



**A Comprehensive Policy
Concerning
the Safeguarding of Children
and the Prohibition
of Sexual Exploitation and Harassment
in the Episcopal Diocese of the Rio Grande**

APPROVED

By Diocesan Council
September 11, 2013

MODIFIED

By Standing Committee
September 23, 2015

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CODE OF CONDUCT

Relationships among people are at the foundation of Christian ministry and as such are central to the life of the church. Defining healthy and safe relationships through policies and codes of conduct is not meant, in any way, to undermine the strength and importance of personal interaction in our ministries. Rather, it is to assist in more clearly defining behaviors and practices that allow the church to more fully demonstrate its love and compassion for children and youth in sincere and genuine relationships.

Relationships in ministry should, ideally, always be experienced as caring and without intention to do harm or allow harm to occur. This Code of Conduct has been adopted by the Diocese of the Rio Grande to help the church create safe environments for children and youth and adults, as well as for those who minister to them. All Church Personnel are asked to carefully consider each statement in the Code and within the Policies for the Protection of Children and Youth from Abuse and the Prevention of Sexual Exploitation and Harassment before agreeing to adhere to the statements and continue in service to the church.

The Episcopal Diocese of the Rio Grande does not tolerate sexual exploitation or sexual harassment in any form. Sexual exploitation is the development or attempted development of a sexual relationship between a person in any ministerial position, lay or ordained, and an individual with whom he or she has a Pastoral Relationship.

The Diocese of the Rio Grande, hereafter referred to as the “Church” prohibits sexual harassment of Church Personnel by anyone (including supervisors or decision makers, co-workers, consultants, vendors and other non-employees). Such sexual harassment is prohibited. The behavior of individuals engaging in such conduct, or supervisors or decision-makers who knowingly allow such behavior to continue, will not be tolerated.

All church personnel, whether supervisory or non-supervisory, and whether paid or volunteer, are prohibited from engaging in the conduct prohibited by these policies.

CODE OF CONDUCT FOR PROTECTION OF CHILDREN AND YOUTH

- Church Personnel agree to do their best to prevent abuse and neglect among children and youth involved in church activities and services.
- Church Personnel agree to not physically, sexually or emotionally abuse or neglect a child or youth.
- Church Personnel agree to comply with the policies for general conduct with children and youth as defined in these Policies for the Protection of Children and Youth from Abuse.
- All Church Personnel agree to comply with the Guidelines for Appropriate Affection with children and youth.
- In the event that Church Personnel observe any inappropriate behaviors or possible policy violations with children or youth, church personnel agree to immediately report their observations.
- All Church Personnel acknowledge their obligation and responsibility to protect children and youth and agree to report known or suspected abuse of children or youth to appropriate church leaders and state authorities in accordance with these policies.
- Church Personnel understand that the church will not tolerate abuse of children and youth and agree to comply in spirit and in action with this position.

General Definitions

A. Church Personnel

For purposes of this policy, the following Church Personnel are included in the definition of Church Personnel:

- a. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church.
- b. 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, [fill in examples].
- c. Those who contract their services to the diocese, its congregations, schools, or other agencies.
- d. 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 diocesan commissions and committees, advisory boards, Vestries, Bishop's Committees, boards of directors and advisory boards.

B. Persons who have Pastoral Relationships

- a. All clergy whether stipendiary, non-stipendiary, or otherwise.
- b. All persons who have Pastoral Relationships.
- c. The following ministers licensed under Title III, Canon 4: Pastoral Leaders, Worship Leaders, Preachers, Eucharistic Visitors, and Catechists.

C. Supervisors and Decision-Makers

- a. All persons who supervise Persons Who Have Pastoral Relationships.
- b. All members of decision-making bodies who have the authority to approve the creation of ministries, programs, church activities, or policies involving Pastoral Relationships or who in any way would be considered to have authority in the church.
- c. Standing Committee, Diocesan Council/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, Boards of Directors for Schools, Bishops Committees and the like.

D. Church Employees

For purposes of this Policy, the term "Church employees" shall mean all individuals hired by the Church who are employees of the Church for purposes of federal, state and/or local discrimination and harassment laws.

E. Concerning Children and Youth

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

F. REGULARLY OR OCCASIONALLY WORK WITH OR AROUND CHILDREN OR YOUTH:

For the purpose of this policy, the following are included in the definition of CHURCH PERSONNEL WHO REGULARLY WORK WITH OR AROUND CHILDREN OR YOUTH:

- a. All clergy whether stipendiary, non-stipendiary, or otherwise who are engaged in ministry or service to the church.
- b. All paid or volunteer Church Personnel whose work regularly takes them throughout the facility or grounds or who has keys giving them access to the buildings on the grounds.
- c. All persons who supervise or assist with supervising children or youth, other than church school teachers, in ministries, programs or activities more often than occasionally.
- d. All persons who provide transportation to children or youth without other adults in the vehicle more often than occasionally.
- e. Any paid personnel whose living quarters are on the grounds of the church, school or other related agency.
- f. 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 youth.

Examples of Church Personnel who REGULARLY WORK WITH OR AROUND CHILDREN OR YOUTH: include, but are not limited to:

- Children's or youth choir directors
- Organists who work with children or youth
- Lay youth ministers
- Volunteer youth directors
- 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 more than twice a year.

For the purpose of this policy, the following are included in the definition of Church Personnel who OCCASIONALLY WORK WITH OR AROUND CHILDREN OR YOUTH:

- Church school teachers
- 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)
- All persons who provide transportation to children or youth without other adults in the vehicle infrequently, generally no more than three times a year
- All persons who work or assist in the nursery four or fewer times a year, whether on an emergency basis or otherwise
- Adults who participate in overnight activities with children or youth once or twice a year.

G. TYPES OF ABUSE

1. Physical abuse is non-accidental injury, which is intentionally inflicted upon a child or youth.
2. Sexual abuse perpetrated by an adult is any contact or activity of a sexual nature that occurs between a child or youth and an adult. This includes any activity, which is meant to arouse or gratify the sexual desires of the adult, child or youth.
3. Sexual abuse perpetrated by another child or youth is any contact or activity of a sexual nature that occurs between a child or youth and another child or youth when there is no consent, when consent is not possible, or when one child or youth has power over the other child or youth. This includes any activity which is meant to arouse or gratify the sexual desires of any of the children or youth.
4. Emotional abuse is mental or emotional injury to a child or youth that results in an observable and material impairment in the child or youth's growth, development or psychological functioning.
5. Neglect is the failure to provide for a child or youth's basic needs or the failure to protect a child or youth from harm.
6. Economic exploitation is the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a child or youth's belongings or money.

SAFEGUARDS FOR CHILDREN AND YOUTH

A. SCREENING AND SELECTION

1. Any and all Church Personnel who **REGULARLY WORK WITH OR AROUND CHILDREN OR YOUTH** shall be screened and selected utilizing at least the following:
 - a. A **STANDARD APPLICATION** completed by the applicant that includes an authorization for the release of information to conduct background checks and the **CODE OF CONDUCT** (Appendix C).
 - b. **CRIMINAL RECORDS CHECK** in any state where the applicant has resided during the past seven (7) years, and other states, if any, as determined by the church.
 - c. **SEXUAL OFFENDER REGISTRY CHECK** in any state where the applicant has resided during the past seven (7) years.
 - d. **INDIVIDUAL INTERVIEW** with the applicant.
 - e. **REFERENCE CHECKS** of persons outside the congregation who know the applicant, preferably who know how the applicant works with children.
 - f. **DRIVING OR MOTOR VEHICLE RECORDS CHECK** if the person may be transporting children or youth.

2. Any and all Church Personnel who **OCCASIONALLY WORK WITH OR AROUND CHILDREN OR YOUTH** shall be screened and selected utilizing at least the following:
 - a. A **STANDARD APPLICATION** completed by the applicant that includes an acknowledgment for the release of information to conduct background checks and the **CODE OF CONDUCT** (Appendix C).
 - b. **INDIVIDUAL INTERVIEW** with the applicant.
 - c. **AT LEAST ONE REFERENCE CHECK** of a person or persons outside the congregation who know the applicant, preferably who know how the applicant interacts with children.
 - d. **DRIVING OR MOTOR VEHICLE RECORDS CHECK** if the person will be transporting children or youth.

3. 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.
4. Church Personnel who work with or around children or youth must have a personnel file that is kept where other church records are kept.
5. Criminal records checks and sexual offender registry checks will be conducted every five (5) years for Church Personnel who Regularly Work With or Around Children or Youth.
6. To the extent possible, no person will be permitted to supervise an immediate family member when working with or around children or youth. For the purpose of this policy, immediate family member is defined as spouse, partner, child, parent, sister, brother, similar in-law relationship, stepchild, stepparent, stepsibling, grandparent, or co-habitant.
7. Church Personnel who transfer within the Diocese of the Rio Grande 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.

B. EDUCATION AND TRAINING REQUIREMENTS

1. Child abuse prevention education and training is required for all CHURCH PERSONNEL WHO REGULARLY WORK WITH OR AROUND CHILDREN OR YOUTH before they start their work with children or youth or, if that is not possible, one hour of child abuse awareness training before they start their work and the rest of the training within three months of starting. For information on required training modules, see the diocesan webpage. Training must be repeated every three (3) years.
2. Child abuse awareness education and training is required for all CHURCH PERSONNEL WHO OCCASIONALLY WORK WITH OR AROUND CHILDREN OR YOUTH before they start their work with children or youth. For information on required training modules, see the diocesan webpage. Training must be repeated every three (3) years.
3. Church Personnel who are responsible for screening, selection and supervision of others in programs for children and youth are required to complete specialized education and training in screening, selection and monitoring every three years. For information on required training modules, see the diocesan webpage.

C. MONITORING AND SUPERVISION OF PROGRAMS

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 following section, GENERAL CONDUCT FOR THE PROTECTION OF CHILDREN AND YOUTH. The behaviors and interactions 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.

1. Every program for children and youth must have established ratios for adults and children. Compliance with the established ratio is required at all times, including activities that occur off church premises.
2. Church Personnel are prohibited from being alone with a child or youth or multiple children or youth where other adults cannot easily observe them.
3. Church Personnel over the age of 21 must directly supervise Church Personnel under the age of 18 and be physically present during all activities.
4. 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.
5. Church Personnel are not permitted to develop new activities for children and youth without approval from the rector or canonical equivalent. 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 adult supervision.
6. Each program will develop age-appropriate procedures to ensure the safety of children and youth using restrooms and showers or baths.
7. When supervising or assisting private activities such as dressing, showering or diapering infants or children, Church Personnel will remain in an area observable by other adults or work in pairs.
8. At least two unrelated Church Personnel must supervise activities. When both boys and girls are participating, male and female adults must be present.

D. 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 Diocesan Guidelines for Appropriate Affection (Appendix A).
2. No person will be allowed to volunteer to REGULARLY WORK WITH 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 under six (6) years old 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 on more than an occasional basis.
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 will 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.

RESPONDING TO PROBLEMS

A. REPORTING INAPPROPRIATE BEHAVIORS OR POLICY VIOLATIONS WITH CHILDREN OR YOUTH

1. When Church Personnel observe any inappropriate behaviors, behaviors that are inconsistent with the GUIDELINES FOR APPROPRIATE AFFECTION, or which may violate any provision of these Policies for Protection of Children and Youth from Abuse, they must immediately report their observations. Examples of inappropriate behaviors or policy violations would be seeking private time with children or youth, taking children or youth on over-night trips without other adults, swearing or making suggestive comments to children or youth, or selecting or using staff or volunteers without the required screening.
2. Such inappropriate behaviors or possible policy violations that relate to interactions with children or youth should be reported in one of the following ways:
 - a. A telephone call or meeting with the immediate supervisor of the person;
 - b. A telephone call or meeting with the rector, if the person is not the rector;
 - c. A telephone call or meeting with a church warden if the person is the rector;
 - d. A telephone call, meeting or fax to the bishop;
 - e. Submit a NOTICE OF CONCERN (Appendix B), signed or unsigned, to the bishop.
3. All reports of inappropriate behavior or policy violations with children or youth will be taken seriously.

B. REPORTING SUSPECTED ABUSE OF CHILDREN OR YOUTH

1. All Church Personnel are required by this policy to report known or suspected abuse of children or youth to the appropriate state authorities.
2. Failure to report suspected abuse of children or youth may be a crime. Reports may be made confidentially or anonymously. Every state provides immunity from civil liability for persons required to report suspected abuse in good faith and without malice. Simply stated, "in good faith" means that the person submitting the report believes what he or she is reporting to be true.
3. In addition to reporting to the state authorities, Church Personnel are required to report any suspected or known abuse of children or youth that may have been perpetrated by Church Personnel directly to the rector or vicar or priest in charge of the congregation so that immediate and proper steps may be taken to ensure the safety of alleged victims.
4. Reports of suspected or known abuse that involve Church Personnel may be reported to the Diocesan Office in the following ways:
 - a. A telephone call, meeting or fax to the bishop;
 - b. A telephone call or meeting with the rector, if the rector is not the person being complained about.
 - c. Submit a NOTICE OF CONCERN (Appendix B), signed or unsigned, to the bishop.

5. The Diocese of the Rio Grande and its congregations will cooperate with any investigation by state authorities to the fullest extent appropriate and inform authorities that a concurrent internal investigation will be directed by officials of the Diocese.

**Sexual Exploitation Policy
Episcopal Diocese of the Rio Grande
Prohibition Against Sexual Exploitation**

Reporting Suspected Sexual Exploitation

If you believe that you or someone else has been subjected to sexual exploitation, actions that violate this policy or inappropriate behavior, you may make your concerns known to the offending person if you are comfortable doing so, or you may report your concerns in accordance with the following:

Reports of suspected or known sexual exploitation may be reported to:

- the rector or clergy person in charge of the congregation
- the Senior Warden of the congregation
- The bishop [**or other designated person in the diocese**]
- Canon to the Ordinary, Safe Church Coordinator

Via any of the following:

- Telephone call
- Letter
- Email
- Fax
- In-person meeting
- Filing a “Notice of Concern” and/or
- Online (e.g., a form on Church or Diocesan Website – see appendix item G)

Church Personnel are required to report any suspected or known policy violations to the rector or clergy person in charge of the congregation.

All reports of sexual exploitation, policy violations, or inappropriate behavior under this policy will be taken seriously.

Safeguards for Preventing Sexual Exploitation of Adults

A. Screening and Selection

Any and all Persons Who Have Pastoral Relationships shall be screened and selected using the following tools and procedures:

Persons Who Have Pastoral Relationships shall be screened before engaging in Pastoral Relationships.

1. Applicants shall be known to the leadership of the congregation for at least six (6) months to a year.
2. Background Screening

a. An **Application** form [or church deployment form] completed by the applicant that includes an authorization for the release of information to conduct background screening and reference checks (See Appendix A) and that also includes the **Code of Conduct** (Appendix F).

b. **Criminal Records Check** for people who will be working with vulnerable adults in the home of the vulnerable adult in any state where the applicant has resided during the past seven (7) years, and other states, if any, as determined by the congregation or diocese.

c. **Sexual Offender Registry Check** in any state where the applicant has resided during the past seven (7) years.

d. **Individual Interview** with the applicant.

e. **Reference Checks** of applicants should include at least one relative outside the congregation and at least one other person outside the congregation.

3. 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 engage in Pastoral Relationships.

4. Persons Who Have Pastoral Relationships must have a personnel file that is kept where other church records are kept.

5. Criminal records checks and sexual offender registry checks will be conducted every five (5) years on Persons Who Have Pastoral Relationships.

6. Persons Who Have Pastoral Relationships who transfer within the Diocese of the Rio Grande, and apply for or are asked to or who do undertake a position in which they have Pastoral Relationships are required to undergo the same screening and selection process specified 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 had Pastoral Relationships since the screening was last done as shown in the applicant's personnel file.

B. Education and Training Requirements

Persons Who Have Pastoral Relationships

Before any person engages in Pastoral Relationships s/he is required to complete training on the prevention of sexual exploitation of adults. If that is not possible, this policy must be reviewed and discussed with her/him before s/he has Pastoral Relationships. The rest of the education and training must be completed within three months of beginning to have Pastoral Relationships. For information on required training modules, see the diocesan website. Training must be repeated every three (3) years.

Supervisors and Decision-Makers of Persons Who Have Pastoral Relationships

Within three months of becoming a Supervisor or Decision-Maker, individuals must complete training on the prevention of sexual exploitation of adults.

C. Activities for Monitoring and Supervising 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)
- in open, visible spaces or in closed spaces that have windows that remain unobstructed by closed blinds, furniture, plants, or other adornments
- 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

D. 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.

Sexual Harassment Policy Episcopal Diocese of the Rio Grande

A. Prohibited Behavior

As noted above, the Church prohibits all forms of sexual harassment in the Church. Specific definitions and examples of sexual harassment are set forth below.

1. Sexual Harassment

Sexual harassment is prohibited by this Policy. Sexual harassment includes unwelcome sexual advances and requests for sexual favors. Other unwelcome conduct that may constitute sexual harassment includes, but is not limited to, the following:

Verbal:

- repeated sexual innuendos, sexual epithets, derogatory slurs, off-color jokes (for example, jokes that include sexual language, innuendo, references, scenarios, etc.);
- propositions, threats, or suggestive or insulting sounds (for example, comments about body, sexuality, etc., including insults and innuendo) even if the comment is about someone else;
- inappropriate e-mail (for example, e-mail that includes sexual jokes or other references of a sexual nature about any person, gossip or speculation about a person’s sexuality, sexual practices, sexual health, pregnancy, virility, etc.). This includes e-mail that was sent accidentally, for example by hitting the “forward” button instead of “reply,” or forgetting that a particular individual or worker is on one of your group lists.

Visual/Non-Verbal:

- derogatory posters, cartoons or drawings (for example, cartoons and calendars that include nudity, sex acts, provocative poses, innuendo, sexual language, etc.);
- suggestive objects or pictures (for example, photographs that include nudity, sex acts, provocative poses; 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 contacts (including touching, interference with an individual’s normal work movement, unwelcome displays of romantic or sexual affection, aggressive physical contact or assault); and

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:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or other Church work;
2. 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;
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working 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 believe 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 and with a genuine belief that he/she has been subjected to sexual harassment, made an honest complaint about such conduct,
- (2) participated honestly and in good faith in any 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

Option 2: Use if Employer has less than 15 employees but is covered by state or local anti-discrimination/anti-harassment laws

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 must promptly give notice of your complaint to one or more of the following:

- Your supervisor;
- Anyone in your supervisory chain;
- The rector or clergy person in charge of the congregation;
- A warden of the congregation;
- The bishop [or other designated person in the diocese]; and/or
- [Designate another person by name, title or role, i.e., Canon to the Ordinary, Safe Church Coordinator]

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.

You may formally or informally complain to any of the above personnel via any of the following:

- Telephone call
- Letter
- E-mail
- Fax
- In-person meeting
- Filing a “Notice of Concern” and/or
- Online (for example, Church or Diocesan Website)

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 or clergy person in charge of the congregation (for parishes) or Canon to the Canon to the Ordinary, Safe Church Coordinator, or bishop (for dioceses), even if you ask the supervisor or decision-maker to keep the complaint confidential, or indicate that you do not wish to file a formal complaint. Church Personnel are required to report immediately any suspected or known policy violations to the rector or clergy person 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 complaint of sexual harassment, or 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 orally 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 it is determined that a fact-finding investigation is necessary, it will be launched promptly. If necessary, intermediate measures may be taken before completing the investigation to ensure that further sexual harassment does not occur.

Moreover, the Church will protect the confidentiality of the allegations 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.

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

2. Additional Options for Church Employees, Not Volunteers

This section provides additional options for Church employees, not volunteers, who believe they have been the victim of any form of sexual harassment, as prohibited by federal, state or local law.

If you are a Church employee, not a volunteer, as defined under this Policy and you believe you have been the victim of any form of illegal sexual harassment, in addition to the procedure set forth above, you also have the option of consulting with an attorney and/or filing a complaint with the appropriate state agency, as well as pursuing any other remedies permitted by law.

As a general matter, the time frame for filing a complaint with the _____ State Division of Human Rights (Note: sometimes this is called something else at the State level; list the local agency, such as New York City Commission on Human Rights, if applicable) is _____ from the date of the alleged act of unlawful sexual harassment.

New Mexico

New Mexico Department of Workforce Solutions – Human Rights Bureau
1596 Pacheco Street, Suite 103
Santa Fe, NM 87505-3979
Toll-Free: (800) 566-9471
Tel: (505) 827-6838
Fax: (505) 827-6878
<http://www.dws.state.nm.us/dws-humanrights.html>

Texas

Texas Commission on Human Rights
1117 Trinity Street, Room 144-T
Austin, TX 78701
Toll-Free in TX: (888) 452-4778
Tel: (512) 437-3450
Fax: (512) 437- 3478
TDD: (512) 371-7473
<http://www.twc.state.tx.us/customers/rpm/rpmsubcrd.html>

In _____, name of city/locality, a complaint must be filed with the _____ [name of local agency] within _____ from the date of the unlawful sexual harassment. [In _____, name of city/locality, a complaint must be filed with the _____ [name of local agency] within _____ from the date of the unlawful discrimination, including harassment.]

The Church employee must note that these time limits typically do not run from the date that the complaint made to the Church is resolved, but from the date the act of sexual harassment is alleged to have occurred. Please note that this is not legal advice. 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.

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.

D. Education and Training Requirements

1. Church Personnel

Church Personnel are required to take training on sexual harassment and the organization’s sexual harassment policy. Existing Church Personnel must be trained within three (3) months of the effective date of this Policy. New Church Personnel must be trained before they start work in their Church position. If that is not possible, the Policy must be reviewed and discussed with them before they start work and the training must be completed within three (3) months of starting.

2. Supervisors and Decision-Makers

Supervisors and decision-makers must complete training on sexual harassment, including preventing and responding to sexual harassment, within three (3) months of the effective date of this Policy, or of becoming a supervisor or decision-maker.

Option 3: Use if Employer has less than 15 employees and is NOT covered by state or local anti-discrimination/anti-harassment laws

1. 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.
2. If you believe you have been the victim of any form of sexual harassment or retaliation, you must promptly give notice of your complaint to one or more of the following:
 - Your supervisor;
 - Anyone in your supervisory chain;
 - The rector or clergy person in charge of the congregation;
 - A warden of the congregation;
 - The bishop [or other designated person in the diocese]; and/or
 - Canon to the Ordinary, Safe Church Coordinator.
3. 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 so 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.
4. You may formally or informally complain to any of the above personnel via any of the following:
 - Telephone call
 - Letter
 - E-mail
 - Fax
 - In-person meeting
 - Filing a "Notice of Concern" and/or
 - Online (for example, Church or Diocesan Website)
5. 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, vicar, or clergy person in charge of the congregation or Canon to the Ordinary, Safe Church Coordinator, or bishop (for dioceses), even if you ask the supervisor or decision-maker to keep the complaint confidential, or indicate that you do not wish to file a formal complaint. Church Personnel are required to report immediately any suspected or known policy violations to the rector or clergy person 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 complaint of sexual harassment, or 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.

6. 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 orally 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 it is determined that a fact-finding investigation is necessary, it will be launched promptly. If necessary, intermediate measures may be taken before completing the investigation to ensure that further sexual harassment does not occur. Moreover, the Church will protect the confidentiality of the allegations 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.
7. 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.
8. The complaining party will be given notice, in a timely fashion, of the outcome of the investigation of any formal or informal complaint.