**SAFE CHURCH MANUAL**

*As he who called you is holy, be holy yourselves in all your conduct."* 1 Peter 1:15

**PURPOSE**

This manual serves as a guide for Session, administrators, teachers, and parents at Cooks Creek Presbyterian Church (CCPC).

Both traditionally and biblically, churches have long relied on unpaid workers to fulfill their calls to serve –not because of reward or remuneration, but out of love and obedience in personal relationship to God.

Cooks Creek PC seeks to provide a safe and secure environment for children and adults who participate in our ministries, missions and activities. By implementing the below practices, our purpose is to protect children and adults from incidents of misconduct or inappropriate behavior while also protecting our employees and volunteer workers from false accusations.

This policy will periodically be reviewed by the Session at CCPC, and needed changes will be implemented.

**PART I: SAFE CHILD PRACTICES**

“*And Jesus took a child and put him in the midst of them; and taking the child in his arms, he said to them, ‘Whoever receives one such child in my name receives me...’”* adapted from Mark 9:36-37

Our desire at Cooks Creek Presbyterian Church (CCPC) is to draw people of all ages to Jesus. This includes even the youngest children who attend activities at our church. We take our responsibility to care for children very seriously.

Currently, Sunday morning is our congregation’s primary time to serve children. It is important for those who work with children to see themselves as partners with parents, seeking to provide quality care and instruction in the ministries and programs of our church. The following practices are designed to protect and promote healthy faith-formation for every child and adult.

**DEFINITIONS**

**Child or children** For purposes of this policy, the terms child or children include all persons under the age of eighteen (18) years, unless otherwise indicated.

**Worker** The term “worker” includes both paid and volunteer persons who work with children.

**Open Classrooms**

Classroom doors should remain open unless there is a transparent glass in the door into the classroom. Doors must never be locked while persons are inside the room.

**Class Check-in/Check-out Procedure**

Children should be dropped off only if there is a teacher or nursery worker present. For children below 3rd grade, a parent or guardian should escort them to their classrooms.

Teachers and nursery workers will ensure that children stay in their classroom area and do not roam. Therefore, parent or guardian should pick up children below 3rd grade from their classrooms.

A parent or guardian may choose to give their child’s teacher or nursery worker a signed *Consent to Release Form* so that their child may leave with other designated persons including an older sibling.

**Adequate Supervision of Children**

It is our goal that a minimum of two adult workers will be in attendance at all times when children are being supervised during our activities. At this time, however, some classes may have only one adult worker in attendance during class sessions. In these cases, the classroom door must remain open at all times if there is no glass in the door.

**Restroom Guidelines**

Parents and guardians are strongly encouraged to have their children visit the bathroom prior to class time. During class time, children through2nd grade will be escorted by a worker to the hallway restroom. Workers may take a child to the bathroom alone only if the door to the restroom remains open. The worker will check the bathroom first to make sure that it is empty, and then allow the child inside.

If a child requires assistance, the worker must leave the restroom door open, and leave the stall door open, as they assist the child. Otherwise, the worker will remain outside the door and escort the child back to the classroom.

**Sick Child**

It is our desire to provide a healthy and safe environment for all children at CCPC. Parents are encouraged to be considerate of other children when deciding whether to place a sick child under our care. In general, children with the following symptoms should NOT be dropped off:

* Fever, diarrhea, or vomiting within the last 24 hours
* Green or yellow runny nose
* Eye infections or contagious skin infections
* Other symptoms of communicable or infectious disease

Children who are observed by our workers to be ill may be separated from other children in which case the parent or guardian may be contacted to request that the child be picked up immediately.

**Medications and Allergies**

As a general rule, workers at CCPC will not administer any kind of medications to the children under our care. However, exceptions to this policy may be granted when a child has a potentially life-threatening condition (such as asthma or severe allergic reactions). Parents/guardians of such children should address their situation with their child’s teachers or trip supervisor to develop a plan of action.

Parents/guardians are responsible for notifying workers of any known allergies or special needs on the *Child Check-in Form*. If none are indicated, workers may conclude there are no known allergies or special needs.

**Accidental Injuries to Children**

In the event that a child is injured while under our care, the following steps will be followed:

1. For minor injuries, scrapes, and bruises, workers will provide simple first aid (simple bandage cover, etc.) as appropriate and will notify the child’s parent or guardian of the injury at the time the child is picked up from our care.

2. For injuries requiring medical attention or treatment beyond simple first aid, the parent and/or guardian will immediately be summoned, and the Superintendent or an adult supervising the activity will be notified. If warranted by circumstances, an ambulance will be called.

3. Once the child has received appropriate medical attention, an *Incident Report* will be completed by the worker and the Superintendent.

**Discipline**

CCPC does not tolerate violence, therefore members of staff and workers will not administer corporal punishment, even if parents have suggested or given permission for it. There will be no spanking, grabbing, hitting, or other physical discipline of children. If assistance is needed with disciplinary issues, workers will consult with the parent or guardian, and as needed with the minister also.

It is also the policy of the church that should a worker threaten or display violent actions, he/she will be subject to immediate disciplinary action including:

1. Verbal or written warning,
2. Meeting with the minister and a member of the Christian Education Committee
3. Termination of responsibilities when circumstances warrant such action
4. The worker may also be subject to criminal proceedings

**Appropriate Physical Contact**

Physical contact should be appropriate for the age and temperaments of each child. Touching should never be based on the need of the adult. In a church setting, appropriate touching is as follows:

* Workers are encouraged to give older children a high five, hand shake, pat on the back, or use gentle touches to shoulder, arms, and the upper back unless the child is uncomfortable with touch.
* A brief, casual hug is only appropriate if a child initiated the hug.
* Touching between a worker and a child shall only occur in the presence of other adults.
* A youth or child’s preference not to be touched should will be respected by workers and others. This includes youth to youth and child to child contact.

**Images of Children for Use by the Church**

At CCPC, we use photographs/videos as tools to bear testimony to the work God is doing in our Christian walk, to better communicate the church’s missions and ministries, and to reach out to the greater community.

Therefore, photographs/videos are posted on church-administered social media platforms, and printed in official church materials such as the newsletter, brochures, annual reports and presentations.

Because our children’s safety is of paramount importance, we adhere to the following:

* In order to ensure the privacy of individuals and children, we do not use photographs/videos with any identifying information (e.g., names, phone numbers, emails, addresses) unless permission is given.
* When a child is clearly identifiable in a photograph/video, his/her parent or guardian must submit a signed *Photograph & Video Media Release* *Form* before the image will be used. Forms may be turned in to a teacher or nursery worker on duty, or to the church office.
* To further protect minors, we will not live-stream children’s ministry events or post images as events are occurring.
* Parents/guardians are free to tag their child’s images on church-administered social media platforms. However, our website and social media administrators will be held harmless to any claims arising from the use by others of said child’s images.

CCPC does not have oversight of individuals who make photographs/videos for their personal use.

**COMMUNICATION WITH YOUTH**

We are committed to creating a safe environment in all aspects of ministry. This includes promoting a healthy environment for texting and other electronic communication between youth workers and students who participate in youth activities.

As a result, personal information pertaining to a minor will not be transmitted without the consent of a parent or legal guardian except in an emergency. Personal information may include such things as a minor’s name, phone number, e-mail address, or photograph.

A hard copy of insurance and medical information for each child will be kept on file and not transmitted. For offsite events, a designated youth worker will carry copies of both insurance and medical information.

In order to participate in our youth ministry, youth and youth workers must sign a related consent form which includes the following:

* Cell phones are not to be used during ministry youth activities except in an emergency, to contact a parent or guardian, or to place calls specifically approved by a youth worker. If students are in violation, their cell phones will be held until the activity is concluded.
* Workers (staff and volunteers) and parents who are transporting minors shall avoid cell phone use of any kind including hands-free devices while driving.
* When using social media (such as Facebook) to communicate and post, parents, children, and workers involved in youth ministry activities, several conditions apply to websites that the church controls:
* Harassment and bullying are strictly forbidden.
* Making comments or sharing images that are sexually suggestive, disrespectful, or insensitive are also forbidden.
* Photographic images or videos shared electronically through public ministry communication channels are not considered confidential.
* Permission shall be obtained from a youth worker or the minister before posting photos or personal information about others involved in ministry activities on any website or social media.

Both children and adults who violate these policies may lose electronic communications privileges or be expelled from the youth ministry program if deemed appropriate. A youth worker will notify a parent/guardian of any violation by youth.

**One-to-One Communication with Students**

We recognize that meeting the emotional needs of older children may occasionally require youth workers and clergy to minister to them on an individual basis. The guiding principle for contact with students is transparency, therefore communication will be visible to others or well documented. All workers shall observe the following guidelines when interacting with youth:

1. Workers shall first sign a form acknowledging they have attended a ministry training class at Cooks Creek Presbyterian Church before they may communicate with minors using e-mail, social networking websites or other forms of electronic media.
2. Workers shall also follow the guidelines below. Violations could result in dismissal from Cooks Creek Presbyterian Church**.**

**Guidelines for Communicating with Students**

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| **MODE** | **TRANSPARENCY** |
| **Telephone** | Strongly discourage workers and youth from this practice; otherwise workers will document all private calls (date, length of call, recipient and detailed description). Youth workers will give a copy of their call log to the pastor or another designated person. |
| **Private messaging apps including texting** | Strongly discourage youth from this practice with workers; otherwise, workers will save all messages and send copies to the pastor or another designated person. |
| **Email** | While we expect most emails to be group emails, it is preferred that workers copy a parent or legal guardian. If it is a confidential email, then the pastor or another designated person with copied. |
| **Social Networking Sites** | Public or group messages only |
| **Written notes/letters** | Public notes and letters only |

**SELECTION OF WORKERS**

At Cooks Creek Presbyterian Church (CCPC), adults who wish to work with children participating in our ministries, missions, and activities will be screened. This screening includes the following:

* **Six Month Rule.** Volunteers will not be considered for any position involving contact with children until she/he has been attending church activities for a minimum of six (6) months**.**
* **Written Application.** All persons seeking to work with children will complete and sign a written application. The application will be maintained in a confidential and locked cabinet in the church office.
* **Personal Interview.** Upon completion of the application, a face-to-face interview may be scheduled with a ruling elder on Session to discuss the applicant’s suitability for the position.
* **References.** Before an applicant is permitted to work with children, the applicant’s references will be checked. Documentation of the reference checks will also be maintained in a confidential and locked cabinet in the office.
* **Criminal Background Check.** Effective on the date this policy is implemented, we require a national criminal background check for all new employees and new volunteers who wish to be involved with children at CCPC. The background check authorization form and results will be maintained in a confidential and locked cabinet in the office.

There may be an exception to the background check if one has been done as a requirement of a worker’s employment. For example, exceptions could be made for teachers employed in public schools, case workers, and clergy in good standing with Shenandoah Presbytery.

If an applicant declines to sign the authorization form, she/he will be unable to work with children. What constitutes a disqualifying offense which will keep an individual from working with children, will be determined by the Session on a case-by-case basis in light of all the surrounding circumstances. In general, convictions for an offense involving children and/or for offenses involving violence, indecency and any conduct contrary to our mission will preclude someone from being permitted to work with children. Failure to disclose a criminal conviction on the application form will also be a disqualifying event and may be subject to a criminal investigation.

**Background Checking Employees -**Potential employees will follow the same procedure as volunteer workers, except for the Six-Month Rule. In the case of clergy staff members, Shenandoah Presbytery is responsible for conducting the background check.

**Teenage Workers -** We recognize that there are times when it is necessary or desirable for workers (paid or volunteer) who are less than 18 years old to provide childcare with adult supervision. To protect the safety of workers and children under care:

1. Teenager workers must be at least 16 years old;
2. He/she must be approved by a person(s) designated by the Christian Education Committee;
3. Permission to work must be obtained from his/her parent/legal guardian;
4. Parents/guardians of the children under his/her care must be notified when care is provided by a teenager.

**PART II: HOW OUR CHURCH RESPONDS TO SUSPECTED CHILD ABUSE OR NEGLECT[[1]](#endnote-1)**

**DEFINITIONS**

**Abuse of a Child** Section 63 of the Code of Virginia defines an abused child as any child under 18 years of age whose parent or any person responsible for his or her care (such as a child care provider, foster parent, or anyone responsible for the welfare of a child receiving residential care at an institution):

a**.** Causes or threatens to cause a non-accidental physical or mental injury;

b. Has a child present during the manufacture or attempted manufacture of a controlled substance or during the unlawful sale of such substance where such activity would constitute a felony violation;

c. Neglects or refuses to provide adequate food, clothing, shelter, emotional nurturing, or health care; or

d. Commits or allows to be committed any illegal sexual act upon a child, including incest, rape, indecent exposure, prostitution, or allows a child to be used in any sexually explicit visual material. In addition, newborn infants who have been medically diagnosed for exposure to nonprescription controlled substances during pregnancy, are also considered to be at risk of abuse or neglect.

e. The Presbyterian Church (USA) adds a phrase regarding the abuse of power: “Abuse includes force, threat, coercion, intimidation, or misuse of position.”

**Neglect of a Child A** neglected child is defined as any child under 18 years of age whose parent or any person responsible for his or her care:

**a.** Abandons the child;

**b.** Fails to provide adequate supervision in relation to a child’s age and level of development; or

c. Knowingly leaves a child alone in the same dwelling with a person, not related by blood or marriage, who has been convicted of an offense against a minor for which registration is required as a violent sexual offender.”

**Limited Confidentiality**

Confidentiality allows children participating in the church’s activities to develop healthy Christian relationships with adults in the church. Being able to maintain a degree of confidentiality allows children to build trust in these relationships. Therefore, when a child has told a worker something in confidence at any church event, most likely it will not be repeated. There are three exceptions to the above statement.

* In supervision - Workers may disclose some personal information about a child. Usually this occurs in a case in which a worker is unsure about how to respond to a child’s questions or actions. In general, the information shared within the supervision setting will remain confidential.

The second two exceptions are law in the Commonwealth of Virginia, and cannot be altered by CCPC:

* Imminent harm - If a church employee or volunteer believes a child may possibly be at imminent risk to harm his/herself or someone else, that adult must take steps to protect the child, even if that means violating the child’s confidentiality.
* Reasonable cause - If a church employee or volunteer has reasonable cause to suspect that a child may be experiencing abuse or neglect, the worker must take steps to report possible abuse, which would mean the child’s confidentiality is violated.

**Mandated Reporting**

In the Commonwealth of Virginia, mandated reporters include ministers, teachers and any other volunteers who are responsible for the care and learning of children.

The Commonwealth’s requirement is that when an individual has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect, or observes a child being subjected to conditions or circumstances that would reasonably result in abuse or neglect, a report must be made to the Children’s Protective Services.

In addition, PC(USA) states “Any member of the Presbyterian Church engaged in ordered ministry and any certified Christian Educator employed by the Church or its congregations, shall report to [both] ecclesiastical and civil legal authorities’ knowledge of harm or the risk of harm related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor...”[[2]](#endnote-2)

**Advice for Responding to Suspected Abuse or Neglect**

Chances are good that if a worker is told by a child about possible abuse or neglect, that the conversation will be spontaneous. Therefore, the following suggestions can help workers respond appropriately.

* Do not act alarmed but remain calm, and listen attentively.
* Assure the person that the alleged abuse was not his/her fault; he or she did not cause it, no matter what the perpetrator may have said or done.
* Reassure the person that he or she did the right thing in telling you.
* Write down what was told to you as close to verbatim as possible so that you can pass accurate information on to those investigating the case. Know what kind of information will be asked of you.
* Do not make promises that you may not be able to keep.

Do NOT attempt to investigate the matter yourself. The official investigation could be compromised or nullified if the alleged victim is asked leading questions or the alleged perpetrator is pursued.

**CHURCH PROCEDURES FOR REPORTING SUSPECTED HARM**

In the event that a worker involved in the care of children at CCPC has reasonable cause to suspect abuse or neglect of a child under his/her care, he/she must report it immediately to the Sunday School Superintendent or the minister. If the superintendent or the minister is unavailable or is allegedly the perpetrator, then the Clerk of Session must be contacted.

After conferring with the superintendent and the minister, and if the incident of abuse or neglect occurred at CCPC or during a church sponsored activity with witnesses, the following procedures must be followed:

1. The parent or guardian of the child must be notified unless the parent or guardian is alleged to be the perpetrator.

2. If the alleged perpetrator is a church worker, he/she will immediately be placed on leave pending an investigation; and will be instructed to remain away from the premises during the investigation.

3. Civil authorities will be notified. The church staff and members of Session will fully cooperate with the investigation of the incident.

4. Our presbytery must be notified of the situation so the church may rely on their council.

5. The church’s insurance company may require that they also be notified; and their incident report will need to be completed. Any further documents received relating to the incident and/or allegations must immediately be forwarded to the insurance company.

6. The minister or a representative from Shenandoah Presbytery will be our sole spokesperson to the media concerning incidents of abuse or neglect unless he/she is reported to be the perpetrator. CCPC will seek the advice of legal counsel before responding to media inquiries or releasing information to the congregation. All other representatives of the church shall refrain from speaking to the media.

7. A pastoral visit will be arranged for those who desire it.

8. Any person who is found guilty of the alleged abuse or misconduct will be permanently removed from their position.

If the Sunday School Superintendent and minister are unsure if the situation needs to be reported, the worker should call the Child Abuse and Neglect Hotline to discuss the situation. The person at the hotline can also give advice that might help the family in crisis.

Always err on the side of over-reporting. If you have the thought, "Maybe I should call…" — DO! Not all calls to the hotline are determined to be abuse/neglect. However, Child Protective Service can often provide services and assistance that can help families prevent abuse/neglect.

**How to Report to Child Protective Services**

Suspected abuse or neglect is reported to the Child Abuse and Neglect Hotline number: 1-800-552-7096. All calls can be made anonymously but reporters are encouraged to give their name. If the reporter’s name is given when a report is filed, it will be documented. This makes it possible for a Child Protective Services worker to later contact the reporter should additional information is needed.

The reporter should be prepared to answer the following questions to the best of his/her ability:

1. Name, address, and telephone number of where the child and parents or other person(s) responsible for the child’s care are located;
2. Child’s birth date or age, sex, and race;
3. Names and ages of other persons who live with the child and their relationship to the child;
4. Whether or not there is a family member who can protect the child;
5. The alleged perpetrator’s name, address, sex, age, relationship to victim and condition;
6. Nature and extent of the abuse/neglect, including any knowledge of prior maltreatment of the child or siblings;
7. Whether the alleged victim is in immediate danger;
8. Knowledge of any child or adult developmental issues or whether the child has a disability and the ways in which the disability affects the child’s functioning and care;
9. Name, daytime telephone number, and relationship of the reporter to the alleged victim; and names of others with direct information, and how may they be contacted;
10. Any other relevant information.

While making a report to the Child Abuse and Neglect Hotline, the reporter should document the following information in:

1. Date and time of the call
2. Name and title of person on the Hotline taking the reported information
3. What was reported specifically
4. What the person on the Hotline said would happen

**Protection for Reporters[[3]](#endnote-3)**

The subsequent investigation is conducted in accordance with the following statutory guidelines in Virginia Statues:

* The identity of a reporter is protected.
* Persons who report are immune from civil or criminal liability for making a report or testifying pursuant to state mandates.
* Persons who report (other than the perpetrator) shall be protected from harassment, dismissal, or retaliation when such a report is filed in good faith.

**PART III: SEXUAL MISCONDUCT NOT INVOLVING A MINOR**

*As God who called you is holy, be holy yourselves in all your conduct; tend the flock of God that is in your charge, not under compulsion but willingly, not for sordid gain but eagerly, not lord it over those in your charge, but be examples to the flock. You know that we who teach will be judged with greater strictness.*

from 1 Peter 1:15; 5:2–3; and James 3:1, NRSV

**DEFINITIONS**

**Sexual Harassment** Sexual harassment is defined as follows: unwelcome sexual advances,

requests for sexual favors, and other verbal or physical conduct of a sexual

nature constitute sexual harassment when:

a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, or their continued status in an institution;

b. submission to or rejection of such conduct is used as the basis for employment decisions affecting such an individual;

c. such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, or offensive working environment; or

d. an individual is subjected to unwelcome sexual jokes, or display of sexual visuals that insult, degrade, and/or sexually exploit men, women, or children.

**Non-Criminal** Sexual misconduct which is offensive, obsessive or suggestive behavior,

**Sexual Misconduct** Unacceptable visual contact, unwelcome touching or fondling that is nonconsensual

and is injurious to the physical or emotional health of another.

**Sexual** Sexual malfeasance is defined by the broken trust resulting from sexual activities

**Malfeasance** within a professional ministerial relationship that results in misuse of office or

position arising from the professional ministerial relationship.

**Misuse of** Use of technology which results in sexually harassing or abusing another person

**Technology** including texting or emailing suggestive messages and images to persons with whom one has a ministerial relationship. It is never appropriate to view pornography on church property.

**Criminal Sexual** Virginia has defined 20 crimes that are used to prosecute sexual assault and related

**Misconduct** crimes within the Commonwealth. These include sexual violence and violation which includes physical sexual acts perpetrated without consent or where a person is incapable of giving consent (e.g. use of drugs or alcohol, or because of an intellectual or other disability which prevents the victim from having the capacity to give consent). A number of different acts fall into this category including rape, sexual battery, and sexual coercion.

**Ethical Principles**

It is the policy of the Presbyterian Church (U.S.A.) (here forth called PCUSA) that all church members, church officers, plus non-member employees and volunteers of congregations, councils, and entities of the church are to maintain the integrity of the ministerial, employment, and professional relationship at all times.

The ethical conduct of all who minister in the name of Jesus Christ is of vital importance to the church because through these representatives an understanding of God and the gospel’s good news is conveyed.

*“Their manner of life should be a demonstration of the Christian gospel in the church and*

*in the world.”* Book of Order of the PCUSA, (G-2.0104a)

Therefore, persons who engage in sexual misconduct are in violation of the ethical principles set forth in Scripture, and also of the ministerial, pastoral, employment, and professional relationship. It is never permissible or acceptable for a church member, employee, volunteer or teaching elder to engage in sexual misconduct.

Sexual misconduct is a misuse of authority and power that reaches Christian ethical principles by misusing a trust relation to gain advantage over another for personal pleasure in an abusive, exploitative, and unjust manner. If a parishioner, client, or employee initiates or invites sexual content in the relationship, it is the responsibility of the adult in power to maintain the appropriate role and prohibit a sexual relationship.

Sexual misconduct takes advantage of the vulnerability of persons who are less powerful to act for their own welfare. It is antithetical to the gospel call to work as God’s servant in the struggle to bring wholeness to a broken world. It violates the mandate to protect the vulnerable from harm.

**How Cooks Creek** **Presbyterian Church Responses to Allegations**

Allegations of sexual misconduct are always considered allegations of offense against Scripture. Allegations trigger the disciplinary processes of the PCUSA set forth in the *Rules of Discipline of the Book of Order*.

When responding to allegations of sexual misconduct which do not involve a minor (CCPC); congregation members, non-church member volunteers, and employees of Cooks Creek Presbyterian Church will seek to uphold the dignity of all persons involved, including persons who are alleging harm, persons who are accused of sexual misconduct, and the families and communities of each.

CCPC will seek to bring healing and pastoral care whenever possible. When appropriate, the privacy of the persons involved will be respected and confidentiality of communications be maintained.

**Jurisdiction**

CCPC has jurisdiction over its members, non-church member volunteers and employees. If a member, non-church member volunteer, or employee is alleged to have committed an offense, the church has the duty to inquire into the allegations; and if the allegations are proven, to correct the behavior whenever possible, and ensure the safety of others in the community.

In cases in which the minister is accused of misconduct, Shenandoah Presbytery has jurisdiction because ministers are members of the presbytery. Allegations of ministers must immediately be reported to the Presbytery.

If the person accused of non-criminal sexual misconduct is no longer a member or employee of CCPC and the alleged misconduct occurred during the person’s tenure at CCPC, then Session does not have jurisdiction to take punitive measures. However, it does have a duty to hear the allegations of the offense; and if warranted, to take measures to prevent future occurrences of harm.

**Receiving Allegations of Sexual Misconduct Not Involving a Minor**

Allegations of sexual misconduct may be reported in a variety of ways. Because no one can control to whom the victim of sexual misconduct will speak first, it is important that Session members, employees, and persons highly visible to church members and visitors understand how reports of incidents are channeled to the proper person.

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

If a report is made orally, the person receiving the report of allegations should request that the person making the allegations place them in writing. All written allegations of sexual misconduct must be acted upon.

Allegations may be made against persons who do not have a formal relationship with CCPC but the incident(s) occurred on church property. It is still the duty of church leaders to see that any allegation of sexual misconduct is reported appropriately.

**Who Should Receive Reports of Sexual Misconduct Not Involving a Minor**

When the person who is accused of sexual misconduct is a member, or a non-member employee or volunteer of CCPC, the allegations should be reported to either the minister and/or the Clerk of Session.

* When the person who is accused of sexual misconduct is a member, CCPC will respond by using the procedures set forth in the *Rules of Discipline of the Book of Order*.
* If the accused is a non-member employee or volunteer, CCPC will respond by using procedures set forth under the heading: Accusations Not Covered by the *Book of Order* (*see below*).

In disciplinary cases involving allegations against a minister, Shenandoah Presbytery must respond. Oral reports of the allegations shall be given to the Stated Clerk of Shenandoah Presbytery. It is best to have a written report because the presbytery will then be required to respond by using the procedures set forth in the *Rules of Discipline of the Book of Order*.

**Once a Report is Received**

Our procedures are always made available to persons who accuse others of misconduct, those who claim to be victims of sexual misconduct, and those alleged to be a perpetrator of sexual misconduct.

Once an allegation of sexual misconduct against a member, non-member volunteer or employee is received by the Clerk of Session in writing, the Clerk will report to the Session in a Called Executive Session Meeting that an offense has been alleged and that Session will proceed according to these procedures with sensitivity and when possible, confidentiality:

1. The minister or Clerk of Session shall contact the Stated Clerk of Shenandoah Presbytery for advice.

2. Session shall appoint an Administrative Commission of 3-5 people to inquire into the allegations*.*

3. After the investigation is completed, Session will also take measures to prevent future occurrences of harm through education and policy changes when appropriate.

**Accusations Covered by the *Book of Order***

Once an allegation of sexual misconduct against a member of CCPC has been received by Session, all subsequence actions ofSession and the Administrative Commission shall be according to the *Rules of Discipline of the Book of Order.*

If a member renounces jurisdiction, the Clerk shall report the renunciation at the next meeting of the Session and shall record the renunciation in the minutes. The status of any pending charges may be shared with Session at that time.

**Accusations Not Covered by the *Book of Order***

When Session receives either an oral or written accusation of sexual misconduct against a non-member employee or volunteer, Session will appoint its own Administrative Commission to be responsible for the review of the allegation. The commission will respond to the allegations in the following manner:

1. Determine whether or not the allegation gives rise to a reasonable suspicion of sexual misconduct by the accused.

2. If so, gather additional information necessary to make a decision about correcting the behavior.

3. Determine any remedies, including limiting ministry, suspension, or termination necessary and advisable under the circumstances. If the accused is a member of another denomination, that denomination will be notified of the allegations and the response.

4. Inform the victim and the accused of the remedy.

5. In all cases, Session’s Administrative Commission shall prepare a written report, which shall be included in the accused person’s permanent personnel file. The accused shall be allowed to attach any written statements to said documents, also for permanent inclusion in the permanent file.

**Accusations of Criminal Sexual Misconduct Not Involving a Minor**

When the reported allegation is of criminal sexual misconduct, the victim will be encouraged to file a criminal or civil lawsuit. Once a case is filed:

1. Disciplinary proceedings cannot interfere with the investigation by civil authorities and may have to be suspended until these are completed.

2. The Presbytery must be notified of the situation so the church may rely on their council.

3. All church staff and Session members will fully cooperate with the investigation by civil authorities.

4. If the alleged perpetrator is an employee or either a member or non-member volunteer, he/she will immediately be placed on leave pending an investigation. Employees may request a paid leave from Session pending the outcome of the investigation.

5. The church’s insurance company may require that they also be notified; and their incident report will need to be completed. Any further documents received relating to the investigation must immediately be forwarded to the insurance company.

6. The minister or a representative from Shenandoah Presbytery will be our sole spokesperson to the media concerning the allegations unless he/she is reported to be the perpetrator.

7. CCPC will seek the advice of legal counsel before responding to media inquiries or releasing information to the congregation. All other representatives of the church shall refrain from speaking to the media.

8. A pastoral visit will be arranged for those who desire it.

9. Any person who is convicted of criminal sexual misconduct will be permanently removed from their paid or volunteer positions.

**Session Record Keeping**

Both Session and its Administrative Commission shall keep detailed records of its actions and minutes of its deliberations and its conversations and correspondence with the accuser, the accused and any other parties involved, as well as copies of reports received. Such records will be kept confidential as much as possible.

The General Assembly Permanent Judicial Commission has interpreted the *Rules of Discipline* in *the Book of Order* to say that a Session may share the contents of inquiry reports with other councils or entities of the PCUSA when necessary. The Clerk of Session will maintain the records while such an inquiry is in process.

**PART IV: VULNERABLE ADULT MALTREATMENT[[4]](#endnote-4)**

In 2015 in the Commonwealth of Virginia, over 10,000 cases of adults suffering from abuse, neglect and exploitation by family members and other caregivers were verified. Vulnerable adults include not only the frail elderly over the age of 55, but also “incapacitated adults” –those who “suffer a debilitating disease or injury, who are mentally challenged, or who suffer a mental illness” and “who lacks sufficient understanding or capacity to make, communicate or carry our reasonable decisions regarding his/her well-being.” In the majority of cases, the vulnerable adult is dependent on their abusers to meet their basic needs.

Maltreatment of vulnerable adults can take any of the eight forms as defined in the Virginia Statutes.

**DEFINITIONS**

**Physical Abuse** Abuseof vulnerable adultsis “non-accidental use of force against an elderly or incapacitated person that results in physical pain, injury, or impairment. Such abuse includes not only physical assaults such as hitting or shoving but the inappropriate use of drugs, restraints, or confinement.”

**Emotional Abuse “**In emotional or psychological abuse, people speak to or treat [vulnerable adults] in ways that cause emotional pain or distress.”

**Verbal Abuse** Includes:“intimidation through yelling or threats; humiliation and ridicule; habitual blaming or scapegoating’ the vulnerable adult.

**Psychological Abuse** Non-verbal psychological abuse can take the form of ignoring the person; isolating the person from friends or activities; terrorizing or menacing.”

**Sexual Abuse “**Sexual abuse is contact with a vulnerable adult without the person’s consent. Such contact can involve physical sex acts, but also activities such as showing pornographic material, forcing the person to watch sex acts, forcing the person to undress and intentional touching intimate parts or material covering the person.”

**Exploitation “**The illegal or improper act or process of an individual, including a caregiver, using the resources of an older individual for monetary or personal benefit, profit, or gain.” This may or may not be accompanied by deception, intimidation, or force.

Evidence includes missing personal belongings, changed will or POA, large bank withdrawals, unpaid bills, excessive payment for care or services, documents contain suspicious signatures, sudden appearance of previously uninvolved relatives or friends.

The Commonwealth also recognizes the neglect and self-neglect of vulnerable adults.

**Neglect** The failure to provide the goods or services that are necessary to avoid physical harm, mental anguish or mental illness; or the failure of a caregiver to provide goods or services.

**Self-Neglect** The failure to provide for one's self the goods or services that are necessary to avoid physical harm or mental illness.

**Some Common Signs of Vulnerable Adult Abuse, Neglect, and Exploitation include[[5]](#endnote-5):**

• Burns, welts, scratches, bruises, cuts • Lacking needed supervision

• Fractures, dislocations, sprains • Untreated medical condition

• Restrained, tied to bed or chair • Personal belongings are missing

• Mistrust of others • Property or finances are mismanaged

• Unsanitary or unsafe housing • Unpaid bills

• Inappropriate or inadequate clothing • Sudden change in legal will or power of attorney

• Malnourishment • Severe anxiety, fearfulness, depression

• Lacking needed dentures, glasses, hearing aids or medication

**Advice for Responding to Suspected Abuse or Neglect**

Often vulnerable adults will not openly share information about their abuse or neglect. It is more likely that a church member or employee will begin noticing evidence. If they do share information, the following suggestions can help an adult to respond appropriately:

* Do not act alarmed but remain calm, and listen attentively.
* Assure the person the alleged abuse was not his/her fault; he or she did not cause it, no matter what the perpetrator may have said or done.
* Reassure the person that he or she did the right thing in telling you.
* Write down what was told to you as close to verbatim as possible so that you can pass accurate information on to those investigating the case. Know what kind of information will be asked of you.
* Do not make promises that you may not be able to keep.

Do NOT attempt to investigate the matter yourself. An official investigation could be compromised or nullified if the alleged victim is asked leading questions or the alleged perpetrator is pursued.

**Information to Be Reported**

Virginia law states that any person who has reasonable cause to believe a vulnerable adult is suffering from abuse, neglect or exploitation should report the situation to authorities as soon as the person is aware of the situation. Persons who report in good faith are immune from civil or criminal liability.

Report abuse to the 24-hour, toll-free number at Adult Protective Services (888-832-3858). All calls can be made anonymously but you are encouraged to give your name. If you decide to give your name when you report, it will be documented. This makes it possible for the Adult Protective Services worker to contact you later if additional information is needed.

The reporter should be prepared to answer the following questions to the best of his/her ability:

1. Alleged victim’s full name, birth date, and race; current address and the address where the alleged incident happened if different.
2. Alleged perpetrator’s full name; and whether the alleged perpetrator lives with the adult.
3. If known, provide the relationship of the perpetrator to the alleged victim.
4. Any disabilities, adult developmental and/or health issues.
5. Statements of the alleged victim’s disclosure and context of the disclosure.
6. History of the alleged victim’s behavioral patterns may be helpful to the investigation.

While making a report to Adult Protective Services, the reporter should document the following information:

1. Date and time of the call
2. Name and title of person on the Hotline taking the reported information
3. What was reported in detail
4. What the2 person on the Hotline said would happen

**Protection for Reporters**

The subsequent investigation is conducted in accordance with the following statutory guidelines in Virginia Statutes:

* The identity of a reporter is protected.
* Persons who report are immune from civil or criminal liability for making a report or testifying pursuant to state mandates.
* Persons who report (other than the perpetrator) shall be protected from harassment, dismissal, or retaliation when such a report is filed in good faith.

Planned effective date is March 1, 2018

1. http://www.dss.virginia.gov/files/division/dfs/mandated\_reporters/cps/resources\_guidance/B032-02-0280-00-eng.pdf [↑](#endnote-ref-1)
2. *Book of Order* of the PC(USA), G-4.0302 [↑](#endnote-ref-2)
3. <http://www.dss.virginia.gov/files/division/dfs/mandated_reporters/cps/resources_guidance/B032-02-0280-00-eng.pdf> page 25. [↑](#endnote-ref-3)
4. http://www.dss.virginia.gov/family/as/aps.cgi [↑](#endnote-ref-4)
5. http://www.dss.virginia.gov/files/division/dfs/as/aps/intro\_page/learn\_more/general/032-02-0744-02.pdf [↑](#endnote-ref-5)