dignity of children and youth by not putting them in inappropriate unmonitored one-to-one situations;
- Age-appropriate arrangements for sleeping, bathing, dressing, or showering. It is not appropriate for leaders to share exclusive sleeping quarters with youth;
- The prohibition of any sexually orientated materials (magazines, cards, videos, films, clothing, etc.) in the presence of children and youth except as expressly permitted as part of a pre-authorized educational program;
- The prohibition of dating, romantic involvements, or sexual contact with a child or youth;
- Appropriate physical contact (see the Guidelines below);
- The prohibition of discussing your own sexual activities and fantasies with children or youth, or in their presence; and
- The prohibition of the non-sacramental use, possession, distribution or being under the influence of alcohol, illegal drugs, or the misuse of legal drugs.

GUIDELINES FOR APPROPRIATE AFFECTION

The Episcopal Diocese of Tennessee is committed to creating and promoting a positive, nurturing environment for our children's and youth ministries that protect our children and youth from abuse and our Church Personnel from misunderstandings. When creating safe boundaries for children and youth, it is important to establish what types of affection are appropriate and inappropriate.

Stating which behaviors are appropriate and inappropriate allows Church Personnel to comfortably show positive affection as a crucial component of healthy ministry, as well as to identify individuals who are not maintaining safe boundaries with children or youth. These Guidelines are based, in large part, on avoiding behaviors known to be used by child molesters to groom children or youth and their parents for future abuse. By modeling these appropriate behaviors we help children assert what is appropriate in order to maintain their own boundaries. The following guidelines are to be carefully followed by all Church Personnel working around or with children or youth.

PASTORAL COUNSELING

Because of the relational nature of Children's and Youth Ministry, one-on-one pastoral counseling scenarios are expected.

When one-on-one conversation or pastoral care is advisable between an adult leader and a youth, another adult is to be present, or at least aware of the place of consultation and who is being counseled.

There are times when it is appropriate or necessary for an adult leader to be alone with a young person (e.g. pastoral counseling or transportation). The Diocese of Tennessee advises the adult to arrange pastoral meetings in public places such as restaurants, coffee shops, or a corner away from the action but in full view. Always inform other responsible adults about the appointment or plans. Spontaneous or secretive activity with a single young person may foster a high-risk situation. Seclusion is to be avoided.

A Word About the Internet

Most of the guidelines regarding appropriate and inappropriate affection pertain to situations where community members are in actual physical proximity to one another. With the advent and proliferation of Internet technologies (personal computers, hand held text messaging devices, etc.) and social networking sites (blogs, Myspace, Facebook, etc.) the avenues human beings have to connect with one another in meaningful ways has increased exponentially. Sadly, this also means that there are new opportunities for inappropriate relationships to develop, and because of the anonymity of the digital arena these can be difficult to intuit and observe.

A good rule of thumb is that if the online behavior is replicating the types of scenarios, interactions, and/or bad boundaries of the standards of INAPPROPRIATE AFFECTION, then it is probably unsuitable. On flipside, if it reflects the forms of APPROPRIATE AFFECTION, then it should be welcome.

Use discernment and when in doubt do not hesitate to consult your Youth or Children's Minister, Rector, or Diocesan officer with any questions.

INAPPROPRIATE AFFECTION

The following forms of affection are considered INAPPROPRIATE with children and youth in ministry setting because many of them are the behaviors that child molesters use to groom children or youth and their parents for later molestation or can be, in and of themselves, sexual abuse.

- Inappropriate or lengthy embraces.
- Kisses.
- Holding children over three years old on the lap.
- Touching bottoms, chests or genital areas other than for appropriate diapering or toileting of infants and toddlers.
- Showing affection in isolated areas such as bedrooms, closets, staff only areas or other private rooms.
- Occupying a bed with a child or youth
- Touching knees or legs of children or youth.
- Wrestling with children or youth.
- Tickling children or youth.
- Piggyback rides.
- Any type of massage given by a child or youth to an adult.
- Any type of massage given by an adult to a child or youth.
- Any form of unwanted affection, attention, or favoritism.
- Comments or compliments (spoken, written, or electronic) that relate to physique or body development. Examples would be, "You sure are developing" or "You look really hot in those jeans."
- Snapping bras or giving wedgies or similar touch of underwear whether or not it is covered by other clothing.
- Giving gifts or money to individual children or youth without first consulting the parents, Youth or Children's Minister, Rector, or the Diocesan Coordinator.

APPROPRIATE AFFECTION

Love and affection are part of church life and ministry. There are many ways to demonstrate affection while maintaining positive and safe boundaries with children and youth. Some POSITIVE and APPROPRIATE forms of affection are listed below:

- Brief hugs.
- Pats on the shoulder or back.
- Handshakes.
- "High-fives" and hand slapping.
- Verbal praise.
- Touching hands, faces, shoulders and arms of children or youth.
- Arms around shoulders.
- Holding hands while walking with small children.
- Sitting beside small children.
- Kneeling or bending down for hugs with small children.
- Holding hands during prayer.
- Pats on the head when culturally appropriate. (For example, in certain Asian communities this gesture should be avoided. Again, be wise).

SECTION THREE

Defining, Recognizing, & Responding To Signs of Child Sexual Abuse

Adapted from Safeguarding God's Children & the Rape and Sexual Abuse Center's published materials.

FREQUENTLY ASKED QUESTIONS

What is sexual abuse?

Sexual abuse may be understood as a **continuum of behavior**, ranging from seemingly innocent behaviors to the most egregious. Generally, a pedophile will begin with the most “innocent” types of interaction and behavior, gradually progressing in her or his abuse by spending time with and building trust with the child, until the abuser achieves her or his goals.

This continuum includes:

- wrestling, tickling, excessive physical contact
- secret phone calls, emails or text messages
- verbal comments of a sexual nature
- unwanted physical contact
- changing clothing with children present
- obscene phone calls
- genital nudity or exposure
- kissing or fondling
- masturbation
- showing pornography (film or pictures)
- exposure to others' sexual behavior
- penetration & rape

What kind of people prey on children?

- Only 10% of abuse is perpetrated by strangers.
- This means that 90% of all sexual abuse is caused by someone the victim knows, whether a family member, babysitter, church member, or friend of the family.
- Of all child sexual abuse, 51% is caused by parental figures or caregivers
- The most frequent offenders are known to the child.
- About 7% of the population has an attraction for children; about half of these act on it.
- Some of these persons were abused as children or young people; some were not.
- While most pedophiles are men, some are women.
- When the victim is female, about 10% of the sexual abuse is perpetrated by a female; when the victim is male, about 15% of the abuse is perpetrated by a female.
- Some are heterosexual; some are homosexual; others have a primary sexual identification with children.
- Most pedophiles are heterosexual males with a secondary attraction to children; often, they are married with children and are repulsed by adult homosexual sex.
- Of women who are pedophiles, most are married.

How do sexual offenders operate?

- Offenders tend to be excellent at disguising themselves and blending in with the crowd.
- Offenders are good at creating opportunities to be alone with children, and parents as well as children tend to trust them because they are able to create a sense of normalcy.
- Offenders are skilled at using communication that will draw children in.
- A child molester forms strong relationships with children, often using a reward system for behaviors the offender wants to encourage in the child.
- Most abusers tend to spend a lot more time with one child, and they often make exceptions from general rules for the children they are targeting for abuse.
- Sometimes offenders use fear and deception to keep children afraid or confused so that they will not tell what is going on.
- A person who sexually abuses children establishes trust and gradually “grooms” a child to do what he or she wants the child to do, making the child think he or she had some choice in the abuse.
- The three things a molester needs in order to abuse a child are: access to children, privacy, and control.

Who are the victims?

- 1 in 4 girls and 1 in 8 boys will be sexually abused before the age of 18.
- Convicted child molesters who abused girls had an average of 52 victims each.
- Men who molested boys had an average of 150 each.
- Pedophiles, whether men or women, can have up to 500 boy victims and up to 350 girl victims.
- Children from as young as newborns all the way to teenagers are sexually abused every day in this country.

Do children tell the truth about abuse?

- Less than 5% of all allegations of sexual abuse turn out to be false.
- Most children tell the truth about what has happened to them.
- Less than 16% of sexual abuse victims ever tell about the abuse they have suffered.

Why might a child not tell about abuse?

- An inability to tell due to age or disability—they may not have the words or an accurate understanding of what happened to be able to tell;
- The fear of the perpetrator, who may be threatening or bribing them not to tell;
- The fear of the consequences of telling—that they might get in trouble;
- They may think they have already told;
- They do not know sexual abuse is wrong;
- The abuse may be the only attention or physical affection they are receiving;
- They may fear peer reaction;
- They may be embarrassed to discuss sexual issues, especially with authority figures;
- They fear that they will not be believed.

RECOGNIZING SIGNS OF ABUSE

Why might a child tell about the abuse?

- The child receives sexual abuse prevention training and understands what to do.
- The child encounters a caring, listening adult and feels safe to disclose.
- Often, offenders ask the child to keep a secret, but the child cannot keep it.
- Physical problems lead to a medical examination.
- The abuse escalates in frequency or type of behavior, alarming the child.
- The victim's younger brother or sister is now at the age when the victim was first abused, and the victim does not want him or her to be abused as well.

How do children tell about being abused?

- Sometimes, children find a way to communicate their abuse verbally to a trusted adult.
- Others “tell” about their abuse non-verbally through patterns of behavior and emotions
- Caring adults who notice these behavioral patterns may be the first step toward healing for children who have been or are being abused.

What are some warning signs of abuse in younger or small children?

- Complaining about people/activities they used to like.
- Self-Isolation
- Major behavioral changes
- Unexplained anxiety
- Sudden onset bedwetting or inability to control bowels
- Excessively touching themselves—inability to stop touching genitals or masturbating in public
- Use of sexually explicit language generally inappropriate for the age of the child

What are some behavioral signs that are yellow flags regarding abuse for children and teenagers in general?

- Drastic changes in schoolwork
- Preoccupation with sexual themes and images, especially those that are sexually aggressive
- Attempts to expose others' genitals through pulling pants down/skirts up
- Sexually explicit conversation or sexual innuendo, teasing, embarrassing others
- Sexual graffiti
- Sexual knowledge or language more advanced than is usual for a child of this age
- Feelings of low self-worth
- Moodiness or depression

- Distancing from family
- Preoccupation with masturbation
- Simulating foreplay with dolls or peers who have clothing on (petting, practicing French kissing)
- Difficulty making friends the child's own age
- Ease of befriending adults & authority figures
- Overly restricted social activities or an overly protective father
- Overwhelming responsibilities at home or for other children

What are some behavioral signs that are red flags regarding abuse for children and teenagers in general?

- Extreme neediness
- Incessant demands for adult attention
- Acting out—may include restlessness during classes
- Abrupt changes in behavior or attitude
- Confused sexual identity
- Depression
- Withdrawal from previously enjoyable activities
- Intense anxiety or fearfulness
- Sleeplessness
- Bedwetting and/or inability to control bowel movements
- Sexually explicit conversations with a person of a significant difference in age
- Touching another's genitals
- Forced exposure of another's genitals
- Degrading or humiliating self or others with sexual themes
- Inducing fear or making threats of force
- Sexually explicit proposals or threats, including written notes
- Repeated or chronic peeping or exposing one's self
- Repeated or chronic use of obscenities or pornographic interest
- Compulsive masturbation or task interruption to masturbate
- Female masturbation including vaginal penetration
- Simulating intercourse with dolls, peers, animals
- Complaints of pain, itching, or irritation in genital or rectal areas
- Frequent urinary tract infections
- Regression to immature behaviors such as wetting pants, thumb sucking, or rocking

What are some behavioral signs that indicate there is no question sexual abuse is happening?

- Oral, vaginal, or anal penetration of dolls, children, or animals
- Forced touching of genitals
- Simulated intercourse with peers with clothing off
- Any genital injury or bleeding not explained by accidental cause
- Torn, stained, or bloody underclothing

- Child has difficulty walking or sitting
- Presence of a sexually transmitted disease

What are some long-term effects of sexual abuse?

- Feelings of guilt or shame
- Feeling different or alone
- Sadness
- Confusion
- Acting out at school or home
- Turning to violence
- Using drugs and/or alcohol
- Difficulty forming relationships
- Hate
- Depression
- Running Away
- Eating disorders
- Develop anxieties
- Fear
- Anger
- Suicidal ideation

RESPONDING PASTORALLY TO SIGNS OF SEXUAL ABUSE

How should I pastorally respond to a minor's disclosure of sexual abuse?

- Practice your response before a real situation occurs.
- Pay attention to body language—yours as well as the child's.
- Remain calm and listen more than you speak.
- Reassure the child that you believe him/her.
- Be supportive of the child.
- Avoid trying to figure out for yourself if the allegations are valid.
- Avoid using shocking or disbelieving body language or words.
- Avoid gossiping about these allegations.
- Don't make promises you cannot keep.
- Don't coach the child or put words in her/his mouth.
- Document the disclosure and report it, following the State and Diocesan guidelines outlined in Sections Five and Six of this manual.

Who do I report the abuse to?

- The priest-in-charge and the Bishop. The priest-in-charge should consult with the youth minister, christian education director, etc. to handle the situation in the church as well as reporting it to the Bishop.
- If the priest is the suspect, the senior warden must be informed and the report must be made directly to the Bishop.
- Report to the Tennessee Department of Children's Services. Hotline number is: 1-877-237-0004

After I have documented and reported the allegations, how should I assist the child?

- Do not share information about the allegations with anyone except the authorities to whom you have reported the disclosure or a therapist or case worker who can answer your specific questions.
- Understand that the child is now in recovery from abuse.
- Love and accept the person who has experienced the abuse.
- Let the child know that this experience in no way affects how you feel about her/him.

What are some guidelines parents can use for teaching children about safety?

Include touching safety rules when you talk about other types of safety including:

- No one should touch your private body parts except to keep you clean and healthy.
- No one should ask you to touch her/his private parts.
- No one should ask you to take off your clothes.
- No one should take his/her clothes off in front of you.
- No one should take pictures of you with your clothes off.

Set up family rules about touching:

- Don't keep secrets about touching.
- If anyone asks you to keep a touch secret, always tell a safe person.
- Know whom your child is with when he/she is not with you.
- Screen babysitters, tutors, etc. by checking references.
- Interview all potential babysitters.
- Don't be afraid to ask the tough questions.
- Share family rules with the sitter, including touching rules.
- If someone makes you feel uneasy, trust your instincts and choose another sitter.
- Get your child's input on the sitter— How does he/she react when told the sitter will be staying with her/him?

Help children develop assertive skills

- Teach them that adults aren't always right.
- Let them know their bodies belong to them.
- If someone is touching them in a way that makes them feel uncomfortable, they can say, "Stop, I don't like that" or "Stop, I'm going to tell."
- Teach children that touching safety rules apply all the time.
- Touching rules are not just for strangers or men or babysitters.
- While rules about strangers are important, it is uncommon for a child to be sexually abused by a stranger.

SECTION FOUR

Policies & Procedures of the Episcopal Diocese of Tennessee On Sexual Conduct and the Prevention of Sexual Misconduct Involving Children and Youth

GENERAL POLICIES

The Diocese of Tennessee prohibits sexual misconduct and sexual abuse by all church workers (lay, ordained, paid, volunteer) and seeks through these policies and procedures to provide a environment safe from these prohibited activities for the children and youth who participate in the programs and activities of its parishes and associated institutions.

The Diocese seeks through these policies and procedures to provide an effective and appropriate response to any kind and all accusations of behaviors prohibited by these policies and procedures. The pastoral concern of the Church and its Bishop is to both the accuser and the accused, the victim and the perpetrator, individuals and the parishes, organizations, and institutions of the Diocese.

The Diocesan Bishop and the Diocesan Chancellor shall be made aware of all accusations of sexual misconduct. These policies and procedures will be made available and will be reviewed by all ordained and lay leaders of each diocesan parish and institution.

PROCEDURES

If one suspects abuse has occurred in a parish, the priest-in-charge (Rector) must be informed immediately. If the accusation of abuse or misconduct involves the priest-in-charge, the Senior Warden must be informed. **In either circumstance, a call must be made immediately to Bishop Bauerschmidt** at the Diocesan office (615-251-3322) to inform him of the situation(s). It is imperative that any suspicion or accusation of sexual abuse or misconduct be kept confidential for the safety and protection of the victim(s) and the accused.

Tennessee mandates the report of brutality, abuse, neglect or child sexual abuse by ANY person “having knowledge of or called upon to render aid to any child who is suffering from or has sustained any wound, injury, disability, or physical or mental condition which is of such nature as to reasonably indicate that it has been caused by brutality, abuse or neglect.” T.C.A. 37-1-403. The report shall be made to the Department of Human Services, or to the juvenile judge or to law enforcement officials. Included in the report shall be the child’s name, address, age, the person responsible for the child, and the facts necessitating the report. Hotline number is: 1-877-237-0004.

SECTION FIVE

The State of Tennessee's Requirements & Procedures for Reporting Sexual Abuse and Other Sexual Misconduct

TENNESSEE'S LAWS

In Tennessee, two separate provisions in the statute speak to the report and prevention of child abuse and child sexual abuse {Tennessee Code Annotated (T.C.A.) 37-1-401 et seq. and 37-1-601 et seq.}. The state's child abuse and sexual abuse laws provide these definitions and requirements:

MANDATORY REPORTING

Tennessee mandates the report of brutality, abuse, neglect or child sexual abuse by ANY person "having knowledge of or called upon to render aid to any child who is suffering from or has sustained any wound, injury, disability, or physical or mental condition which is of such nature as to reasonably indicate that it has been caused by brutality, abuse or neglect." T.C.A. 37-1-403. The report shall be made to the Department of Human Services, or to the juvenile judge or to law enforcement officials. Included in the report shall be the child's name, address, age, the person responsible for the child, and the facts necessitating the report. Hotline number is: 1-877-237-0004.

LEGAL DEFINITIONS OF CHILD ABUSE AND CHILD SEXUAL ABUSE

While the statute is silent as to what constitutes abuse and neglect, it does specify certain acts which would constitute severe child abuse and child sexual abuse.

Severe child abuse includes assault or aggravated assault, murder, manslaughter, kidnapping or aggravated kidnapping, and aggravated child abuse where serious bodily injury occurs.

Child sexual abuse "means the commission of an act involving the unlawful sexual abuts, molestation, fondling or carnal knowledge of a child," including rape, attempted rape, sexual battery, and sexual exploitation." T.C.A. 37-1-602 (a)(3)(A). Child sexual abuse also means any penetration, contact, intentional touching, or intentional exposure of the intimate parts, except that it shall not include those acts which "may reasonably be construed to be normal caretaker responsibilities, interaction with, or affection for a child." T.C.A. 37-1-602 (a)(3)(C).

The statute also speaks to one other type of sexual abuse. Institutional sexual abuse occurs in "situations of known or suspected child sexual abuse in which the person allegedly perpetrating the child sexual abuse is an employee of a public or private child welfare agency, [of a] public or private school, or ANY OTHER person responsible for the child's care." T.C.A. 37-1-410 and 37-1-613.

IMMUNITY FOR MAKING A REPORT

All persons making a report of child abuse or neglect or child sexual abuse are assumed under the statute to have made the report in good faith. Thus, they are immune for all damages, both civil and criminal, that otherwise might be imposed for such action. T.C.A. 37-1-410 and 37-1-613.

A similar protection is that the identity of the person making the report and the report itself are made confidential, except when the court finds that the testimony of the reporter is material to indictment or conviction. T.C.A. 37-1-409 and 37-1-612.

LIABILITY FOR FAILING TO REPORT

At the other extreme, any person who knowingly and willfully fails to make a report required under the statute (see above regarding Mandatory Reporting) or who prevents another from reporting commits a Class A misdemeanor. T.C.A. 37-1-412 and 37-1-615.

PROTECTION FROM LIABILITY

The Tennessee Bureau of Investigation has established and maintains a registry to screen child care providers. The registry consists of any person alleged or adjudicated to have committed child sexual abuse and severe child abuse. The registry is searched for verifying the existence of the applicant's name for "any person applying to work with children as a volunteer or as a paid employee for a child welfare agency...or any institutional or residential child care facility." T.C.A. 40-39-201 through 40-39-211. This registry contains the names of those persons who have committed severe child abuse and sexual abuse and is a source to verify the records of employees and volunteers who come in contact with children.

The statute also authorizes as of January 1, 1994, religious organizations to require all persons applying to work with children as a volunteer or paid employee to submit to a background check. Included in the check, the employee or volunteer may be required to agree to the release of all investigative records or criminal records, or supply a fingerprint sample. T.C.A. 37-1-414. Failure to fully investigate the background of employees and volunteers leaves the church with little protection against liability for the acts of its employees and/or volunteers.

REPORTING SUSPECTED ABUSE IN TENNESSEE

As the section above says, reporting suspected child sexual abuse is mandatory in the State Of Tennessee. Report suspected abuse to the Department of Child Services or the Police Department.

If you suspect a child is suffering from child neglect, child abuse, or child sexual abuse, the law says you must report abuse to the authorities. Call the Department of Children's services 24-hour reporting hotline: 1-877-237-0004 or your local Police Department. In Nashville, you may contact the Metropolitan Police Department at (615) 862-7417 or (615) 862-7887.

The name of the person reporting suspected abuse is kept confidential, and he/she cannot be prosecuted for making a report in good faith. (However, knowingly making a false report is a criminal offense.)

Once a report is made, the authorities investigate, and if there is enough evidence to believe that abuse has occurred, the Child Protective Investigative Team decides the appropriate action to protect the child and the community. This could result in criminal charges being placed against the offender.

SECTION SIX

Hiring Guidelines for Children & Youth Staff and Volunteers

Adapted from the Diocese of Southern Virginia.

INTERVIEWING APPLICANTS

Whether you are using paid staff or volunteers to be in charge of children, you should approach the selection and hiring in the same manner. Do not be put off by the applicant or volunteer who objects to your inquiries and interview process. A person who is mature and able to deal with children in an appropriate manner will be understanding and not offended by what you are doing. Likewise, it is recommended that any one working with Youth and Children be known by the clergy or ministry leader for at least six months before joining as a volunteer.

While these processes can inconvenience an adult, failure to implement them can damage a child. Churches are encouraged to consider the following procedures:

1. Have an application form. The form should list the essentials that any employer would ask an applicant whether paid or volunteer.
2. Ask for references from unrelated sources, preferably ones that have seen the applicant in action with children.
3. Make certain that you check the references. An efficient way to check references is to send out a form, which should be kept on file for at least seven years. The written form offers the opportunity for the person to contact the interviewer by telephone. Some suggest that a telephone check is likely to be more candid than a written reference. You can also sense reluctance, or hesitation about certain questions that gives you a clue to ask further questions that may help you to get a better picture of the individual.
4. Have a form to record their answers.
5. While interviewing the applicant or volunteer you should be looking for:
 - openness: a genuine interest in and concern for young people
 - dependability

PROCESSING APPLICANTS

At the time that the applicant or volunteer has been accepted for the position, you should request that the applicant give you:

1. Copies of their degrees or credentials that they have listed on the application. You may be surprised at the number of individuals who claim to have credentials that they do not have. This is one measure of their integrity.
2. A copy of their driver's license. Even if they are not going to be driving for you, this is another form of identification that is useful to have on file.
3. A copy of their driving record if they will be driving for you. This should be done within ten days of the time of employment or start of the volunteer job. The applicant can obtain a motor vehicle license record by going to the closest DMV and requesting it.
4. The applicant should sign a form that states that they have received a copy of the policies and procedures of the organization.

- self-confidence and assertiveness
 - self-awareness (asking the applicant to reflect on their strengths and weakness are helpful here)
 - good health and a high energy level
 - sense of humor and the ability to relax
 - ability to tolerate conflict and discord (Questions about how the applicant deals with conflict are appropriate)
 - cooperative team spirit: ability to express viewpoints honestly and accept compromise
 - emotional stability and good impulse control
 - ability to make quick, sound decisions, often independently
6. Establish a list of questions that you would ask all applicants or volunteers. Keep notes on how they respond. {See sample questionnaire.}
 7. When observing and interviewing an applicant, watch for possible indications of or a potential for abuse. These are not meant to “black-ball” the applicant so much as to give the ministry leader direction as to how to follow up.
 - unresolved, negative childhood experiences including but not limited to abuse as a child
 - unrealistic expectations of young people
 - poor ability to plan ahead or to anticipate the need to intervene
 - inflexibility
 - low self-esteem, isolation, or a tendency to internalize problems
 - punitive tendencies
 - difficulty in expressing emotions appropriately
 - inability to relate to youth except as peers
 - lack of personal support system
 - over investment in children for personal needs

5. You should go over child abuse reporting obligations with your incoming staff or volunteers. At this time you should give them a copy of the child abuse handbook and have them sign the statement for your files.
6. The applicant should receive a job description that lists the general duties of the job, the specific responsibilities, who they report to and the requirements for the job. There should be a job description for paid employees as well as for volunteers.
7. Have the applicant fill out the State background check & Sex Offender Registry Check form and return it to you to process. You can request these forms from your nearest State or Local Police Headquarters. See the Resources list in Section Eight for more information.

APPENDIX A:

RESOLUTION B008

FINAL VERSION* – Concurred

Topic/Title: Children: Protection of Children and Youth from Abuse

Proposer: The Rt. Rev. Thomas Clark Ely (Vermont)

Resolved, the House of Bishops concurring, That the 74th General Convention of the Episcopal Church recommit itself to the vision of the role of children in the church as articulated in *A Children's Charter for the Church* as adopted by the 72nd General Convention in 1997. The *Charter*, among other things, calls the church to:

- Receive, nurture and treasure each child as a gift from God;
- Love, shelter, protect and defend children within its own community and in the world, especially those who are abused, neglected or in danger; and
- Advocate for the integrity of childhood and the dignity of all children at every level of our religious, civic and political structures; and be it further

Resolved, That this Church acknowledges that the times and circumstances demand that the church articulate a clear and firm commitment to the safety of all, especially children; that we support this commitment with clear and firm policies and procedures for the well being of all; and that we commit this Church to being and becoming a place where children and youth are safe, especially from abuse and neglect; and be it further

Resolved, That each diocese develop and adopt policies for the protection of children and youth from abuse that address the following:

1. A screening and selection process for all clergy, lay employees and volunteers who regularly work with children or youth. Dioceses are encouraged to consider:
 - a. A written application
 - b. A public records check
 - c. An interview
 - d. Reference checks
 - e. A general provision that volunteers not work with children or youth until they have been known to the clergy or congregation for at least six months
2. The articulation of behavioral standards for clergy, lay employees, and volunteers working with children or youth. Dioceses are encouraged to consider:
 - a. Respect for the privacy and dignity of children and youth by not putting them in inappropriate unmonitored one-to-one situations
 - b. Age-appropriate arrangements for sleeping, bathing, dressing, or showering
 - c. The prohibition of dating, romantic involvements, or sexual contact with a child or youth

- d. The prohibition of any sexually oriented materials (magazines, cards, videos, films, clothing, etc.) in the presence of children and youth except as expressly permitted as part of a pre-authorized educational program
 - e. Guidelines for physical contact and expressions of affection that define appropriate and inappropriate behaviors
 - f. The prohibition of discussing their own sexual activities and fantasies with children or youth
 - g. The prohibition of the non-sacramental use, possession, distribution or being under the influence of alcohol, illegal drugs, or the misuse of legal drugs
3. The monitoring of programs and interaction with children and youth. Dioceses are encouraged to consider:
- a. The prohibition of the development or initiation of new activities for children or youth without prior approval from the appropriate decision-maker(s)
 - b. The recognition that the ordinary standard is the presence of two unrelated adults for any activities involving children or youth
4. Education and training. Dioceses are encouraged to consider:
- a. Child abuse prevention for clergy, lay employees and volunteers who regularly work with children or youth
 - b. Specialized training for those who recruit, screen or select persons to work with children or youth
5. Guidelines for responding to concerns. Dioceses are encouraged to consider:
- a. Inappropriate behavior with children or youth
 - b. Violation of policies for the protection of children or youth
 - c. Suspected abuse of children or youth; and be it further

Resolved, That each diocese shall report to the House of Bishops Committee on Pastoral Development prior to the Spring 2006 meeting of the House of Bishops with a copy of its adopted and implemented policy and an evaluation of the history of its use. A summary report shall be made to the House of Bishops Spring 2006 meeting and a full report made to the 75th General Convention.

* Resolution is final but status and text are still under review before publication

7. List other names used (Maiden, former, nickname, a.k.a.'s)

8. Previous home addresses (List last two):

9. Name and address of church of which you are a member:

10. List (name and address) other churches you have attended regularly during the past five years:

13. List all previous church work involving youth (identify church, location, dates, and type of work):

14. List any gifts, callings, training, education, or other factors that have prepared you for work with children and/or youth:

15. Have you had any driver's license or other license (e.g., professional) suspended or revoked? If so, give full details:

16. Have you ever been arrested or charged with driving under the influence? If so, list each such arrest or charge, when and where it was made and its outcome:

17. Have you ever been convicted of child abuse or a crime involving actual or attempted sexual molestation of a minor? If so, please explain:

18. Has any formal or informal charge, claim, or complaint ever been made that you engaged in inappropriate sexual behavior? If so, give full details:

19. Is there any fact or circumstance about you or your background that would call into question advisability of entrusting you with the supervision, guidance, and care of young people?

20. Are you able to perform the essential functions of the position with or without accommodation?

21. Please list the names and contact information (with the form provided) of two people who will serve as your character references. Please do not use former employers or relatives.

Name: _____

Address: _____

Telephone: _____

Relationship to Applicant: _____

Name: _____

Address: _____

Telephone: _____

Relationship to Applicant: _____

Attest Statement

Under penalty of perjury, I swear or affirm that the information given above is true, complete and correct. I understand and agree that a complete background investigation may be conducted with respect to me, and that this information may be verified by contacting persons and organizations with whom I have had contact or which may have information concerning me. I hereby release and agree to hold harmless from liability any person or organization that provides such information. I also agree to release and hold harmless the Diocese of Tennessee and (Parish name), their officers, employees, agents, and volunteers from any and all liability as it relates to any investigation taken by them regarding the information contained in this application, or any action by them as a result of such investigation.

Applicant's Signature _____

Date _____

Witness _____

Supervisory Position Title _____

APPENDIX C: A List of Resources for Safeguarding God's Children in the Diocese of Tennessee

BOOKS & OTHER PRINT MATERIALS

A. Resources for Parents and Ministers Working with Children

- De Becker, G. *Protecting the Gift*. The Dial Press, 1991.
- Fancher, V. *Safe Kids: A Complete Child-Safety Handbook and Resource Guide for Parents*. Wiley, 1991.
- Kraize, S. *The Safe-Child Book: A Common Sense Approach to Protecting Children and Teaching Children to Protect Themselves*. Fireside, 1996.
- Safeguarding God's Children: For Parents and Congregations*. Episcopal Church Pension Group, 2003.
- Wagner, J. *Raising Safe Kids in an Unsafe World: 30 Simple Ways to Prevent Your Child from Becoming Lost, Abducted, or Abused*. Avon, 1994.

B. Boundaries, Listening, & Self-Care

- Grenz, Linda L. "Establishing and Maintaining Appropriate Boundaries." Pamphlet adapted by The University of the South's School of Theology from a chapter in *In Dialogue with Scripture* by The Rev. Linda Grenz and published by the Episcopal Church Center, 1993.
- Kornfeld, Margaret. *Cultivating Wholeness: A Guide to Care and Counseling in Faith Communities*. Continuum, 2006.
- Richardson, Ronald W. *Creating a Healthier Church: Family Systems Theory, Leadership, and Congregational Life*. Fortress Press, 1996.
- Savage, John. *Listening & Caring Skills: A Guide for Group Leaders*. Abingdon Press, 1996.

WEBSITES & OTHER HELPFUL SITES

A. Emergency Help & Reporting Abuse

State of Tennessee's Department of Children's Services ~ www.tennessee.gov/youth
1-877-237-0004 (24-hr hotline)

The name of the person reporting suspected child sexual abuse to DCS is kept anonymous. DCS follows a protocol for investigating child sexual abuse, based on the critical nature of the report. All reports of abuse are investigated to determine if the report is founded or unfounded. Unfounded reports do not necessarily mean abuse did not happen - it may simply be a matter of evidence. DCS maintains a database of "unfounded" reports, and repeated reports of abuse to a particular child are taken very seriously. DCS is an active member of the Child Protective Investigative Team. Spanish speaking staff available. No charge for service.

Metropolitan Nashville Police Department's Youth Services Division

Child Abuse Section ~ (615) 862-7417 or (615) 862-8600 (after hours)

200 James Robertson Parkway, Nashville, TN 37201

Investigates reports of alleged physical and sexual abuse of children. Active member of Child Protective Investigative Team (C.P.I.T), which includes the Department of Children's Services, Nashville Child Advocacy Center, and the Office of the District Attorney General. Spanish-speaking staff available. No charge for service.

Office of the District Attorney ~ (615) 862-5500

222 Second Avenue North, Nashville, TN 37201

Investigates child sexual abuse cases and determines the best method to resolve the case. Decision is always made in the best interest of the child. Active member of Child Protective Investigative Team (C.P.I.T.), which includes the Department of Children's Services, Nashville Child Advocacy Center, and Metropolitan Police Department. Spanish-speaking staff available. No charge for service.

Tennessee Bureau of Investigation ~ www.tbi.state.tn.us

Records and Identification Unit - Applicant Processing

Criminal background records are obtained through fingerprint checks.

901 R. S. Gass Blvd., Nashville, TN 37216 / Phone number: (615) 744-4000

Rape & Sexual Abuse Center, Nashville & Clarksville ~ <http://rasac.org/>

Crisis Line: 800-879-1999

RASAC's mission is helping children and adults heal from the effects of rape and sexual abuse and reducing risk through therapy, education, training and advocacy.

B. Other Resources

Diocese of Tennessee ~ <http://episcopaldiocese-tn.org/>

Phone: (615) 251-3322

Church Pension Group - TEC ~ www.cpg.org/products/services/modelpolicies.cfm

State Child Abuse Reporting Statute Website ~ www.state.tn.us/humanserv

Oasis Center, Nashville ~ www.oasiscenter.org

National Children's Alliance ~ www.nca-online.org

National Children's Advocacy Center ~ www.nationalcac.org

Parents for Megan's Law ~ www.parentsformeganslaw.com/html/links.lasso

Contains links to sex offender registries nationwide

T.B.I. Sex Offender Registry ~ (615) 744-4000 (hotline)

You Have the Power...Know How to Use It, Inc. ~ <http://www.yhtp.org/index.html>

This is a not-for-profit agency dedicated to raising awareness about crime and justice issues. Our goal is to prevent violent crime and reduce victimization. We conduct educational programs, create documentary videos, and produce practical resource books on topics such as domestic violence, elder abuse, methamphetamine, and child sexual abuse.