Code of Sexual Ethics
and
Professional Conduct

The Episcopal Diocese
of Spokane

May 19, 2012

Revision accepted by Diocesan Council
The Episcopal Diocese of Spokane

ACKNOWLEDGEMENTS

In the summer of 2001, Bishop Waggoner assembled the Committee on Sexual Ethics in Conduct and Ministry. His call to the committee was to review and revise the diocesan policies. The work of this committee resulted in the Code of Sexual Ethics and Professional Conduct approved by the Diocesan Council in November, 2004. In conjunction with the policy revision, Safeguarding God's Children training was being established throughout the diocese.

This second revision was initiated in 2010, with focus on revising policy for protection of adults. In conjunction with this second policy revision, Safeguarding God's People training was initiated in the spring of 2010. Safeguarding On-line series was initiated in November 2011.

Much of the work of these committees was founded upon the wisdom of others who preceded us throughout the Anglican Communion. We are most grateful to the Diocese of Huron in Canada who has allowed us to adopt the same theological foundation that it so carefully developed.

We have examined the policies and procedures of several dioceses, among them are the Dioceses of Huron, Chicago, Idaho and San Diego. In addition, we have gratefully used the Model Policies made available by Church Pension Group on their web page, www.cpg.org. The work of the Diocese of Huron is reflected in our general policy and the work of the Diocese of Chicago is reflected in the layout of the procedures. The work of Church Pension Group and collaboration with the Diocese of Idaho is reflected in the layout of our remaining policies, procedures and appendices.

Diocesan revisions to comply with the 2003 General Convention Resolution B008: Protection of Children and Youth From Abuse began during the summer of 2004. The recommendations of B008 can be found in the appendices of these policies.

Thorough review and revision cannot effectively happen without input from the congregations of the Diocese of Spokane. As we grow together in implementing this Code, do not hesitate to communicate comments and questions to the Diocesan Office.

The Rev. Cn. Kristi Philip
March 28, 2012

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I. PROLOGUE

As members of the Christian community within the Episcopal Diocese of Spokane, we affirm the dignity and worth of all persons, young or old, male or female, rich or poor. Through our baptism as Christians, we have committed our lives to following the life and teachings of Jesus Christ. In this commitment we have willingly and knowingly entered into a 'Covenant Relationship', the values of which are contained within this document. Adherence to this covenant is seen and understood as a necessary and vital component of each of our lives as members of the Episcopal Diocese of Spokane.

The Code of Sexual Ethics and Professional Conduct is our standard for accountability in our sexuality. It applies to all people of the Diocese of Spokane, in all the churches, no matter what status, ministry, gender, office, context of work, or position, be it volunteer, paid, lay or ordained. As a fundamental part of adherence to our sacred covenant in Christ, familiarity with and adherence to this code is seen and understood as a necessary and vital component of each of our lives and ministries as members of the Episcopal Church. In particular, ordained persons, as people in positions of sacred trust and leadership, are called to uphold, promote and model the standards of professional competence and conduct as stated in this code.

The Code is affirmation that in all matters, especially that of sexual conduct, we, as the people of the Episcopal Diocese of Spokane, are accountable:

- to God, to love our Creator with our entire being, mind, body, soul and strength, according to Christ's instruction,

- to one another, that our beliefs, language, actions, and commitments may reflect the value we place on a healthy relationship with God, which is the result of the reconciling work of Christ,

- to ourselves, that we may value such things as will engender a healthy, life-giving rule of Christian life, knowing that the things we do in private strongly form that which we become in community, and

- to the world, modeling the Reign of Christ, to the Glory of God, empowered by the Holy Spirit to spread the good news of Christ and bring people to a relationship with Jesus.

This accountability is scriptural, it is a part of our Anglican tradition, and it is based on sound reason.

II. THEOLOGICAL FOUNDATION

This Code of Sexual Ethics and Professional Conduct finds its authority and integrity in the teachings and life of Jesus, especially:

> "*You shall love the lord your God with all your heart, and with all your soul, and with all your mind, and with all your strength… you shall love your neighbor as yourself. There is no commandment greater than these."*
> Jesus, speaking in Mark 12:29-31

Understanding our life theologically is key to the Christian community. We must do this in order to come to know how Jesus would have us live.

> "Faithful Christian living is all of a piece… The essential call of God is constant throughout the many different biblical periods. The people of God are to worship only God, to love God, and to experience holiness in reflecting God's righteousness and mercy in their own just living and compassion. All human relationships are meant to find their deepest value in the context of this response to God's love. 'We love because God first loved us' (I John 4:9)."[1]

This challenge is especially important as we turn to our faith to gain understanding of ourselves as sexual beings, especially in the rapidly changing culture, which offers powerful yet confused messages about sexuality and power. Sexuality is a wonderful gift of God, with the ability not only to create life, but also to point to the even deeper self-giving *agape* love and commitment that God offers us, and makes possible between us.

> "Perhaps the greatest danger in the human fascination with sexual activity is that it could cause people to lose sight of the ultimate goal of all of life – to come to respond to God's love. No earthly relationship will ever wholly satisfy because the full belonging and unity we long for, as individuals and together, is found only in relationship with God… One must be careful neither to take sexuality out of this perspective nor so to concentrate on it that it becomes more than it should be as a part of the whole, both with respect to individuals and society."[2]

Sadly, sexuality also has the potential to be used to alienate, harm, degrade, dominate and abuse, if it is used outside the purposes of our Lord's will for fullness of life. More sadly, the nature of relationships in the church – as an ideally inclusive, open, and loving community – can leave us uniquely vulnerable to mistakes, indiscretion, and even deliberate acts of abuse. Worse still is the tragedy when these sins occur among the people of a community called to reconcile, heal, and offer help, hope and new life to the most vulnerable! These are the sins which this code of conduct seeks to prevent and overcome in the church.

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[1] The Right Reverend Frederick H. Borsch, Christian Discipleship and Sexuality, Forward Movement Publications, 412 Sycamore Street, Cincinnati, Ohio 45202, 1993, p. 1.

[2] Ibid., p. 1.

> "Jesus' teaching is consistent with the entire biblical witness that calls disciples to show forth God's care by having a special concern for the powerless and those in need, for children, widows, strangers and refugees, the sick, the imprisoned and the hungry. This life of witness and service was and is a demanding one. Clearly Jesus has strong expectations that his followers would lead disciplined and obedient lives, lives that did not just follow natural impulses, but were to be characterized by gracefulness. His disciples were to be a different kind of people."[3]

How, then do we understand this difference? How can we be whole people, both in sexuality and in faith? Scripture teaches us that:

- all persons were created by God in the divine image, male and female,

- all persons are equal in the eyes of God, whether young or old, female or male, rich or poor (even if through history this equality is contradicted by cultures, customs, language, laws, habits, and assumptions of society, and even of the Church itself),

- as a special part of the divine creation of matter, the human body is good. It is to be appreciated and respected as the temple, the locus wherein the Holy Spirit dwells, the place where the Word is made flesh.

The ministry of Christ was, and is, to reconcile a fallen humanity to their Creator; to open a path of salvation for all people. In so doing, Christ taught us how to live in faithful community. Misuse and misunderstanding of sexuality has the potential to destroy individuals and communities, but in these circumstances Christ offers redemption of sexuality back to the good purposes for which it was given. In healthy relationships, sexuality is an important and life-giving gift – it is part of being human. But it is only a part, and…

> "…in Christian perspective, sexuality is to be disciplined in order to become a way of sharing and learning more about responsible, self-giving love and creativity."[4]

[3] Ibid., p. 2-3
[4] Borsch, p. 15

III. THE BAPTISMAL COVENANT: OUR RULE OF LIFE

In our baptism as Christians, we have committed our lives to following the example, life and teachings of Jesus Christ. In Baptism, we have been given the gift of grace: a covenant relationship with God in Christ. Every time a Baptism is celebrated, the gathered church is called to reaffirm their own Baptismal vows, and to renew their commitment to live as a people of that covenant. We are bound by the vows of our Baptism, and our membership in the Body of Christ. The vows that follow represent the common calling of every Baptized person in the Diocese of Spokane, calling us to a Christ-centered way of living. Each of these vows demands something from us, and bears directly on the way our sexuality is meant to be a gift of love, and not sin.

- ***Will you continue in the apostles' teaching and fellowship, in the breaking of bread, and in the prayers?***

In order to keep this vow, it is essential to acknowledge the God-given value of every person, and to refuse to tolerate any vexatious or exploitative conduct or comment that might prevent a person from fully, safely, freely and joyfully participating in the regular learning, fellowship, worship and prayer of the Church. Our call is to draw people to Christ, to become a part of the Christian story and people. To misuse sexuality is to deny the possibility of keeping the above vow.

- ***Will you persevere in resisting evil and, whenever you fall into sin, repent and return to the Lord?***

As the misuse of sexuality has the enormous potential to alienate people from God, one another, and even themselves (in other words, to be the cause of tremendous sin in human life and relationship), the Church has a special responsibility to persevere in resisting any teaching or conduct which would abuse the sacred nature of the gift of sexuality and sexual expression. In fact, the Church has a responsibility to call people away from such conduct or teaching, and back to the teachings of Christ and the way of life. Further, the Church has a responsibility to understand and to be clear about the relationship between sexuality and power, and to acknowledge that where an imbalance of power exists in a relationship, genuine consent to sexual expression cannot exist.

- ***Will you proclaim by word and example the good news of God in Christ?***

More positively, the Church has a responsibility to teach a theology of sexuality and sexual conduct as a part of the Good News of the life, ministry, and teaching of Jesus Christ. In other words, sexual integrity, and the joyful, exciting, life-giving expression of the same, is to be found as one possible healthy part of life in Christ. In this context, and within the proper relationship, sexuality has the ability to reflect most beautifully the depth of love possible in relationship with God.

• ***Will you seek and serve Christ in all persons, loving your neighbor as yourself?***

Sexuality is central to our being and permeates all our relationships. And yet, it is "sacred ground," profoundly personal in nature. How we express our sexuality – be that expression emotional, physical, or spiritual – is a reflection of how we live in relationship with God and one another. God values sexuality, as part of who we are, as good, blessed and purposeful. To be faithful, to seek and serve Christ in all persons, is to hold sexuality in the sacred web of love and covenant. To violate another person, especially sexually, violates both our relationship with that person, and with God.

• ***Will you strive for justice and peace among all people, and respect the dignity of every human being?***

It is incumbent upon Christians to take very seriously any circumstance in which sexual abuse is suspected or reported. It is important for justice to be carried out with thoroughness, care, and expedience, to provide a foundation for restoration of peace and healing. To establish justice and peace, we must protect those who are vulnerable, especially where there is an imbalance of power in a relationship. We must work for the healing of victims, their families, and congregations whenever sexual mistakes, indiscretions or abuse may occur. We must also take seriously our ministry of healing and restoration to offenders.

As the people of the Episcopal Diocese of Spokane, it is our prayer that we will faithfully live out our baptismal vows in our lives. The policies, procedures, and appendices that follow show the values that guide our relationships with each other and with the world.

GENERAL DEFINITIONS

A. Church Personnel
For the purposes of this policy, the following are included in the definition of Church Personnel when they are functioning in their respective roles for the church:

1. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church.

2. All paid personnel whether employed in areas of ministry or other kinds of services by the diocese, its congregations, schools or other agencies. For example, Camp Cross staff (paid or volunteer), sextons, secretaries, youth ministers, choir directors, etc.

3. Those who contract their services to the diocese, its congregations, schools or other agencies.

4. Volunteers, including any person who enters into or offers him or herself for a church related service, or who actually assists with or performs a service, whether or not they have been selected or assigned to do so. Volunteers include members of advisory boards, vestries, Bishop's Committees, boards of directors, Eucharistic Visitors, Sunday school teachers, nursery attendants, youth leaders, camp volunteers, etc.

B. Children and Vulnerable Adults
By law, a child is defined as anyone under the age of 18 years. For the purposes of this policy, a child is under the age of 12 and a youth is a child generally 12 or older and younger than 18. Child or youth also includes an individual who is 18 years or older, but is still in high school.

A vulnerable adult is defined as anyone 18 years or older who, by virtue of mental or physical impairment is unlikely to be capable of resisting, defending against, or reporting acts of abuse, exploitation or neglect.

C. Regularly or Occasionally Work With or Around Children or Vulnerable Adults
For the purpose of this policy, the following are included in the definition of Church Personnel who Regularly Work With or Around Children, Youth or Vulnerable Adults.

1. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church.

2.All paid personnel.

3. All persons who supervise or assist with supervising children, other than church school teachers, in ministries, programs or activities more often than occasionally.

4. All persons whose ministries of pastoral care take place in people's homes and hospital or nursing home rooms more often than occasionally.

5. All persons who provide transportation to children or vulnerable adults more often than occasionally.

6. Any paid personnel whose living quarters are on the grounds of the church, camp, school or other related agency.

7. All vestry members or other members of similar decision-making groups who have the authority to approve the creation of ministries, programs or activities for children or vulnerable adults.

Examples of Church Personnel who Regularly Work With or Around Children, Youth or Vulnerable Adults include, but are not limited to:

- Children's choir directors
- Musicians who work with children or youth
- All youth leaders, directors or ministers
- Eucharistic visitors
- Members of a pastoral visiting team who visit more than four times a year
- All Church Personnel who work or assist in the nursery more than four times a year
- All Church Personnel who work in the nursery if they are the only person over 21 present at any time
- All staff, whether volunteer or paid, at church camps
- Adults who participate in overnight activities with children or youth.

For the purpose of this policy, the following are included in the definition of Church Personnel who Occasionally Work With or Around Children, Youth or Vulnerable Adults:

1. Church school teachers.

2. All persons who supervise or assist with supervising children or youth in ministries, programs or activities infrequently, generally no more than three times a year or for one program or activity during a year that lasts less than a month (i.e. assisting with preparation for the Christmas pageant, or teaching one "unit" of Church School for a month).

3. All persons who provide transportation to children or youth infrequently, generally no more than three times a year.

4. All persons who work or assist in the nursery four or fewer times a year, whether on an emergency basis or otherwise.

5. Adults who participate in overnight activities with children or youth once or twice a year.

D. Persons in Pastoral Relationships
For the purposes of this policy, a Pastoral Relationship is a relationship:

between any clergy person and any person:
- who attends a congregation or other ministry setting in which the clergy person serves;
- who seeks ministry from the clergy person

OR

between any clergy person or any duly-appointed lay person, whether employee or volunteer, who is authorized to provide and does provide:
- counseling;
- pastoral care;
- spiritual direction or spiritual guidance;
- ministration of any Sacrament (other than the distribution of the Bread and Wine by a lay person at a public service of Holy Communion);
- life/leadership/peer coaching; hearing a person's confession, in the course of the duly-authorized ministry

OR

that following ministers licensed under Canon III.4: Pastoral Leaders, Worship Leaders, Preachers, Eucharistic Visitors, and Catechists and those they serve in the course of these ministries.

E. Supervisors and Decision–Makers
For the purposes of this policy, Supervisors and Decision-Makers include:

1. All persons who supervise Persons Who Have Pastoral Relationships;

2. All members of decision-making bodies who have the authority to approve the creation of ministries, programs, church activities, or policies involving Pastoral Relationships;

3. Standing Committees, Diocesan Councils/Executive Boards, Vestries, and Bishop's committees who appoint or approve Persons Who Have Pastoral Relationships as defined in this policy including all Standing Committees, Commissions on Ministry, Vestries, Camp Directors, Boards of Directors for Schools, Bishop's Committees, and other such groups.

F. Types of Abuse

1. **Physical abuse** is non-accidental injury, which is intentionally inflicted upon a person.

2. **Sexual abuse** perpetrated by an adult is any contact or activity of a sexual nature that occurs between an adult and a child, youth, or vulnerable adult. This includes any activity, which is meant to arouse or gratify the sexual desires of the adult, child, youth, or vulnerable adult .

3. **Sexual abuse includes** any contact or activity of a sexual nature that occurs between two people when there is no consent, when consent is not possible, or when one person has power over the other. This includes any activity that is meant to arouse or gratify the sexual desires of any another person.

4. **Emotional abuse** is mental or emotional injury to person that results in an observable and material impairment in a person's growth, development or psychological functioning.

5. **Neglect** is the failure to provide for a child, youth, or vulnerable adult's basic needs or the failure to protect a child, youth, or vulnerable adult from harm.

6. **Economic exploitation** is the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a person's belongings or money.

G. Additional Definitions

Adjudication – the action of issuing a decision or judgment.
Advocate – one who has been specially trained to understand, support and help people who have survived violent and abusive situation. Advocates can offer assistance in understanding legal and canonical processes as well as providing referrals to a variety of support systems.
Affiliated function – an activity associated with service in the diocese.
Allegation – an assertion or statement yet to be proved.
Any person of the Diocese of Spokane – any person who is a member of or employed by the Episcopal Church in the Diocese of Spokane.
Canonical – conforming with or ordered by canon law.
Cleric – a member of the clergy.
DCFS – Department of Child and Family Services or Division of Children and Family Services. The child protection unit of the Idaho Department of Health and Welfare.
DSHS – Department of Social and Health Services. The child protection department in Washington state.
Diaconal – of or concerning a deacon.
FACS- family and community services. The child protection unit of the Idaho Department of Health and Welfare.

HOPE Center – an agency licensed by DSHS to provide temporary residential placement and other services to street youth.
Jurisdiction – the legal power to administer and enforce the law; the exercising of this power; the region within which this power is valid or in which a person has authority.
Litigation – the action of contesting a law.
Mandated reporter – any individual who is required by state law to report suspected child abuse and/or neglect to the proper authority in his/her state.
Mentor – an experienced and trusted friend and adviser.
Postulant – one who is in an early stage in the process towards ordination.
Presentment – the formal statement of a matter to be dealt with that is to be presented to the appropriate authority.
Referral – the transfer for the attention or action of someone else.
Seductive – tempting; leading aside or away.
Sexual exploitation – includes but is not limited to the following actions:

1. **Verbal**: sexual innuendo, indecent proposal, sharing sexual stories, jokes or fantasies, or making inappropriate comments about someone's appearance.
2. **Behaviors**: inappropriate touching, sending or posting communications with sexual content (correspondence, email, text messages, instant message photographs, attachments, phone conversations, voice mail, etc.).
3. **Sexualizing a Pastoral Relationship** or relationship between a clergy or lay person and anyone to whom he or she provides ministry (e.g., requesting dates, giving unwanted attention, etc.).

Sexual harassment – a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964 and TITLE 67 CHAPTER 59 of the Idaho Code, and Washington State Law RCW 49.60. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. Refer to Appendix F for examples of unwelcome conduct that may constitute sexual harassment.
Sexual misconduct – a general term that includes sexual abuse, sexual exploitation and sexual harassment. With a minor, sexual misconduct includes sexual molestation or sexual exploitation of a minor and other behavior by which an adult uses a minor as an object of sexual gratification.
Statute – a law passed by a legislative body and formally placed on record in a written or printed form; the written or printed record of this law.
Statutory – of or relating to or having the nature of a statute or statutes; conforming to a statute; established by a statute; (of an offense) declared by statute to be an offense and therefore legally punishable.

STATEMENT OF DIOCESAN POLICY

A. General

It is the policy of the Diocese of Spokane that sexual abuse (sexual harassment, sexual exploitation, sexual misconduct) of any kind by any person of the Diocese of Spokane (volunteer, paid, lay or ordained) will not be tolerated, regardless of the jurisdiction in which a person carries out their work or ministry.

In relationships of trust, whether with children or adults, care must be exercised to avoid taking advantage of trust, or abusing a situation of responsibility and caring. Clergy and other Church workers need to recognize the unique dynamics of these relationships and the potential for harm and abuse. Vulnerabilities are exposed, and the very strengths of these relationships, namely the expression of care and love, can easily take on inappropriate forms. In particular:

1. Appropriate boundaries are to be respected and maintained by all clergy and other professionals in the service of the Diocese in every pastoral and counseling situation. The support and/or pastoral care function creates a specific relationship of trust. Exploitation of this trust through sexual activity, or touching for sexual purposes, or the suggestions or depiction of any such activity, will not be tolerated.

2. Clergy, staff and volunteers are expected to maintain the ethical standards in all their relationships with those for whom they have responsibility. These standards shall apply whether in the service or employ of the Diocese, any of its parishes, or any affiliated function.

3. In a pastoral or counseling relationship, all forms of sexual behavior or harassment are unethical, even when a recipient of care invites or consents to such behavior or involvement. Sexual behavior is defined as, but not limited to, all forms of overt and covert seductive speech, gestures and behavior as well as physical contact of a sexual nature; harassment is defined as but not limited to repeated comments, gestures or physical contacts of a sexual nature.

4. We recognize that the relationship between the support counselor or pastoral care provider and their recipient involves a power imbalance, the residual effects of which are operative following the termination of a professional relationship. Therefore, all sexual behavior or harassment with former recipients of care is unethical.

5. Sexual abuse (sexual harassment, sexual exploitation, sexual misconduct or sexual assault) of a child by any person of the Diocese of Spokane (volunteer, paid, lay or ordained) will not be tolerated, and must be reported immediately. No notion of pastoral confidence shall interfere with this requirement.

B. Training

Child Sexual Abuse Prevention Training:

1. Diocesan approved child abuse prevention education and training is required for all **Church Personnel who Regularly Work With or Around Children, Youth, or Vulnerable Adults** before they start their work with children, youth, or vulnerable adults. If that is not possible, "Safeguarding God's Children" on-line must be completed within two (2) weeks of starting work. The Diocesan-approved, in-person training, must then be completed within six (6) months and renewed every five (5) years.

2. Child abuse awareness education and training is required for all **Church Personnel who Occasionally Work With or Around Children, Youth or Vulnerable Adults** before they start their work with children, youth or vulnerable adults. "Safeguarding God's Children" on-line, or Diocesan-approved training can satisfy this requirement.

3. Church Personnel who are responsible for screening, selection and supervision of others in programs for children and youth are **encouraged** to complete specialized education and training in screening, selection and monitoring such as resources provided through Praesidium, the organization that produces our training materials: www.praesidiumInc.com.

Adult Sexual Abuse Prevention Training

Diocesan-approved training on issues of sexual harassment in employment, mentor and colleague relationships and sexual exploitation in pastoral relationships will be required of all clergy, persons in Pastoral Relationships, and paid personnel in program ministries. Although other paid personnel are not required to attend the adult sexual abuse prevention training, it is encouraged for all paid personnel in the diocese. The training is also **strongly encouraged** for Supervisors and Decision-Makers of the congregations.

New Church Personnel must review the Code of Sexual Ethics and Professional Conduct policy when they start work. Required diocesan-approved training should be completed within six (6) months of starting work, and renewed every five (5) years.

C. Screening and Selection

1. All clergy, employees and volunteers who will be **regularly** working with or around children, youth, or vulnerable adults shall:
    a. Submit a written application that includes an authorization for the release of information to conduct background checks and the Code of Conduct (Appendix J).
    b. Be interviewed
    c. Be known to the clergy or congregation for at least six months
    d. Agree to a criminal records check (see Appendices H and I for the proper procedures for criminal records checks)
    e. Agree to a sexual offender registry check

f. Provide a minimum of 2 outside references

2. It is also strongly recommended that all Church Personnel who will be **occasionally** working with or around children, youth or vulnerable adults:
    a. Submit a written application that includes an authorization for the release of information to conduct background checks and the Code of Conduct (Appendix J).
    b. Be interviewed.
    c. Be known to the clergy or congregation for at least six months.
    d. Agree to a criminal records check (see Appendices H and I for the proper procedures for criminal records checks)
    e. Agree to a sexual offender registry check.

3. Church school teachers who work with children exclusively during public church school hours and in physical spaces where other adults routinely are present would be exempt from this requirement, although many parishes may wish to engage in the above screening and selection process.

4. All information gathered about an applicant will be carefully reviewed and evaluated to make a determination, in consultation with others as necessary, of whether or not the person is appropriate to work with children or youth.

5. Church Personnel who work with or around children or youth must have a personnel file that is kept where other church records are kept.

6. It is recommended that criminal records checks and sexual offender registry checks be conducted every five (5) years for Church Personnel who Regularly Work With or Around Children or Youth.

7. Church Personnel who transfer within the Diocese of Spokane and apply for or are asked to or who do undertake a position working with or around children or youth are required to undergo the same screening and selection process in Section A above. This requirement may be met through a transfer of a copy of their personnel file to the new congregation, school, agency, or program together with completion of a new application, individual interview and reference checks with the congregations, schools, agencies or other programs for which the applicant has worked with or around children or youth since the screening was last done as shown in the applicant's personnel file.

D. Employment by or transfer to other dioceses

No priest or deacon of this diocese with a record of sexual abuse will be transferred to a ministerial position in another diocese. The Bishop will notify local ordinaries of other dioceses concerning the status of priests/deacons of the Diocese of Spokane who reside in other dioceses. If the Diocese learns that a (former) employee, seminarian, or volunteer with a record of sexual abuse is seeking ministerial placement elsewhere, the Bishop of Spokane will immediately notify the Ordinary or ecclesiastical authority of the facts and

circumstances in this Diocese. This information will be disclosed to others making legitimate inquiry.

E. Knowledge of Diocesan Policies and Procedures on Sexual Ethics in Conduct and Ministry

The Diocese of Spokane will use reasonable efforts to obtain and keep on file signed statements by all of its clergy, church and diocesan employees, volunteers who regularly supervise youth activities, vestry/ bishop's committee members and members of Diocesan Council and Standing Committee that each such party has received the diocesan policies and procedures and understands the contents.

RESPONSES

A. Reporting the abuse of an adult

If the accused is a member of the clergy, the procedures for reporting any type of abuse are found in the disciplinary canon, Title IV of the Canons of the Episcopal Church www.episcopalarchives.org/CnC_ToC_2009.html. The first step is for a report to be made to the Intake Officer of the diocese by calling the Diocesan Office (509) 624-3191. If the accused is a lay person, the report should be made to a supervisor, the clergy in charge of the congregation, a warden of the congregation or the Intake Officer of the Diocese. It is always appropriate to call the Diocesan Office for information and assistance in making a report.

B. Reporting the abuse of a child or vulnerable adult

The Diocese of Spokane is committed to providing a safe environment in which children can grow in the Christian faith and learn of the abiding love and presence of God through relationships of trust and acceptance. Complaints related to sexual abuse of a child must be taken seriously and be dealt with in a spirit of compassion and justice.

Persons in the diocese who receive a report of child abuse, or have reason to believe that a child known to them in their church-related work has been abused or neglected, must report or encourage reporting of the circumstances. Appendix H contains a sample report listing the information needed by the appropriate agencies. Methods of reporting are:

- Make a report to the law enforcement jurisdiction where the child resides.
- Make a report themselves by calling:

  In Washington: DSHS 1 866-EndHarm (1 866 363-4276).
  www/dshs.wa.gov/endharm.shtml

  In Idaho- The Idaho Department of Health and Welfare, Family And Community Services: 211 (Idaho CareLine) or 1-800-926-2588.
  - The Child Protection contact phone number of the office nearest you is available at www.dhw.idaho.gov

If the accused is a member of the clergy, see section 1 above for additional reporting requirements.

- Report to a mandated reporter, who will then make a report (any person who is a mandated reporter and relies upon someone else to make the report should verify that it has been done).

A list of mandated reporters in Idaho and Washington can be found in Appendix G.

In addition, someone who is not a mandated reporter may urge the child to report to a mandated reporter (such as a teacher, nurse, school counselor, physician) and be an advocate for the minor as he or she prepares to do this.

FACS has published pamphlets with respect to reporting requirements and procedures. Copies are available directly from FACS. DSHS WA and DCFS (ID) have published pamphlets with respect to reporting requirements and procedures. Copies are available directly from DSHS, DCFS.

The Bishop or the Intake Officer is prepared to help any member of the clergy or lay person who is confronted with an issue of this kind.

Note that, in addition to these statutory obligations and avenues, any reports of sexual harassment, molestation, or abuse by clergy, employees or volunteers must also be made to the Bishop either directly or through the Intake Officer. This obligation attaches to both current and past incidents, whether the individual concerned is presently a minor or adult. A prompt telephone call should be made to the Bishop or the Intake Officer at 509 624-3191. A Confidential Notice of Concern for the Bishop or Intake Officer is contained in Appendix I.

When a report is made, or a basis for concern exists, about the possible sexual misconduct involving a child, a written report should be made, if at all possible. A sample format compiling the information important to make an investigation is Appendix H.

C. Pastoral Care Issue

Confidentiality Statement: The victim, the accused and other involved parties are entitled to confidentiality within the limits of an ongoing investigation and respect for the victim's privacy and within the limits of Title IV of the national church Canons.

a) Pastoral Care to the Victim

If the victim is a child, the Bishop or the Intake Officer will ensure the required reporting to the proper authorities has occurred and that cooperation in the ensuring investigation is taking place.

The Bishop or the Intake Officer shall try to respond to the victim(s) of abuse by naming an appropriate person for advocacy and support during the investigation and resolution process. The advocate's role is to listen and support the victim and family members. The advocate may make referrals to and encourage participation in all available therapeutic treatment and other support resources.

Personal contact, including phone calls and in-person contact with the victim, child or adult, and the family of the victim should be made as soon as possible within the framework of any ongoing law enforcement investigation. It is important to maintain ongoing follow-up contact with the victim and the family to assess changing needs and concerns of the victim and his/her support system.

b) Pastoral Care to the Victim's Family

The Bishop or the Intake Officer should attempt to meet, as soon as possible, with the victim's family in order to assess the whole family's needs. It is important to maintain an

ongoing supportive relationship to all involved as the investigation and resolution process can take many months to reach closure. A pastoral contact should be assigned to stand by/be with the family throughout the investigation and resolution process.

c) Pastoral Care to the Congregation

Particular care should be paid to the congregational community as they, too, suffer when one of its clergy, paid employees, or volunteers is accused of, convicted of, or admits to sexual misconduct. The Bishop or the Intake Officer should meet with the wardens and/or congregation in order to inform them that an investigation of alleged sexual abuse or misconduct is taking place. The Bishop or Intake Officer will outline the necessary diocesan procedures. The congregation should be cautioned against gossip and rumor while being assured that they will be apprised of the progress of the investigation as appropriate within the bounds of confidentiality of all parties and any ongoing investigation. Within the bounds of confidentiality, the Bishop or Intake Officer shall meet with the congregation and communicate the final results of the process, with special attention paid to the implications of disciplinary action if taken. The Diocese may make available a trained resource person who can assist the congregation to address their concerns and bring healing to them. Liturgical resources for healing in a congregation should be made available with guidance and support for their use as needed.

d) Pastoral Care to Colleagues and the Wider Church

Pastoral care to colleagues and the wider church community is a corporate responsibility. Part of the ongoing healing ministry of the church is to acknowledge our weaknesses and to teach each other about power, healthy relationships, and sexuality. It is understood that a person is innocent until proven otherwise. To promote mutual support, those informed of the allegations should be admonished against gossip and rumor. Colleagues of the accused will be kept apprised of the progress of the investigation as necessary within the bounds of confidentiality, any ongoing investigation, and the wishes of the victim.

e) Pastoral Care to the Accused

Confronting any person, ordained or lay, with an accusation of sexual misconduct that may lead to disciplinary action is a difficult task. This is particularly true when the person is a friend and/or colleagues. This discussion should be seen as a pastoral and caring act, providing for the common good of the church and also offering the possibility for restoration and healing within the church community.

The Bishop or Intake Officer will appoint a pastoral care provider for the accused for the purpose of support during the investigation of allegations of sexual misconduct. The accused will be informed of the process of the investigation including the commitment to confidentiality within the bounds of any ongoing investigation and within the bounds of Title IV of the Episcopal Church Canons.

Where allegations have been substantiated, confession and acknowledgement of responsibility by the offender should be regarded as the necessary first step in any possible restoration to ministry. However, confession and absolution should be conducted

with care and cannot be considered the sole basis for restoration. Therapeutic evaluation as well as treatment, if deemed necessary, is required for restoration to ministry.

f) Pastoral Care to the Family of the Accused

The Bishop or Intake Officer should ensure that pastoral contact and support are offered to the family at the request of the accused, or as deemed necessary and appropriate by the Bishop or Intake Officer. This provider of pastoral care shall be someone other than the one attending the victim's family.

Appendix A:

GENERAL CONDUCT FOR THE PROTECTION OF CHILDREN AND YOUTH

The following guidelines are intended to assist Church Personnel in monitoring and supervising behaviors and interactions with children and youth to identify and stop those that may be inherently harmful to children or youth, that are the type used by child molesters to groom children, youth and their parents, or that may create the conditions where abuse can occur more easily. These guidelines should also be used to make decisions about interactions with children and youth in church sponsored and affiliated programs. They are not designed or intended to address interactions within families. **When exceptions to these guidelines must be made, they should be reported to the supervisor of the Church Personnel making the exception as soon as possible**

1. All Church Personnel who work with children or youth must agree to comply with the Diocese of Spokane Guidelines for Appropriate Affection (Appendix B).

2. No person will be allowed to volunteer to **Regularly Work With or Around Children or Youth** until the person has been known to the clergy and congregation for at least six months.

3. Programs for infants and children will have procedures to ensure that children are released only to their parents or legal guardians or those designated by them.

4. Church Personnel are prohibited from the use, possession, distribution, or being under the influence of alcohol, illegal drugs, or the misuse of legal drugs while participating in or assisting with programs or activities specifically for children or youth.

5. Parents or guardians must complete written permission forms before Church Personnel transport children and youth for a church sponsored activity or for any purpose.

6. Church Personnel will respond to children and youth with respect, consideration and equal treatment, regardless of sex, race, religion, sexual orientation, culture or socio-economic status. Church Personnel will portray a positive role model for children and youth by maintaining an attitude of respect, patience, and maturity. They will avoid even the appearance of favoritism.

7. One-to-one counseling with children or youth should be done in an open or public or other place where private conversations are possible but occur in full view of others.

8. Church Personnel are prohibited from dating or becoming romantically involved with a child or youth.

9. Church Personnel are prohibited from having sexual contact with a child or youth.

10. Church Personnel are prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, clothing etc.) on church property or in the presence of children or youth except as expressly permitted as part of a pre-authorized educational program.

11. Church Personnel are prohibited from using the Internet to view or download any sexually oriented materials on church property or in the presence of children or youth.

12. Church Personnel are prohibited from discussing their own sexual activities, including dreams and fantasies, or discussing their use of sexually oriented or explicit materials such as pornography, videos or materials on or from the Internet, with children or youth.

13. Church Personnel are prohibited from sleeping in the same beds, sleeping bags, tents, hotel rooms or other rooms with children or youth unless the adult is an immediate family member of all children or youth in the bed, sleeping bag, tent, hotel room or other room. It is acceptable to have multiple adults sleep with all the children or youth participating in one open space such as a church basement or camp lodge.

14. Church Personnel are prohibited from dressing, undressing, bathing, or showering in the presence of children or youth.

15. Church Personnel are prohibited from using physical punishment in any way for behavior management of children and youth. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting, or any other physical force. Physical force may only be used to stop a behavior that may cause immediate harm to the individual or to a child, youth or others.

16. Church Personnel are prohibited from using harsh language, degrading punishment, or mechanical restraint such as rope or tape for behavior management.

17. Church Personnel are prohibited from participating in or allowing others to conduct any hazing activities relating to children's or youth ministry or camp activities.

Appendix B:

GUIDELINES FOR APPROPRIATE AFFECTION

The Diocese of Spokane 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, otherwise that decision is left to each individual. Stating which behaviors are appropriate and inappropriate allows Church Personnel to comfortably show positive affection in ministry, and yet 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. The following guidelines are to be carefully followed by all Church Personnel working around or with children, youth, or vulnerable adults.

1. 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, youth and vulnerable adults.

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, this gesture should typically be avoided in some Asian communities)

2. The following forms of affection are considered **inappropriate** with children, youth and vulnerable adults in ministry settings 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 on the mouth
- 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
- 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
- Private meals with individual children or youth

Appendix C

MONITORING AND SUPERVISION OF PROGRAMS AND OF PASTORAL RELATIONSHIPS

The monitoring and supervision of programs and activities involving children or youth is important for safeguarding children and youth and involves several aspects. One aspect involves having structural guidelines or standards for the programs and activities for children and youth. These include such things as who approves new programs, how many adults need to be present and the like. In addition to setting structural guidelines and standards, church leaders must make sure the structural safeguards are followed. Programs and activities have to be monitored and supervised to do that.

Another aspect of monitoring and supervision is that supervisory personnel and others monitor and supervise the behavior of adults, youth and other children with children and youth so that inappropriate behaviors and interactions can be detected and stopped. Some behaviors and interactions are potentially harmful to children or youth in and of themselves. Examples include providing alcohol or drugs to children or youth or actually having sexual contact with a child or youth. Other behaviors and interactions are not necessarily harmful in and of themselves but are the same behaviors and interactions known to be used by those who abuse children or youth to "groom" them or their parents for eventual abuse or which provide the privacy child molesters need in order to abuse children or youth. Examples of those behaviors and interactions include holding children over the age of three on the lap, transporting a child or youth alone, and the like.

The structural guidelines and standards are covered in both this **Monitoring and Supervision** section and in the previous section, **General Conduct for the Protection of Children and Youth** (Appendix A). The behaviors and inter-actions of persons with children and youth that need to be monitored and supervised are covered in the section on **General Conduct for the Protection of Children and Youth** and in the **Guidelines for Appropriate Affection** (Appendix B),

1. Church Personnel are prohibited from being alone with a child or youth or multiple children or youth where other adults cannot easily observe them.

2. Church Personnel over the age of 21 must directly supervise Church Personnel under the age of 18 and be physically present during all activities.

3. An up to date list of approved congregation-sponsored programs for children and youth will be maintained in the church office or other place where church records are kept.

4. Church Personnel are not permitted to develop new activities for children and youth without approval from the priest or other person in charge of the congregation. Requests to develop new activities should be submitted in writing to this person who will consider whether the plan for a new activity includes adequate adult supervision.

5. At least two unrelated Church Personnel must supervise activities. When both boys and girls are participating, male and female adults must be present.

Pastoral Relationships

The monitoring and supervision of programs and activities involving Pastoral Relationships is important for safeguarding adults from sexual exploitation. Monitoring and supervision should include, but are not limited to:

1. Maintaining an up to date list of approved Persons Who Have Pastoral Relationships in the church office or other place where church records are kept.

2. Requiring that all new activities that include Pastoral Relationships have the approval of the rector or canonical equivalent before they start. Requests to develop new activities should be submitted in writing to the rector. The rector will consider whether the plan for a new activity includes adequate monitoring and supervision.

3. Requiring that all Persons Who Have Pastoral Relationships be approved to do so by the rector or canonical equivalent in accordance with the Screening and Selection process above.

4. Settings where Pastoral Relationships take place:

    - should, whenever possible, be places where casual monitoring by others is convenient (for example along well-traveled hallways or in areas where other Church Personnel work nearby).

    - should be in open, visible spaces or in closed spaces that have windows that remain unobstructed by closed blinds, furniture, plants, or other adornment.

    - should convey safety and comfort without the use of couches, loveseats, beds, futons or other furniture that would encourage close seating between the persons in the Pastoral Relationship.

Appendix D:

GUIDELINES FOR PROVIDING COUNSELING

- Limited number of sessions, generally no more than 4 or 5 on any particular life issue.

- Don't go outside your area of expertise. Refer to a psychologist, credentialed professional, medical doctor, or mental health professional.

- Even if you are separately credentialed and/or licensed as a mental health professional (psychologist, marriage and family therapist, substance abuse counselor, etc.) while you are functioning on behalf of the church you should:

    1. Make it clear to those you are serving that you are NOT serving in that role.

    2. If you function in that role while you are also functioning on behalf of the church, you should clearly separate those two roles by where you practice each and clearly communicate to all concerned of when you are functioning in each role.

    3. You must maintain in full force separate professional insurance coverage at all times for any work you do outside your church role. The insurance must have:

        - per occurrence limits of at least $1,000,000;
        - aggregate limits of at least $3,000,000, including coverage for Sexual Misconduct, however defined in the insurance policy(s) with limits of at least $2,000,000; and
        - name your church employer or church for whom you function in Pastoral Relationships as an additional insured.

    4. You must provide evidence of such insurance to your church employer or church for which you function in Pastoral Relationships annually.

Appendix E:

BEHAVIORAL GUIDELINES FOR THE PREVENTION OF SEXUAL EXPLOITATION OF ADULTS

When creating safe boundaries for Persons Who Have Pastoral Relationships, it is important to establish what types of interactions are appropriate and inappropriate. Stating which behaviors are appropriate and inappropriate allows Church Personnel to comfortably show positive affection in ministry, and yet identify individuals who are not maintaining safe boundaries with other adults. These guidelines are:

- based, in large part, on avoiding behaviors known to be used by those who have engaged in sexual exploitation of adults,

- intended to assist Church Personnel and congregants in monitoring and supervising behaviors and interactions of Persons Who Have Pastoral Relationships to help maintain appropriate boundaries at all times,

- intended to be used to make decisions about interactions of Persons Who Have Pastoral Relationships with those with whom they have a Pastoral Relationship,

- to be carefully followed by all who are involved in Pastoral Relationships.

Some **appropriate** interactions, as long as they are welcomed by the recipient, are listed below:

- brief hugs
- pats on the shoulder or back
- kisses on the cheek
- handshakes
- holding hands during prayer

Some **inappropriate** interactions in Pastoral Relationships and other ministries with adults include:

- inappropriate or lengthy embraces
- kisses on the mouth
- touching sexual areas of the body
- showing affection while in isolated areas such as bedrooms, closets, staff-only areas or other private rooms
- any form of unwanted affection
- comments or compliments (spoken, written, or electronic) that relate to a person's body or appearance that are at all suggestive. Examples would be, "You should wear that outfit more often." or "You look really hot in those jeans."
- giving gifts or money to favored individuals
- repeated and/or private meetings with individual adults, especially meetings that occur away from church property and during non-business hours

- repeated electronic communications, such as email or texts, especially those that contain personal disclosures or solicitations of an intimate relationship
- seeking excessive private time with a specific adult
- changing one's manner of dress when in the company of a specific adult
- providing a specific adult with personal access such as one's personal email address or cell phone number if that is not the norm

Appendix F:

SEXUAL HARASSMENT:
EXAMPLES AND REPORTING PROCEDURES

As stated on page 13, sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964, TITLE 67 CHAPTER 59 of the Idaho Code, and Washington State Law RCW 49.60. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment.

For the purposes of this appendix, "Church" refers to individual congregations; church or diocesan schools, camps, institutions or organizations; and/or the diocesan office itself.

A. Prohibited Behavior:

1. Sexual Harassment

Unwelcome conduct which may constitute sexual harassment can include, but is not limited to, the following:

Verbal:

- Repeated sexual innuendos, sexual epithets, derogatory slurs, off-color jokes.
- Propositions, threats, suggestive or insulting sounds, even if the comment is about someone else.
- Inappropriate email, (for example, email that contains sexual jokes, gossip or speculation about a person's sexuality, sexual practices, pregnancy, virility, etc.). This includes email that was sent accidently.

Visual/Non-Verbal:

- Derogatory posters, cartoons or drawings containing nudity, sex acts, provocative poses, innuendo, sexual language, etc.
- Suggestive objects or pictures, including photographs, wallpaper, screensavers, or other electronic displays of a sexual nature.
- Graphic commentaries; leering; or obscene gestures (for example, vulgar gestures, gestures simulating sexual acts, "shooting the finger," kissing the air toward someone or licking the lips in a sexually suggestive or provocative manner).

Physical:

- Unwanted physical contact (including touching, interference with an individual's normal work movement, unwelcome displays of romantic or sexual affection, aggressive physical contact or assault).

Other:

- Making or threatening reprisals to an individual who opposes, objects to or complains about sexual harassment; possession of inappropriate material of a sexual nature in the Church or its display, duplication, or transmission.

Such verbal and physical conduct may constitute harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or other Church work;
- Submission to or rejection of such conduct by an individual is used as a basis for employment or other Church work decisions affecting such individual;
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

2. Retaliation

The Church will not take any action in retaliation against any Church Personnel who, in good faith and with a genuine belief that he/she has been sexually harassed, brings or voices a complaint pursuant to this policy or otherwise opposes sexual harassment. In addition, the Church will not tolerate any retaliatory acts by other individuals.

Retaliation is a serious violation of Church policy and applicable law. If you have been subjected to retaliation in violation of this policy, you should report your complaint immediately in the manner specified in Section B below. Individuals will be subject to discipline, up to and including termination, if they are found to have retaliated against an individual because such individual (1) in good faith made an honest complaint about such conduct, (2) participated honestly and in good faith in an investigation into a sexual harassment complaint, and/or (3) in good faith opposed acts of sexual harassment.

B. Procedure for Reporting Suspected Sexual Harassment and/or Retaliation

1. General Procedures Applicable to All Church Personnel

If you believe that the actions or words of a supervisor/manager, co-worker, customer, vendor, volunteer, or other individual in the Church constitutes illegal or prohibited sexual harassment,

you have a responsibility to promptly report that behavior to the Church's management. Prompt reporting enables the Church to stop the sexual harassment before it becomes severe or pervasive.

If you believe you have been the victim of any form of sexual harassment or retaliation, you are strongly encouraged to promptly give notice of your complaint to one or more of the following:

1. Your supervisor;
2. Anyone in your supervisory chain;
3. The rector or clergy person in charge of the congregation;
4. A warden of the congregation;
5. The bishop or the Intake Officer.

You are not required to complain to your supervisor or within your chain of command. In addition to reporting the offending behavior to one of the people listed above, you are encouraged to speak directly to the individual whose conduct you find objectionable. You are not required to do this and it is suggested for you to consider doing only if you are comfortable doing so. If you decide to speak directly to the person involved, you may find that clear communication can sometimes resolve an issue immediately, as well as build greater understanding between individuals in the Church.

Formal or informal complaints may be made to the any of the above personnel via telephone call, letter, email, fax, or in-person meeting.

All Supervisors and Decision-Makers are required to report all formal and informal complaints, as well as any suspected or known policy violations, immediately to the rector, priest in charge, or lay person in charge of the congregation; or the bishop or his/her designee (for diocesan organizations), even if the complaining party asks the Supervisor or Decision-Maker to keep the complaint confidential, or indicates that he/she does not wish to file a formal complaint. Church Personnel are required to report immediately any suspected or known policy violations to the rector, priest in charge, or lay vicar in charge of the congregation.

All Supervisors and Decision-Makers are expected to act promptly and appropriately to prevent (1) sexual harassment in the Church, and (2) retaliation against those who make a good faith effort complaint of sexual harassment, or (3) retaliation against those who participate honestly and in good faith in either an investigation of a complaint, or oppose illegal or prohibited sexual harassment in the Church.

All complaints of sexual harassment will be reviewed and investigated promptly and impartially by the Church's management and/or its designee. Complaints may be made verbally or in writing. Once Church management receives notice of any complaint of sexual harassment, it will swiftly determine whether or not a fact-finding investigation is necessary.

If an investigation is required, it will be launched promptly. If necessary, intermediate measure may be taken before completing the investigation to ensure that further sexual harassment does not occur.

Moreover, the confidentiality of the allegations will be protected to the extent possible; however, no individual can be promised or guaranteed strict or absolute confidentiality. For example, information may have to be disclosed to those officials and/or Church Personnel with a need to know in order to carry out the purpose and intent of this policy.

Corrective or disciplinary action will be taken against any Church Personnel found to have engaged in sexual harassment. Such action may include counseling and/or appropriate disciplinary measures, up to and including termination.

The complaining party will be given notice, in a timely fashion, of the outcome of the investigation of a formal or informal complaint.

2. Additional Options for Church Employees, Not Volunteers

If you are Church employee, not a volunteer, and believe that you have been the victim of any form of sexual harassment, as prohibited by federal, state, or local law, you also have the right to consult with an attorney and/or file a complaint with the following administrative agencies: The Washington Human Rights Commission; the Idaho Human Rights Commission or the federal Equal Employment Opportunity Commission (EEOC), as well as pursuing any other remedies permitted by law.

In Idaho, the timeframe for filing a complaint with the Idaho Human Rights Commission is 300 days from the date of the alleged act of unlawful sexual harassment. In Washington a complaint must be filed within six months of the date the alleged act occurred. A complaint with the EEOC must be filed within 180 days from the date of the alleged unlawful sexual harassment. Please note that individual employees are responsible for confirming the time frames for filing a complaint with these administrative agencies, by contacting the agencies themselves and/or counsel. Contact information is as follows:

Washington:

Washington Human Rights Commission
711 S. Capitol Way, Suite 402
Olympia, WA 98504-2490
(800) 233-3247

Spokane District Office
1330 N. Washington St., Suite 2460
Spokane, WA 99201
(509) 568-3196; or www.hum.wa.gov

EEOC, Seattle District Office
Federal Office Building
909 1st Avenue, Suite 400
Seattle Washington 98104-1061
(206) 220-6883; or www.eeoc.gov

Idaho:

Idaho Human Rights Commission
1109 Main St., Suite 450
PO Box 83720
Boise Idaho 83720-0040
(208) 334-2873; or inquiry@ihrc.Idaho.gov

Nothing in this posting or in the Church's sexual harassment policy creates any legal rights that did not otherwise exist, nor does the Church admit that it is covered by or subject to any federal, state, or local laws.

Appendix G:

MANDATED REPORTERS

In **Washington State**, mandated reporters include:

1. Medical practitioners (licensed health service providers, including: podiatrists, optometrists, chiropractors, registered or licensed nurse, dentists, osteopaths, surgeons, physicians and religious healing practitioners.
2. Professional school personnel (including, but not limited to, teachers, counselors, administrators, child care facility personnel and school nurses).
3. "Social services counselor" (anyone engaged in a professional capacity during the regular course of employment in encouraging or promoting the health, welfare, support or education of children, or providing social services to adults or families, including mental health, drug and alcohol treatment, and domestic violence programs).
4. Coroners, medical examiners and licensed pathologists.
5. Registered pharmacists.
6. Licensed or certified child care providers or their employees.
7. Department of Social and Health Services employees.
8. Juvenile probation officers.
9. Law enforcement.
10. Department of Corrections employees who become aware of possible child abuse or neglect during the course of their employment.
11. Staff of responsible living skills programs or HOPE centers.
12. Staff or volunteers in the state Family and Children's Ombudsman Office.
13. Any adult who resides with a child suspected to have suffered severe abuse.

In **Idaho**, anyone is required to call whenever there is reason to believe that a child under the age of 18 has been abused, neglected, or abandoned. Clergy are exempt when information is received in a confessional setting.

Appendix H:

SAMPLE REPORT FORM

REPORT OF SUSPECTED SEXUAL MISCONDUCT

Reported by: _____

Name and Title

_____

Address

_____

City, State, and Zip Code

_____

Telephone

Date of Report: _____

Person suspected of misconduct: _____

Name and Title

_____

Address

REPORT OF SEXUAL MISCONDUCT, CONTINUED

_____

City, State, Zip Code

_____

Telephone

Other person(s) involved

(witnesses or victims): _____

Name

_____

Age and Sex

_____

Address

_____

City, State, and Zip Code

_____

Telephone

REPORT OF SEXUAL MISCONDUCT, CONTINUED

Describe incident(s) of suspected sexual misconduct, including date(s), time(s), and locations(s).

_____

_____

_____

_____

Identify eyewitnesses to the incident, including names, addresses, and telephone number, where available:

_____

_____

_____

_____

_____

REPORT OF SEXUAL MISCONDUCT, CONTINUED

Other information which may be helpful to the investigation:

_____

_____

Appendix I:

CONFIDENTIAL NOTICE OF CONCERN
FOR THE BISHOP OR THE INTAKE OFFICER

Individual(s) of Concern:

Date of occurrence:

Time of occurrence:

Type of Concern:
[ ] Inappropriate behavior with a child or youth
[ ] Policy violation with a child or youth
[ ] Possible risk of abuse
[ ] Other concern:

Describe the situation: What happened, where it happened, when it happened, who was involved, who was present, who was notified? If reported to the State, what was their recommendation about investigating? *Attach additional sheets if needed*.

Has this situation ever occurred previously? *Attach additional sheets if needed*.

What action was taken? How was the situation handled, who was involved, who was questioned, were police called? *Attach additional sheets if needed.*

What is the follow-up plan? Does anyone else need to be notified? Will the situation need monitoring? Would you like someone to call you to discuss this situation? *Attach additional sheets if needed*.

Submitted by: (Please print)_____
Telephone number:_____
Location and address:_____

Signature:_____Date:_____

Reviewed by:_____

Once completed, please submit to the Bishop or the Intake Officer.

Appendix J:
SAMPLE APPLICATION FORM, CODE OF CONDUCT, AND ACKNOWLEDGMENT, RELEASE AND SIGNATURE

INSTRUCTIONS: Please complete all of the questions accurately and fully.
Attach additional sheets if needed.

Today's date:_____

PERSONAL DATA
Name: First:_____Middle:_____Last:_____
Street address:_____
City:_____
State:_____ Zip:_____
How long at current address:_____
Home phone:_____
Work phone: _____
Best time to contact you:_____
Email address:_____
Driver license number:_____ State: _____
Social Security number: _____
Are you legally eligible to work in this country? [ ] Yes [ ] No

Note: If you are chosen for a paid position, you will be required to show documents verifying your employment eligibility and identity to complete the INS Form I-9 as required by the Immigration Reform and Control Act.

Please list your addresses in the past five years. *Attach additional sheets as needed.*

For what position are you applying?_____
_____

What interests you about the position for which you are currently applying?
_____
_____

What has prepared you for the position for which you are currently applying?
_____
_____
_____

EMPLOYMENT HISTORY
Attaching additional sheets as needed, please complete for your prior employers, covering the past TEN years, beginning with your current employer

CURRENT EMPLOYER
Company name: _____
Address: _____
City: _____State: _____ Zip: _____
Immediate supervisor name: _____
Immediate supervisor phone number: _____
Position held: _____
Dates of employment: from _____ to _____
Reason for leaving position: _____

PREVIOUS EMPLOYER
Company name: _____
Address: _____
City: _____State: _____ Zip: _____
Immediate supervisor name: _____
Immediate supervisor phone number: _____
Position held: _____
Dates of employment: from _____ to _____
Reason for leaving position: _____

VOLUNTEER EXPERIENCE
Attaching additional sheets as needed, please include all experience working with children or youth.

Organization: _____
Contact: _____
Phone: _____
Duties: _____
Dates: from _____ to _____

Organization: _____
Contact: _____
Phone: _____
Duties: _____
Dates: from _____ to _____

Educational History
Are you a High School graduate? [ ]Yes [ ] No If yes, what year?_____
Name and location of High School_____
_____
If no, did you obtain a GED? [ ]Yes [ ] No If yes, what year?_____

Education beyond High School:
Do you have an undergraduate degree? [ ] Yes [ ] No If yes, what year? _____
Name and location of institution _____
_____

Major_____ Minor_____
Do you have a postgraduate degree? [ ] Yes [ ] No If yes, what year? _____
Name and location of institution_____
_____
Major_____

If needed, please attach a complete list of colleges and university attended, years of attendance, major and minor, and degree received.

PROFESSIONAL/CIVIC REFERENCES
Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Daytime phone: _____
How long have you known this person? _____
Relationship to you: _____

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Daytime phone: _____
How long have you known this person? _____
Relationship to you: _____

PERSONAL REFERENCES
Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Daytime phone: _____ Evening: _____
How long have you known this person? _____
Relationship to you: _____

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Daytime phone: _____ Evening: _____
How long have you known this person? _____
Relationship to you: _____

FAMILY REFERENCES
Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Daytime phone: _____ Evening: _____
How long have you known this person? _____
Relationship to you: _____

Have you ever been accused of physically, sexually or emotionally abusing a child or an adult?
[ ] Yes [ ] No If yes, please explain.

_____

_____

_____

Code of Conduct for the Protection of Children, Youth and Vulnerable Adults
Please read and initial each item to signify your agreement to comply with the statement.

_____ I agree to do my best to prevent abuse and neglect among children, youth and vulnerable adults involved in church activities and services.

_____ I agree not to physically, sexually or emotionally abuse or neglect a child, youth or vulnerable adult.

_____ I agree to comply with the policies, procedures, and guidelines of the Code of Sexual Ethics and Professional Conduct of the Diocese of Spokane.

_____ In the event that I observe any inappropriate behaviors or possible policy violations with children, youth, or vulnerable adults, I agree to immediately report my observations.

_____ I acknowledge my obligation and responsibility to protect children, youth, and vulnerable adults and agree to report known or suspected abuse of children, youth, or vulnerable adults to appropriate church leaders and state authorities in accordance with the diocesan policies.

_____ I understand that the church will not tolerate abuse of children, youth, and vulnerable adults and I agree to comply in spirit and in action with this position.

Code of Conduct for Persons Who Have Pastoral Relationships
Please read and initial each item to signify your agreement to comply with the statement.

_____ I understand that the church will not tolerate the sexual exploitation of adults it serves.

_____ I agree not to attempt to or to sexually exploit any person I serve or work with on behalf of the church.

_____ I agree to comply with the policies, procedures and guidelines of the Code of Sexual Ethics and Professional Conduct of the Diocese of Spokane.

_____ I agree, whenever appropriate and possible, to have one-to-one meetings with adults during regularly/publicly scheduled hours and by appointment on church property while others are present in the building or in other appropriate professional settings where they can be observed.

_____ I agree to maintain clear and appropriate boundaries and avoid even the appearance of impropriety.

_____ I agree to immediately end any sexual or inappropriate relationship with a person with whom I have a Pastoral Relationship or when I have questions about the implementation of these policies and immediately seek advice from the bishop, a trusted colleague or mental health professional.

_____ I agree to immediately report any inappropriate behaviors, boundary violations or possible policy violations they observe under these policies.

_____ I acknowledge my obligation and responsibility to prevent sexual exploitation of adults and agree to report known or suspected sexual exploitation of adults to church leaders and state authorities in accordance with these policies.

Acknowledgement, Release and Signature

To the best of my knowledge, the information contained in this application is complete and accurate. I understand that providing false information is grounds for not hiring me or choosing me for a volunteer position or for my discharge if I have already been hired or chosen.

I authorize any person or organization, whether or not identified in this application, to provide any information concerning my previous employment, education, credit history, driving record, criminal conviction record, sexual offender registry or other qualifications for my employment or volunteering. I also authorize _____ [Congregation] to request and receive such information.

If hired or chosen, I agree to be bound by _____ [Congregation's] policies and procedures, including but not limited to the Code of Sexual Ethics and Professional Conduct of the Diocese of Spokane. I understand that these may be changed, withdrawn, added to or interpreted at any time at the _____ [Congregation's] sole discretion and without prior notice to me.

I also understand that my employment or volunteering may be terminated, or any offer or acceptance of employment or volunteering withdrawn, at any time, with or without cause, and with or without prior notice at the option of _____ [Congregation] or myself.

Nothing contained in this application or in any pre-employment or pre-volunteering communication is intended to or creates a contract between myself and _____ [Congregation] for either employment, volunteering or the providing of any benefit.

I have read and understand the above provisions.

Signature _____ Date _____

Appendix K:

SPECIALIZED QUESTIONS FOR THE INTERVIEW

The following are sample questions that may help you screen out someone who is unable to maintain healthy boundaries with adults.

1. Please tell me about the last time a member of your (congregation, youth group, office staff, etc.) demanded too much of your time. How did you handle that?

2. Please give an example of a time in your work or volunteer history when you thought the policies were too rigid. How did you handle that?

3. Please describe a time when you felt a special bond or friendship between yourself and a member of your (congregation, youth group, office staff, etc.).

4. Please give an example of a "boundary violation." Has that ever happened to you, or has anyone ever said that you violated a boundary of some sort?

5. Has disciplinary action of any sort ever been taken against you by a licensing board, professional association, ecclesiastical body or educational or training institution? Have there been complaints against you that did not result in discipline? Are there complaints pending against you before any of the above-named bodies? If yes, please explain.

6. Have you ever been asked to resign or been terminated by a training program or employer? If yes, please explain.

7. Have you ever had a civil suit brought against you about your professional work or is any such action pending? Have you ever had professional malpractice insurance suspended or revoked for any reason? If yes, please explain.

8. Have you ever been charged (formally or informally) with any ethics violations, sexual exploitation, sexual abuse or sexual harassment? Are any such actions or complaints pending against you? If yes, please explain.

9. Are you now or have you ever had sexual contact or attempted sexual contact (sexual intercourse of any kind, intentional touching, or conversation for the purpose of sexual arousal) with any person you were/are seeing in any professional context or in a Pastoral Relationship (i.e. parishioner, client, patient, employee, student)? If yes, please explain.

10. Are you now or have you ever been involved in the production, sale, or distribution of pornographic materials? If yes, please explain.

11. Have you ever had a restraining order, injunction, order for protection or the like issued against you? Have you ever had your parental rights restricted, suspended or terminated or have any of your children ever been in foster care? Have you ever been accused of domestic violence? If so, please explain.

Appendix L:

SPECIALIZED QUESTIONS FOR REFERENCES

1. Please give me an example of how _____ maintains good boundaries with adults.

2. Have you ever heard _____ tell a joke or say something that made you or others uncomfortable?

3. Would you be comfortable referring a vulnerable friend of yours to _____ for pastoral counseling? Why? Why not?

4. The position for which _____ has applied requires that s/he be able to work closely with people whose lives may be in turmoil and who may not have good judgment at that point in time. Can you think of any reason that _____ should not be allowed to do this work?

Appendix M:

PROCEDURE FOR CRIMINAL BACKGROUND CHECKS

The procedures for background checks are designed to provide consistent and credible information. Records of these inquiries should be kept indefinitely. Background checks are required as follows:

Clergy:

Background checks for the clergy, initiated by the diocese, will include inquiries of all bishops having past or present canonical authority over the individual, a check of all employers of the individual during at least the past five years and of all schools he/she has attended during at least the past five years. If the individual has had one employer for five years, then inquiries will be made of the two most recent employers.

When a congregation is calling a Clergyperson, this background check procedure should be coordinated between the bishop or the bishop's designee and any search committee. It is recommended that a professional investigation agency be engaged.

Paid Staff Members who Work with Children or Youth:

Inquiries will be made of the individual's employers during at least the past five years and of all schools attended during at least the past five years. If the individual has had one employer for five years, then inquiries will be made of the two most recent employers. For a young adult with little employment experience, previous schools should be substituted for employers. In addition, organizations that serve youth in which the individual has participated should be consulted.

This background check should be made by the employing congregation or diocesan organization. It is recommended that a professional investigation agency be engaged.

Persons in the process toward ordination:

Men and women in the process toward ordination will be subject to a state police criminal background check before they are made Postulants for Holy Orders in the process toward ordination.

This background check is conducted by the Bishop's designee.

Paid employees at the diocesan or congregational level:

Paid employees who do not work with children or youth will be subject to a state police criminal background check.

This background check is conducted by the employing executive.

Volunteers who regularly work with youth or whose ministries of pastoral care take place in people's homes, hospitals, or nursing homes:

Congregations who utilize the ministries of volunteers for youth and pastoral care ministries are strongly encouraged to conduct the state police criminal background checks. Resources for background check include the following.

ACRANET, Inc
521 West Maxwell Aveue
Spokane, WA 99201
509 324-1225

United States Department of Justice **National Sex Offender Public Website**

On the website www.nsopw.gov

Washington State Patrol (WATCH)

On the web, go to https://watch.wsp.wa.gov/

Idaho State Patrol

On the web, go to http://www.isp.state.id.us
In Idaho there is a $10 charge for each background check**.)**