

## **Presbytery of Elizabeth Child and Youth Protection Covenant**

### **Purpose**

The Christian church is called to express and give witness to the love of God through Word and action. This is how the Church reveals God's vision and Kingdom of justice in the world. Expressions of God's love are revealed to us and to our neighbor through worship, study, prayer, and fellowship. Through this type of ministry together, the Christian community connects us to the most intimate, vulnerable, and sacred dimensions of our lives. The work of building God's new creation is done by church members (adult, youth and children), clergy, and church staff. Central to the Reformed faith is the concept of "covenant." God entered into covenant with the people of God to assure survival and liberation. God's people made promises to God in order to live out the covenant in their lives. As the body of Christ, we covenant with one another to create a community where all the people experience the security, love, and acceptance of the Christian community. The promises we make to each other are sacred.

In the covenant of baptism, individuals and the congregation take responsibility for the spiritual well-being and growth of individuals entrusted to the believing community. In the covenant that takes place during communion, the cup and the bread represent our commitment to remembering the new covenant Jesus created with his friends and disciples.

Because of the nature of relationships between church members, staff, and clergy and the vulnerability that arises from sharing our faith and life together, the church can potentially be a place where individuals can engage in abusive, inappropriate, and illegal behaviors and actions with other community members.

The purpose of this child and youth protection covenant is to firmly address the presence of sexual exploitation, abuse, and harassment in our social and ecclesiastical culture in a proactive manner. Survivors and victims of sexual misconduct experience a rupture in their sense of belonging and identity within a community of faith. To that end, it will be the policy of the Presbytery of Elizabeth to protect members and staff of the Presbytery and its churches from sexual misconduct including both potential victims and potential accused persons. To protect potential victims and accused persons, the following covenant will be in force in all areas of Presbytery ministry. In addition to this policy, all clergy are covered by the Presbytery of Elizabeth Sexual Misconduct Policy.

## **Definitions**

- a. For the purposes of this covenant, "child/youth" and "children/youth" means those of less than 18 years of age.
- b. Sexual misconduct is the comprehensive term used in this covenant to include: sexual abuse or exploitation of children/youth or adults, rape or sexual assault, sexual harassment, verbal, emotional and/or spiritual abuse. Sexual misconduct is an abuse of authority and power, breaching Christian ethical principles by misusing a trust relationship to gain advantage over another for personal gratification. Such behavior is not limited to physical contact, but may also include gestures, spoken words, or written contact.
- c. Types of abuse that involve touching include: fondling; oral, genital, and anal penetration; intercourse; rape.
- d. Types of abuse that do not involve touching include: verbal comments, pornographic videos, obscene phone calls, allowing children/youth to witness sexual activity.
- e. Sexual abuse or misconduct includes unwelcome touching or non-touching interaction for the purposes of sexual stimulation among adults, whether this involves staff members, lay leaders, and/or members of the congregation. Sexual abuse or misconduct also includes any act that involves the sexual molestation, exploitation of a child/youth by any party or other person who has permanent or temporary care. It is recognized that, under some circumstances, there may be a wholesome and consenting relationship among staff members or between a member of the staff and another adult.
- f. Child/youth sexual abuse or misconduct includes touching or non-touching interaction for the purpose of sexual stimulation between a child/youth and an adult. This behavior is always considered forced when the interaction involves a child/youth and an adult, whether or not the victim has consented.. This is also true in the case of any non-minor who is incapable of appraising the nature of the conduct or communicating unwillingness to be subject to unwelcome sexual interaction.

## **Standards of Conduct**

- a. Volunteer adults working with children/youth in presbytery related activities in a leadership position shall have attended a church of the presbytery for at least three months and be well known to the supervisor. Exceptions can be made if the volunteer is previously known to the presbytery's elected officers.

- b. Paid and volunteer adults and youth helpers shall not touch or interact with children/youth in any way that is intended or could be reasonably construed to be sexually stimulating. Care must also be taken that consenting adults do not act in a sexual way during any Church activity. Common expressions of affection (hugs), affirmation (pat on the back), support (prayer), or physical care taking (diapers, etc.) are appropriate as long as respect for others personal wishes about being touched are honored, not excessive, or imposed upon another individual.
- c. Supervisors of programs involving children/youth should work in pairs; whenever possible, two adults should be present with the children/youth at all activities. An unaccompanied adult should not drive a single child/youth in a Presbytery-sponsored activity without the permission of the child/youth's parent or guardian. When practicable, parental permission should be obtained in writing. It is recommended that children/youth be transported in groups rather than alone.
- d. Christian education teachers, nursery advisors, and youth advisors should work in pairs when possible; a teacher may work alone when there is visual access to the classroom (door with window, or open door).
- e. All overnight activities must have a minimum of two adults present; for mixed youth overnights there must be both a male and female present. Parental permission in writing is required for all overnights. On those occasions when one-on-one counseling is appropriate, the adult should notify another adult where he/she and the youth will be.
- f. Christian education teachers, youth advisors, nursery supervisors and helpers shall discipline with kindness with the goal of helping children/youth develop a sense of responsibility and self-control. Corporal punishment of any kind within the church is unacceptable. Corporal punishment includes but is not limited to slapping, spanking, pinching and/or shaking. Punitive techniques that cause physical pain such as assuming an uncomfortable position are not appropriate. Physical restraint of children/youth should be used only when someone's safety is at risk. Derogatory remarks or comments that humiliate or frighten the child/youth shall not be used. Appropriate discipline establishes clear expectations, provides rewards and incentives for acceptable behavior. Appropriate discipline uses verbal disapproval, loss of privileges, and redirection to teach children/youth acceptable behavior.

### **Supervision and Accountability**

- a. Christian education leaders will seek volunteers in sufficient numbers to allow staffing of the programs as stated above. Church staff may participate in these programs and may be present at random time to help with supervision.

- b. Communication and explanation of this policy will be included annually in all training and orientation programs for Christian education volunteers, as well as during officer training events.
- c. Written information about this policy shall be sent to all teaching elder members, clerks of sessions, and posted in the presbytery office. This policy will be included annually in a Stated Meeting packet.
- d. As a condition of paid employment or volunteer engagement with children/youth, all people agreeing to work with children/youth will be required to state whether he/she has ever been convicted of a crime involving sexual abuse or misconduct, as defined in this covenant, or terminated from employment for sexual abuse, harassment, or misconduct. Two references will be required for all paid employees, and for volunteers in a leadership position who have been known to the church or supervisors for less than six months. References will be asked whether the person has ever been convicted of a crime involving sexual abuse or misconduct. A background into his/her arrest records may be required.
- e. The stricter of this policy or the church's own Child and Youth Protection Policy will apply during any Presbytery events hosted in a church.

### **Reporting of Misconduct**

The first person to learn of an incident of sexual abuse or misconduct (either a person witnessing the incident or the victim) should immediately report this verbally to the staff person supervising the activity or a member of the misconduct response team. The misconduct response team consists of the Transitional Leader (or other person functioning in the executive role), the chair of COM, and the Chair of the Personnel Committee. The team shall immediately provide a written accusation to the Stated Clerk who will convene an Investigating Committee.

Those persons involved in the report or investigation should hold information received in strict confidence, subject to such disclosures as are required under Church procedures or required by law. Further action will be taken in accordance with PC(USA) policies, and legal requirements of the state of New Jersey.

At all times Mandatory Reporting laws shall be followed. Witnesses to criminal activity shall immediately contact the police and then follow the procedures outlined in the policy. To learn about the Mandatory Reporting laws in New Jersey, see the following link: <http://www.nj.gov/dcf/reporting/how/>