

## **NU'UANU CONGREGATIONAL CHURCH'S SANCTUARY COMMITMENT**

### **A Policy Prohibiting Abuse, Exploitation and Harassment**

**As a community of Christian justice and care, Nu'uano Congregational Church (Church) is committed to creating and maintaining a community, programs and facilities in which members, friends, staff and volunteers can worship, learn and work together in an atmosphere free from all forms of discrimination, harassment, exploitation or intimidation.**

**Specifically, all persons associated with the Church should be aware that the Church is strongly opposed to sexual exploitation and harassment and that such behavior is prohibited by Church policy. It is the intention and responsibility of the Church to take whatever action may be needed to prevent and correct behavior that is contrary to this policy and, if necessary, to discipline those persons who violate this policy.**

#### **I. Ministerial Conduct**

The pastor, other employees, elected and appointed lay leaders, and other volunteers are all ministers of the congregation. All of these individuals have specific responsibilities for nurture and care of others in the church community. Each may minister to others in emotional, mental or spiritual ways. Each may have authority or power over others in a variety of ways. As ministers of the gospel, and as ministers of the Church, each is responsible for understanding the ways in which their words or actions may affect others.

Sexual exploitation or sexual harassment, of parishioners or others, by anyone engaged in the ministry of the Church is unethical and unprofessional behavior and will not be tolerated within this congregation.

All ministers of the Church (employees, elected, appointed, and volunteers) may sometimes deal with individuals who are emotionally or personally vulnerable in some way. In order to minister ethically with others, it's important that ministers of this Church maintain their own spiritual, emotional, and psychological health. It is also important that every minister of the Church (as listed above) be adequately prepared and educated for the ministry in which they serve others.

It is the policy of this Church to encourage its leaders, authorized ministers, employees, and volunteers to nurture safety within ministerial relationships by being attentive to self-care, education, and the importance of referring those in need to supportive and helpful resources. It is also expected that those engaged in providing ministry will complete and submit an application and disclosure document (see Appendix B: Employment/Authorized Volunteer Application and Disclosure Form).

## II. Child and Youth Protection Policy

This Church is committed to providing a safe and healthy environment in which young people can learn about and experience God’s love. In order to ensure this, we have established specific policies.

- We expect that those who volunteer to work with minors are (1) members of this Church for at least six (6) months, or (2) if not members, regularly and frequently associated with our Church for at least one (1) year, or (3) is known by a member or a regularly attending friend of this Church, or (4) is known by the personnel/members of the Hawaii Conference United Church of Christ or its member churches.
- It is the policy of this Church to provide adequate supervision and safeguards for all youth activities. During the duration of a church-related activity the facility will be monitored at all times. Periodic checks will be done by adults.
- In any situation where participants are not readily visible to other Church members there will be no less than two (2) unrelated adults present with children. This applies as well while waiting for parents to pick up children or youth at the end of activities. Youth over the age of 14 may assist an unrelated adult provided that another adult is circulating among the classrooms, or groups, or activities not less frequently than every fifteen (15) minutes, but in no case will youth work with children less than five (5) years younger than they are. Children needing assistance during toileting will be accompanied by either a parent or guardian, or by two (2) unrelated adults.
- All volunteers and employees who work with children and youth will engage in a training session no less than annually in which appropriate boundaries, and signs of abuse, are described and discussed. This training will also include a review of the policy, and reporting procedures.
- At least one parent or guardian of each participating youth will be provided with a copy of this policy and a signed record of receipt of the policy will be kept on file. Parental or guardian written consent will be provided for activities off the Church property and any overnight activities.

### **III. Requirements for Ministry**

- Once a conditional offer of employment is made to any individual, whether ordained, commissioned, licensed or other lay person, a criminal background check will be completed. The procedure and scope of the criminal background check is detailed in an attachment to this policy (see form: Authorization and Request for Criminal Records Check). This information will be reviewed and updated yearly.
- All employees will receive training that will cover signs of abuse in children and basic understandings of appropriate boundaries in ministry.
- All elected leaders and volunteers of the Church who work with children and vulnerable individuals, will complete an application/disclosure form before elected or before beginning their duties. They will attend an orientation to this policy and a basic discussion of boundaries, signs of abuse, and the reporting procedure annually. Each committee or board chair will be responsible for ensuring that those who minister on their behalf are oriented and have completed the application and disclosure.
- All members and regularly attending friends of the congregation will be notified of this policy and are expected to comply with its intentions and support it. Suspected incidences of abuse, exploitation, intimidation or manipulation of children, youth, or vulnerable individuals should be reported.
- Authorized ministers of the Church will attend all boundary workshops suggested or required by the Hawaii Conference United Church of Christ or will attend at least one workshop each three years, whichever is more frequent.

### **IV. Reporting, Investigation and Communication of Concerns**

- A policy for reporting, investigation, and communication of concerns is attached (see Appendix C: Reporting and Response).
- All applicable State of Hawaii reporting requirements will be met when concerns are disclosed.

### **V. Attachments**

- Appendix A - Definitions
- Appendix B - Employment/Authorized Volunteer Application and Disclosure Form
- Appendix C - Reporting and Response Procedure

## APPENDIX A: DEFINITIONS

**Adult**: a person 18 years or older.

**Authorized minister**: a person who holds ordained ministerial standing or has been commissioned or licensed by an association of the United Church of Christ.

**Minister**: a person engaged by the church to carry out its ministry. Minister includes elected or appointed leaders of the church, employees, and volunteers, as well as authorized ministers.

**Sexual exploitation**: sexual activity or contact (not limited to sexual intercourse) in which a minister engaged in the work of the church takes advantage of the vulnerability of a participant by causing or allowing the participant to engage in sexual behavior with the minister.

**Sexual harassment**: repeated or coercive sexual advances toward another person contrary to his or her wishes. It includes behavior directed at another person’s sexuality or sexual orientation with the intent of intimidating, humiliating, or embarrassing the other person, or subjecting the person to public discrimination. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition or circumstance of instruction, employment, or participation in any church activity;
- Submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making personnel or church-related decisions affecting an individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s performance or participation in church activities or creating an intimidating, hostile, or offensive work or church environment.

Prohibited sexual harassment includes unsolicited and unwelcome contact that has sexual overtones, particularly:

- Written contact, including contact through the internet, such as sexually suggestive or obscene letters, notes, or invitations;
- Verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender-specific traits or sexual orientation, sexual propositions;
- Physical contact, such as intentional touching, pinching, brushing against another’s body, impeding or blocking movement, assault, coercing sexual intercourse; and
- Visual contact, including contact through the internet, such as leering or staring at another’s body, gesturing, displaying sexually suggestive objects or pictures, cartoons, posters, or magazines.

## APPENDIX A: DEFINITIONS

Sexual harassment also includes continuing to express sexual interest after being informed directly that the interest is unwelcome and using sexual behavior to control, influence, or affect the career, salary, work, learning, or worship environment of another.

It is impermissible to suggest, threaten, or imply that failure to accept a request for a date or sexual intimacy will affect a person's job prospects, church leadership, or comfortable participation in the life of the church. For example, it is forbidden either to imply or actually withhold support for an appointment, promotion, or change of assignment, to suggest a poor performance report will be given because a person has declined a personal proposition; or to hint that benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations or reclassifications, will be forthcoming in exchange for sexual favors.

APPENDIX B

EMPLOYMENT/AUTHORIZED VOLUNTEER APPLICATION  
AND DISCLOSURE FORM

Name: Last First Middle

Social Security No. Birthdate

Address: Street City State Zip Code

Daytime phone Evening phone Cell phone

**My previous experience in the past five years (paid or volunteer) related to the ministry I am seeking to fill includes (attach additional pages as necessary):**

1. Agency name

Address City State Zip Code

Contact person Phone

2. Agency name

Address City State Zip Code

Contact person Phone

Name of church where I am currently a friend or member: \_\_\_\_\_

- I have been a member of this church since \_\_\_\_\_
- I have been a friend of this church since \_\_\_\_\_

**APPENDIX B**

**I have never been found guilty, or pled guilty or no contest, to a criminal charge.**

True \_\_\_\_\_ False \_\_\_\_\_

If not true, give a short explanation of the charge. Please indicate the date, nature, and place of the incident leading to the charge; where the charge was filed; and the precise disposition of the charge.

**No civil lawsuit alleging actual or attempted sexual discrimination, harassment, exploitation, or misconduct; physical abuse; child abuse; or financial misconduct has ever resulted in a judgment being entered against me, been settled out of court, or been dismissed because the statute of limitations has expired.**

True \_\_\_\_\_ False \_\_\_\_\_

If not true, give a short explanation of the lawsuit. Please indicate the date, nature, and place of the incident leading to the lawsuit; where the lawsuit was filed; and the precise disposition of the lawsuit.

**I have never terminated my employment, professional credentials, or service in a volunteer position or had my employment, professional credentials, or authorization to hold a volunteer position terminated for reasons relating to allegations of actual or attempted sexual discrimination, harassment, exploitation, or misconduct; physical abuse; child abuse; or financial misconduct.**

True \_\_\_\_\_ False \_\_\_\_\_

If not true, give a short explanation. Please indicate the date of termination; name, address, and telephone number of employer or volunteer supervisor; and nature of the incident(s) leading to your termination.

**Do you have a valid driver’s license?** Yes \_\_\_\_\_ No \_\_\_\_\_

**State where driver’s license issued:** \_\_\_\_\_ **Driver’s license number:** \_\_\_\_\_

**With respect to my driving record, I have not had my license suspended or revoked within the last five years due to reckless driving or driving while intoxicated and/or under the influence of a controlled substance.**

True \_\_\_\_\_ False \_\_\_\_\_

**APPENDIX B**

**Is there any fact or circumstance involving you or your background that would call into question your being entrusted with the responsibilities of the position for which you are applying?**

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please provide a brief explanation.

The covenants between persons seeking employment or sanctioned volunteer positions in the church require honesty, integrity, and truthfulness for the health of the church. To that end, I attest that the information set forth in this application is true and complete. I understand that any misrepresentation or omission may be grounds for rejection of consideration for, or termination of, the position I am seeking to fill. I acknowledge that it is my duty in a timely fashion to amend the responses and information I have provided if I come to know that the response or information was incorrect when given or, though accurate when given, the response or information is no longer accurate. Beginning such relationships with an open exchange of relevant information builds the foundation for a continuing and healthy covenant between employees or volunteers and the church they seek to serve. To that end, I authorize the **Nu‘uanu Congregational Church** and/or its agents to make inquiries regarding all statements I have set forth above. I also authorize all entities, persons, former employers, supervisors, courts, law enforcement, and other public agencies to respond to inquiries concerning me, to supply verification of the statements I have made, and to comment on and state opinions regarding my background and character. To encourage such persons and entities to speak openly and responsibly, I hereby release them from all liability arising from their responses, comments, and statements made in good faith and without malice.

**Nu‘uanu Congregational Church’s** hiring and authorized volunteer recruitment process involves the distribution of information regarding applicants with those persons in a position to recruit, secure, and supervise the position I am seeking to fill. To that end, I authorize **Nu‘uanu Congregational Church** and its agents to circulate, distribute, and otherwise share information gathered in connection with this application to such persons for these stated purposes. I understand that **Nu‘uanu Congregational Church** will share with me information it has gathered about me, if I request it to do so.

\_\_\_\_\_  
Signature Date

**I have read and received a copy of this form.**

\_\_\_\_\_  
Parent’s or guardian’s signature for applicants under age 18 Date

\_\_\_\_\_  
Print Name Telephone Number Complete Address

**This form will be kept in our active file for one (1) year.**

### APPENDIX C: REPORTING AND RESPONSE

- A. A response team with no fewer than two members, one male and one female, will be established by the Council of Nu‘uanu Congregational Church (Church) each year at its first meeting, in preparation for the possibility of hearing concerns or complaints brought under the NU‘UANU CONGREGATIONAL CHURCH’S SANCTUARY COMMITMENT. The response team will familiarize itself with the policy as well as the procedures for response to concerns and complaints.
- B. When information is received regarding alleged abuse or mistreatment of a minor, the response team will immediately notify secular authorities and will cooperate fully in the investigation. These procedures will also be followed to determine whether the person under investigation will continue in their present position
- C. When concerns are raised about an authorized minister of the United Church of Christ (ordained, commissioned or licensed), whether an employee or volunteer, the response committee will notify the Conference Minister of the Hawaii Conference United Church of Christ (HCUCC). The Church will cooperate fully in any procedures of the HCUCC related to ministerial authorization, while retaining the right and responsibility to make decisions regarding employment and volunteer ministries with the Church as it determines best.
- D. Several options may be taken in addressing incidents of alleged sexual exploitation or harassment:
  1. If the concern does not involve a child, the person reporting concerns may offer to resolve the matter directly with the person accused.
  2. The person raising concerns may report the incident to the pastor, if they wish, in an effort to resolve the matter, with exception of “C” above.
  3. If an informal resolution of the concern or complaint does not seem wise, appropriate, possible, or does not succeed, the person raising concerns may institute formal proceedings. At this point the Council will offer pastoral care and concern to all those included in the investigation. The proceedings will include the following steps:
    - a. The response team will gather statements or other information from individuals involved in the harassment or exploitation or other incident of concern, and from others who may have pertinent information.
    - b. The response team will present information gathered to the supervisor of the employee or volunteer about whom a concern has been raised, and to the appropriate supervisory body of that individual.

### APPENDIX C: REPORTING AND RESPONSE

- c. The appropriate supervisory body will make determinations and take appropriate actions to resolve the matter. These may include:
  1. Finding that sexual exploitation or harassment or other serious misconduct covered by the policy has occurred and that the appropriate body of the Church is called upon to take action, which may include one or more of the following:
    - Formal reprimand with defined expectations for changed behavior, with possible public notification;
    - Recommending or requiring a program of growth which may include education or counseling;
    - Probation, with terms of the probation clearly defined;
    - Dismissal from employment or volunteer leadership position; or, in extreme cases, affiliation with or membership in the Church (as provided for in the Church policies, bylaws, etc.).
  2. Finding that no sexual exploitation or harassment, or other infraction of policies, occurred. This may involve formal notification of those who had a "need to know" and thus were previously notified of the concern and investigation.
- E. A written summary of the appropriate supervisory body's proceedings in such cases will be maintained.
- F. In considering whether the reported conduct constitutes sexual harassment, exploitation or other infraction, consideration shall be given to the record of the reported incident as a whole, and to the totality of the circumstances, including the context in which the incident occurred.
- G. Any person who brings a concern or complaint forward, or who assists in investigation of such a report, will not be adversely affected in terms and conditions of employment, Church membership or employment, or otherwise discriminated against or discharged
- H. If the person bringing the concern or complaint, or the accused person, is not satisfied with the disposition of the matter by the appropriate supervisory body he or she has the right to appeal to the Moderator who will refer the matter to the Council for resolution.

## BIBLIOGRAPHY

Melton, Joy Thornburg. *Safe Sanctuaries: Reducing the Risk of Child Abuse in the Church*. Nashville, TN: Discipleship Resources, 2000.

United Church of Christ Insurance Board. *Making Our Churches Safe for All: An Introduction to Abuse Prevention for Local Churches*. Cleveland, Ohio, Revised 2004.