



THE EPISCOPAL  
DIOCESE OF

FORT WORTH



WELCOMES YOU

*Toward Healthy Ministry:  
Safeguarding God's People From Abuse*

*The Episcopal Diocese of Fort Worth*

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Material in this policy was drawn in whole, in part, and/or adapted from policies developed by the following entities in The Episcopal Church:

- Church Pension Group
- Diocese of California
- Diocese of Dallas
- Diocese of Eastern Oregon
- Diocese of Southern Ohio
- Diocese of Texas

Additional materials developed by the Church of England also shaped this policy:

- Child: A4
- Child: 5.4; A5
- P1
- Safe Church GP1.3
- Safe Church, p.7



# THE EPISCOPAL DIOCESE OF FORT WORTH



THE RIGHT REVEREND RAYFORD B. HIGH, JR., PROVISIONAL BISHOP  
4301 MEADOWBROOK DRIVE · FORT WORTH, TX 76103 · 817.534.1900

Eastertide 2014

Dear Brothers and Sisters in Christ,

The Episcopal Diocese of Fort Worth is committed to providing a healthy, safe, and nurturing environment in which all God's people can carry out the work God has given us to do. This means insuring an environment free of abuse, exploitation, and harassment.

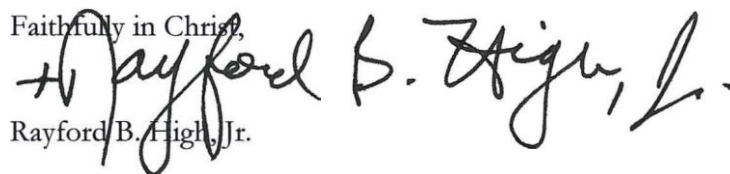
Sexual misconduct on the part of any clergyperson, employee, or volunteer of any congregation, institution, organization, school, or agency within the diocese violates the mission of the Church, is prohibited, and will not be tolerated.

Safe Church Training is a certification program for clergy, employees of the bishop's office, Licensed Eucharistic Visitors, Lay Chaplains, and those who regularly volunteer in congregational and diocesan programs for children and youth. I also recommend this training for vestry members and lay people in leadership positions.

This program is grounded in our Baptismal promise to seek and serve Christ in all persons and to respect the dignity of every human being.

As your bishop, I am calling upon all those affected by the policy to read, mark, learn, inwardly digest, and adhere to it in full. Training will be offered and publicized throughout our diocese and it will occur on a regular basis. Thank you for your participation in this process.

Faithfully in Christ,



Rayford B. High, Jr.

# Toward Healthy Ministry: Safeguarding God’s People From Abuse

## Preface

This policy is a statement of professional expectations for all people (clergy as well as lay employees and volunteers) in their relationships with vulnerable persons in the Church. The Episcopal Diocese of Fort Worth is committed to respectful ministry to all persons. This commitment is based in the priestly vocation of the whole community, which in turn assumes the holiness of human relations and their place in holy creation. These policies are meant to encourage and inform all members of the Diocese in their ministry-related activities involving The Episcopal Diocese of Fort Worth and its congregations, whether parishes, missions, or mission stations. These principles are a minimum requirement for all persons working within the Diocese. They are not a comprehensive statement of all expectations for all relationships involving lay and ordained Episcopalians. Questions of civil, criminal, and employment duties should be addressed with the relevant authorities first, and then as questions of ministry conduct, when applicable.

**About  
These  
Policies**

The purpose of these policies is to foster the highest standards of ethical behavior in ministry settings. As partners in ministry we are united in our commitment to:

**Core  
Principles**

- Maintaining standards of professional conduct by all persons in ministry;
- Safeguarding and protecting vulnerable persons of any age or position within the Church;
- Fostering relationships which nurture Christian character, formation, and discipleship;
- Careful selection and training of anyone with pastoral or supervisory responsibility within the Church, including a check of references and criminal backgrounds, when applicable;
- Procedures for prompt response to any report of suspected abuse or violation of these policies;
- Offering pastoral support to help heal the impact of abuse.

Each congregation or institution is required to maintain a complete and current copy of this policy in a place accessible to all people. In addition, this policy may be found on the Diocesan website.

Local entities may make additions by developing local policies to fit your own situation so long as they do not conflict with the requirements of Church or Diocesan policy. Any such additions must be submitted to the Bishop's office in writing for the approval of the chancellor of the Diocese. Nothing contained here may be omitted from a local policy, although a local policy may contain higher standards than those contained herein. You are urged to consult with the chancellor of the Diocese if additions are being considered.

**Use of  
These  
Policies**

No policy can foresee every possible circumstance to which it may be applied. Local leadership must understand these policies thoroughly enough to make appropriate judgments about local conditions. If this cannot be done, the local entity should contact the Bishop's office for consultation.

**Scope &  
Limitations  
of These  
Policies**

This policy is intended solely for the internal use of the Diocese in performing its functions as a religious body. It applies to all Church Personnel, including 1) clergy and lay employees, 2) contractors and volunteers, and 3) in diocese, churches, schools, and related institutions. It is not a contract, agreement, promise, or undertaking by The Episcopal Diocese of Fort Worth to do or refrain from doing anything. It is not intended that the policy described in the statement be imposed as rigid law, binding the Diocese or others; rather, the policy must be interpreted and applied compassionately in accordance with the theological and biblical principles of the Gospel. Any actions or decisions by the Diocese in connection with the policy are to be undertaken at the Diocese's sole discretion, in accordance with the theology and ecclesiology of The Episcopal Church, and in the exercise of the Diocese's constitutional rights as a religious body. This document is not intended as a personnel policy or guide to employment decisions.

## **Theological and Ethical Foundations**

The context for Safe Church standards is the Baptismal Covenant as described in *The Book of Common Prayer* and in the biblical principles of relationship and ministry. 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 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 all whom the Church serves.

**Defining  
Principles**

We therefore affirm:

1. Every human being has value and dignity which comes directly from the creation of male and female in God's own image and likeness. Christians see this potential fulfilled by God's re-creation of us in Christ.
2. God expressed the fullness of humanity in Jesus of Nazareth, whom we worship as the Word made flesh. From the beginning (in the cry of a baby) to the end (in the cry from the cross), the life and death of Jesus illustrates the willingness of God to be vulnerable in order to share to the full our pain, poverty, suffering, and death. The Gospels remind us of Jesus' humanity and vulnerability throughout his life. He gave up all but the power of love.
3. He appointed fallible and weak disciples who needed to discover their limitations and find strength by living in God's grace with each other. In compassion he especially welcomed children, the outcast, the marginalized, and the stranger, reminding us that we should become like them.
4. The pattern of Jesus' life, death, and resurrection resonates unreservedly with God's call to perfect freedom and responsibility. When we misuse our freedom, we mar God's image in ourselves, rendering ourselves less than human. When we fail to live into the challenges of responsibility, we fall short of the fullness of life to which God continually calls us.
5. Every person needs the assurance that they are equally precious to God. Among other things, this implies a duty to value and protect them from harm. The Church is especially called to witness to that truth. Similarly, our vocation is to reflect the character of God as we welcome and care for any who are victims of injustices which damage our full relationship with God.
6. In creating humankind God made us to be together, to live in community. When one suffers we all suffer. In finding the grace to act righteously and with respect towards those who suffer, we understand forgiving and receiving forgiveness as lifelong processes. Ministries of healing and reconciliation may involve us in working with victims and their families, but also with those who have harmed them.
7. The forgiven and forgiving community lives in Eucharistic fellowship with God and creation as a sign and instrument of God's purpose in the world.

8. For this dignity and priestly calling the whole people of God are called to be living reminders of faithful vocation to the whole community.
9. In baptism, laypersons, bishops, priests, and deacons share the ministry to “represent Christ and the Church.” Since the ministry is Christ’s, there are no fixed territories. However, Episcopal teaching understands the four orders to represent Christ in different ways: lay persons in their daily life and work; bishops as apostles, chief priests, and pastors of dioceses; priests as pastors to the people; deacons as servants to those in need, bridging church and world.
10. When a church leader violates the sacred trust and covenant of the community, it is the responsibility of the whole Church to provide support, advocacy, and protection for victims and potential victims; to investigate and adjudicate allegations fairly and thoroughly; and to demand redress, restitution, and amendment of life from offenders. Justice is part of the outworking of love.

## **Ecclesiastical Foundations**

The purpose and intent of this policy is to safeguard children, adolescents, vulnerable persons, employees, volunteers, and others where possible from sexual harassment, exploitation or abuse. The policy is not meant to define an all-inclusive theology of sexuality or human relationships. Neither is it a list of rules which are sufficient to guide every decision. The Episcopal Church’s teaching on healthy relationships, and sexuality in particular, is based on biblical principles and the resolutions of General Convention. The policies and procedures that follow focus on the behavior of employed and volunteer personnel in The Episcopal Diocese of Fort Worth. This policy defines basic terms in order to prohibit sexual harassment, exploitation, and abuse; as well as retaliation for bringing complaints or participating in the complaint process within the setting of the Church and its ministries, and sets forth a process for receiving such complaints and resolving them.

The Church has resolved to establish policies and procedures to guide responsible behavior which furthers these goals. The 72<sup>nd</sup> General Convention affirmed our mission of safeguarding healthy relationships and the lives of children, adolescents, and all who are vulnerable by affirming “A Children’s Charter for the Church” [1997-B005]. The 72<sup>nd</sup> General Convention requested that “each diocese study ‘A Children’s Charter for the Church’ and live out its vision locally.” Subsequent convocations have renewed this call and each congregation or other local entity is urged to reflect upon it. (See Appendix 1, A)





## Program Principles

The Episcopal Diocese of Fort Worth is committed to:

- The care, nurture of, and respectful ministry with all persons;
- The safeguarding and protection of vulnerable people;
- The establishing of safe, caring communities which provide a loving environment where there is a culture of “informed vigilance” as to the dangers of abuse;
- Careful selection and training of all those with ministry responsibilities within the Church (including the use of criminal background checks when appropriate);
- Responding without delay to any complaint made about inappropriate behavior against children, adolescents, vulnerable persons, volunteers, staff, or others in the community of faith;
- Offering informed pastoral care to victims of abuse, exploitation, or sexual harassment.

**About  
These  
Policies**

## Safeguarding Policies

### A. Protection of Children And Adolescents

#### Screening and Selection

Any and all Church Personnel who work regularly with or around children or youth shall be screened and selected utilizing at least the following:

1. A standard application completed by the applicant that includes authorization for the release of information to conduct background checks;
2. Criminal background checks in any state where the applicant has resided during the past seven (7) years, and other states, if any, as determined by the church;
3. Sexual offender registry check in any state where the applicant has resided during the past seven (7) years;
4. Individual interview with the applicant;
5. Reference checks of persons outside the congregation who know the applicant, preferably who know how the applicant works with children;
6. Driving or Motor Vehicle records check if the person may be driving a car (their own or church-owned or rented) in exercising their ministry/work; proof of current vehicle insurance;

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

**Actions  
That  
Protect**

These requirements may be altered, in consultation with the Rector, when a volunteer only works *occasionally* with children or youth.

### Monitoring and Supervision of Programs

Structure and guidelines for church-sponsored activities establish clear expectations and practices that enhance safety and trust. Program supervisors will ensure that:

1. Every program for children and youth will have established ratios for adults and children, 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 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 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.

### Implementing This Policy:

- ✓ Seek to formalize safety standards by following this policy, as well as creating policy and guidelines you find necessary for your situation.
- ✓ Keep children safe by clarifying which behaviors constitute safe practice and which should be avoided.
- ✓ Highlight the importance of child safety by regularly studying “A Children’s Charter For The Church” in the vestry (Appendix 1, A).
- ✓ Assist adults working with children to do so safely and responsibly, and to monitor their own standards and practice.
- ✓ Support managers and employers in setting clear expectations of behavior and codes of conduct.



- ✓ Schedule and monitor the use of required supervision and training.
- ✓ Send the message that unlawful or unsafe behavior is unacceptable and that, where appropriate, disciplinary or legal action will be taken.
- ✓ Undertake risk assessments with appropriate action taken and record kept.
- ✓ Keep register and consent forms up-to-date.
- ✓ Have an awareness, at all times, of what is taking place and who is present.
- ✓ Always inform the Rector, activity coordinator, or others about any concerns or incidents that arise in respect to this policy (*Toward Healthy Ministry: Safeguarding God's People from Abuse*).

## **B. Protection of Elders and Dependent Adults**

Prevention is best achieved by both the careful training of workers and the supervision or mentoring of all those working with vulnerable people. Church Personnel need to understand that they hold a position of power and influence even if they do not feel that that is the case.

**Committed  
To Respect  
For All**

Prevention can be particularly difficult with those who may be vulnerable, because of the range of people who are in contact with them and the variety of ways in which churches and others try to be of help or befriend people who otherwise would be isolated. The desire to provide a safe environment should not get in the way of allowing people to develop their own friendships and contacts. If people are working together in groups this can be one way in which harmful behaviors can be prevented.

The Diocese of Fort Worth takes seriously the welfare, respect, and care of all persons, especially elders, dependent adults, and others who are vulnerable. In addition to the pastoral care responsibilities for elders and dependent adults that all Christians are called to observe, our Baptismal Covenant calls us to strive for justice and peace among all people, and to respect the dignity of every human being. Because of this,

### ***We commit to respect the rights of elders and dependent adults:***

- We recognize that everyone has different levels of vulnerability, and that each of us may be regarded as vulnerable at some time in our lives;
- As members of this congregation, we commit ourselves to respectful pastoral care for all adults to whom we minister;
- We commit ourselves to the safeguarding of people who may be vulnerable, ensuring their well-being in the life of the Church;
- We commit ourselves to promoting safe practice by those in positions of trust;
- The congregation commits itself to promoting the inclusion and empowerment of people who may be vulnerable;

- It is the responsibility of each of us to prevent the physical, emotional, sexual, financial, and spiritual abuse of vulnerable people and to report any such abuse that we discover or suspect;
- We undertake to exercise proper care in the appointment and selection of those who will work with people who may be vulnerable;
- The congregation is committed to supporting, resourcing, training, and regularly reviewing those who undertake work among persons who may be vulnerable;
- Each person who works with vulnerable people will agree to abide by the recommendations and guidelines of the Diocese and of this Church.

***We commit to the prevention of elder abuse by:***

- Educating congregants about their rights and about types of elder abuse;
- Bringing the issue of elder abuse and its prevention to the attention of The Episcopal Diocese of Fort Worth;
- Educating older congregation members about the option to assign responsibility to an outside person if their children are of concern;
- Staying apprised of current trends in elder abuse and techniques for stopping it;
- Training appropriate personnel in techniques for interviewing older persons;
- Seeking assistance from other entities (social services, medical/nursing personnel, government agencies);
- Describing how family members, with the help of legal counsel, can explore options such as financial conservatorship for clients who are frail, mentally ill, or cognitively impaired;
- Encouraging clients or family members to discuss with legal counsel the option to assign financial guardianship or power of attorney as needed;
- Reporting suspected cases of elder abuse to local authorities.

Vulnerable persons – especially our elders – are often the people who depend most on the Church and its leaders for guidance and protection. The Church is thus responsible for a high level of care, attention, and compassion in this area. All adults are mandated reporters for elder abuse, which involves not only physical and emotional abuse and harassment, but financial abuse as well. (Texas Human Resources Code, Sec. 48.051) (See Appendix 1, J.)

Implementing This Policy:

**Your  
Check-  
List**

- ✓ Seek to work in a non-abusive way that respects the rights of individuals to enjoy privacy, dignity, independence, and choice.
- ✓ Actively promote the empowerment and well-being of vulnerable persons.
- ✓ Ensure rigorous recruitment practices to deter those who actively seek vulnerable persons to exploit or abuse.
- ✓ Actively promote an organizational culture within which all those who express concern will be treated seriously and will receive a positive response from management.
- ✓ Ensure that staff and volunteers understand that vulnerable people can be abused and that they know what to do if they think someone is being abused.
- ✓ Ensure that all staff and volunteers receive appropriate training and support.
- ✓ Have an internal policy, procedure, and guidance on how managers, staff, and volunteers will deal with allegations of abuse, including allegations against their own organization's staff and volunteers.
- ✓ Work in cooperation with Adult Protective Services and other authorities when they are investigating an allegation of abuse.
- ✓ Identify the officer or committee having responsibility for staff and volunteer training, including training in this policy *Toward Healthy Ministry: Safeguarding God's People from Abuse..*
- ✓ Ensure that confidentiality and information-sharing related to the protection of vulnerable adults and perpetrators of abuse are maintained using agreed-upon protocols.

**C. Staff and Volunteers in Ministry**

In 1991, General Convention passed Resolution B052 (Appendix 1, H) which declared that sexual abuse, exploitation, coercion, and harassment of adults and minors by clergy and church employees are abuses of trust, a violation of the Baptismal Covenant, contrary to Christian Character, and are therefore wrong.

Furthermore, **this policy seeks to recognize and be consistent with all applicable federal, state, and local laws and regulations that apply to church employees and volunteers. This policy does not attempt to define, interpret, or prescribe practices in any law or regulation concerning labor practices.**

Among other things, these laws address the following:

- Bullying
- Sexual harassment
- Sexual exploitation
- Religious harassment
- Non-Retaliation

The rights of employees should be spelled out in job descriptions and reinforced by appropriate behavior in the workplace.

#### **D. Pastoral Relationships**

##### 1. Clergy

The Diocese of Fort Worth is committed to prevent clergy misconduct within the Church and to respond with justice and compassion when misconduct occurs. The Diocese and The Episcopal Church recognize that responding to allegations of misconduct requires determination, sensitivity, and respect for all persons affected, including the Complainant (the person reporting an offense), the Respondent (the clergy who is the subject of the reported offense), their families and friends, the congregation(s) involved, the Diocese, and the whole Church. The Church also endeavors to pursue paths of repentance, healing, restitution, and, whenever possible, reconciliation.

Title IV of the Canons of The Episcopal Church governs the handling of clergy misconduct, listing the following as offenses when they are “material and substantial or of clear and weighty importance to the ministry of the Church”:

- Any act of sexual misconduct;
- Holding and teaching publicly or privately, and advisedly, any doctrine contrary to that held by the Church;
- Engaging in any secular employment, calling, or business without the consent of the bishop of the diocese in which the member of the clergy is canonically resident;
- Being absent from the diocese in which the member of the clergy is canonically resident, except as provided by the canons, for more than two years without the consent of the Bishop Diocesan;
- Any criminal act that reflects adversely on the member of the clergy’s honesty, trustworthiness, or fitness as a minister of the Church;
- Conduct involving dishonesty, fraud, deceit, or misrepresentation;
- Habitual neglect of the exercise of the ministerial office without cause; or habitual neglect of public worship, and of the Holy Communion, according to the order and use of the Church; and

- Any Conduct Unbecoming a Member of the Clergy (any disorder or neglect that prejudices the reputation, good order, and discipline of the Church, or any conduct of a nature to bring material discredit upon the Church or the Holy Orders conferred by the Church).

Anyone can report information concerning an offense by a member of the clergy in written or oral form directly to the Intake Officer of the Diocese. (See the Diocesan website or contact the Diocesan office to get this information. If the complaint is against the Bishop Diocesan, contact the Intake Officer appointed by the Presiding Bishop of The Episcopal Church.)

The Diocese will protect confidentiality in the reporting process as permitted by the Church's canons and applicable law.

## 2. Others with Pastoral Relationships

- Members of Vestries and Bishop's Committees
- Stephen ministers
- Community of Hope
- Spiritual directors (those trained by FIND or other licensing group)
- Ministers of any sacrament outside of any public worship
- Licensed Eucharistic Visitors
- Hospital visitors (authorized by your church)
- Life leadership/peer coaches
- Leaders/facilitators of
  - a. Bible studies
  - b. Cursillo (serving on teams)
  - c. Christian Formation (e.g. EFM mentors; Catechumenate sponsors)
  - d. Small group/ministries (e.g. New Member Ministry; prayer ministry)
  - e. Licensed Worship Leaders
  - f. Licensed Preachers
  - g. Licensed Catechists
  - h. Lay Vicars (Pastoral Leaders)
  - i. Lay Chaplains
  - j. Interns
  - k. Persons who do field work

### 3. Expectations of Persons with Pastoral Relationships

The following guidelines are intended to assist individuals who have Pastoral Relationships and those who monitor and supervise them to understand and maintain appropriate boundaries at all times. Persons who have Pastoral Relationships must:

- Understand the Church will not tolerate sexual exploitation of any person;
- Agree to never sexually exploit any person they serve or work with on behalf of the church, school, or institution;
- Agree to comply with the policies defined in *Toward Healthy Ministry: Safeguarding God's People from Abuse*;
- Agree to immediately end any sexual or inappropriate relationship with a person in a Pastoral Relationship;
- Immediately seek advice from the Rector or from the Bishop's office if there are any questions or concerns about any of these policies or their expectations;
- Agree to immediately report any inappropriate behavior, boundary violations, or policy violations they observe;
- Acknowledge their obligation and responsibility to prevent sexual exploitation of persons.

### 4. Spiritual Counseling

There are laws that prohibit sexual exploitation between mental healthcare providers and those to whom they are providing those services (Texas Civil Practice and Remedies Code, Chapter 81). Clergy are included within the definition of "mental health provider" unless the services they provide cover only spiritual counseling. For this reason, it is important to follow these guidelines:

- Clergy and others in Pastoral Relationships should not go outside their area of expertise and training, but instead should make referral to a physician, psychologist, or other mental health professional for issues beyond the caregiver's competence or which are specifically guided by professional licenses.
- Even clergy who are licensed or credentialed as mental healthcare professionals, such as psychologists, marriage or family therapists, and substance abuse counselors, must draw distinctions when they are functioning on behalf of the Church and make it clear for those they are serving that they are not functioning in the role of a mental healthcare provider when working on behalf of the Church, but only as a spiritual advisor.
- Clergy who are licensed and do provide services as mental healthcare providers while also serving as spiritual advisors on behalf of the Church should clearly separate those roles by maintaining separate offices or locations and clearly communicate to all concerned when they are acting as a mental healthcare provider, as opposed to a spiritual advisor or spiritual counselor.



- Clergy who are separately licensed or credentialed as mental healthcare providers must maintain in full force separate professional insurance coverage at all times for any work they do outside their church role as spiritual advisors and provide proof of insurance to the Church on an annual basis. The insurance must have per occurrence limits of at least \$1,000,000 and aggregate limits of at least \$5,000,000, including coverage for sexual misconduct, however defined in the policies. The insurance policy must name the church employer or Church as an additional insured.
- Locations where Pastoral Relationships occur should, whenever possible, be in comfortable, safe, visible spaces (or in closed spaces with unobstructed windows) where casual monitoring by others (e.g. church personnel or other office workers) is possible. A sense of privacy can be maintained by arrangement of furniture.
- Secure records will be kept in a manner consistent with good practices in the profession.

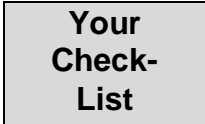
#### **E. Recruitment Practices**

In keeping with our sacred trust to safeguard the welfare of all who are precious in the sight of God, the following guidelines are offered so that church settings are safe environments through recruitment practices which help to deter abuse by unsuitable and inappropriate individuals. Normally all employees and volunteers, both lay and ordained, should receive Safeguarding training from the Diocese as soon as possible after beginning their work regardless of their previous experience. They should also attend regular refresher training – at a minimum every three years. Employees or volunteers who work with children, youth, or vulnerable adults may also benefit from specialized training by local statutory authorities.

The following steps are elements of a safe recruitment strategy. Your congregation recruitment policy should reflect the local situation. Consultation with the Rector or the office of the Bishop Diocesan is available when you have questions.

#### Implementing This Policy:

- ✓ Ensure that you have an up-to-date recruitment and selection policy that describes the process of recruitment and roles to be filled.
- ✓ Ensure that your congregation has a Safeguarding policy and that a statement about your commitment to Safeguarding is included in all recruitment and selection materials.
- ✓ Ensure that you have an up-to-date job description for the position(s) you wish to fill, and that it has been agreed upon by the recruiting manager.



- ✓ Ensure that you have an appropriate advertisement prepared which contains all necessary information about the role, timetable for recruitment, notice of background checks, and your commitment to Safeguarding.
- ✓ Ensure that you have compiled a suitable candidate information pack containing all the required information about the organization, role, recruitment timetable, release for background checks and references, Safeguarding policy, and application form.
- ✓ Ensure that each application received is scrutinized in a systematic way before sending invitations to interview.
- ✓ Ensure that all appropriate checks have been undertaken on your shortlisted candidates including references.
- ✓ Ensure that all shortlisted candidates receive the same letter of invitation to interview, supplying them with all necessary information.
- ✓ Ensure that a face-to-face interview is conducted for ALL shortlisted candidates based on an objective assessment of the candidate's ability to meet the job description.
- ✓ Ensure that all specific questions designed to gain required information about each candidate's suitability have been asked, including those needed to address any gaps in information supplied in the application form.
- ✓ Ensure that you are able to make a confident selection of a preferred candidate based upon their demonstrated suitability for the role.
- ✓ Ensure that your preferred candidate is informed that the offer of work (either paid or voluntary) is conditional on receiving satisfactory information from all necessary background checks.

Induction for all new employees and/or volunteers should include the following:

- a clear job description/role outline;
- understanding of the disciplinary procedures and behavior which may result in disciplinary action being taken;
- Safeguarding training;
- conduct expected of them;
- good practice for the work in which they are involved;
- understanding of congregation/Diocesan policies relating to Safeguarding, health and safety, etc.;
- knowledge of support which is available for their work;
- opportunity to raise issues with their manager or supervisor;
- identification of training requirements;
- regular review of their work;
- exit interviews should be offered at the end of a term/contract.

## Responding to Misconduct

When anyone is observed acting inappropriately with children, adolescents, or other vulnerable adults in a manner which violates the Diocesan policy *Toward Healthy Ministry: Safeguarding God's People from Abuse*, the behavior must be immediately reported as outlined below. If abuse, sexual harassment, or sexual exploitation is suspected, state statutes require reporting; certain knowledge of such abuse is not required and your report is confidential as provided by law, and no retaliation is permitted against a person making a report.

**Immediate  
Reporting  
Mandated**

**Such inappropriate behaviors or policy violations that relate to interactions with children, youth, or vulnerable persons should be reported in one of the following ways:**

- a telephone call or meeting with the person's supervisor
- a telephone call or meeting with the Rector
- a telephone call or meeting with the Senior Warden and the Bishop Diocesan if the inappropriate actor is the Rector
- a Notice of Concern (See Appendix 2, K.) to the Bishop
- a Notice of Concern to the Presiding Bishop if the inappropriate actor is the Bishop

**Reporting suspected abuse of children, youth, or vulnerable persons is the law.**

- All Church Personnel are required by law and this policy to report known or suspected abuse of children, youth, or vulnerable persons to the appropriate state authorities.
- Failure to report suspected abuse of children, youth, or vulnerable persons is a crime. Reports may be made confidentially or anonymously. Every state provides immunity from civil liability for persons reporting suspected abuse in good faith and without malice. Simply stated, "in good faith" means that the person submitting the report believes that what is reported is true. However, in some cases it is a suspicion; certain knowledge is not necessary.
- In addition to reporting to state authorities, Church Personnel are required to report any suspected or known abuse of children, youth, or vulnerable persons that may have been perpetrated by Church Personnel directly to the Rector of the congregation and proper steps may be taken to ensure the safety of alleged victims (as well as prevent additional occurrences).
- The Diocese of Fort Worth and all of its congregations, schools, agencies, camps, and programs 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 the Diocese of Fort Worth.

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A NOTE OF CAUTION: *DO NOT* attempt to question the suspected victim(s) about what happened or may have happened. Only trained child welfare / adult protective services personnel should handle any interviews so that the victim is not further victimized and so that their statements are not influenced by the interviewer.

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Rectors hearing reports of violations of this policy shall be responsible for offering appropriate pastoral care to all those affected by abuse and for taking appropriate remedial and/or disciplinary action,

**Expected  
Follow-Up  
Steps**

The Bishop, hearing reports of violations by clergy, or by adults at Diocesan events, shall be responsible for offering appropriate pastoral care to all those affected and for taking appropriate remedial and/or disciplinary action, up to and including canonical disciplinary action.

Vestries are urged to consider steps to take for making a safer church, for example at their annual retreat. A sample form for making a *Congregational Safe Church Self-Audit* is available in the “Resource” section (Appendix 2, L).

## **Program Support & Evaluation**

The Episcopal Diocese of Fort Worth will support the *Toward Healthy Ministry: Safeguarding God’s People from Abuse* program by designating a Diocesan Safe Church Advocate, a person professionally qualified in the practice of safeguarding children, youth, and vulnerable persons, who will work with the Canon to the Ordinary and other appropriate persons to advise the Bishop, the Standing Committee, Rectors, Senior Wardens, and Vestries about policies and steps to promote personal safety within churches and Diocesan programs.

The Diocesan Safe Church Advocate, together with appropriate Diocesan or congregation personnel, will evaluate incidents of abuse and/or policy violations to determine appropriate steps to enhance personal safety within the congregation, Diocese, or other situation.

The role of the Safe Church Advocate will be:

- Developing policy, procedures, and good practice guidelines;
- Keeping informed and up-to-date with the development of governmental policy, Church policy, and good practices;
- Ensuring that each congregation has adopted and implemented Diocesan policy and procedures;

- Monitoring and checking congregation policies and providing advice and guidance on these;
- Responding to requests from churches for advice, information, and guidance;
- Supporting individuals when a referral to local child welfare / adult protective services authorities is necessary;
- Attending case conferences as requested by Diocesan or Church officials;
- Supporting congregations during a child protection or Safeguarding enquiry;
- Working in partnership with statutory agencies which may seek information to which they are entitled;
- Providing assistance to the Bishop or other employer about the possibility of employment, bio-psycho-social treatment, or redeployment of persons accused or convicted of harm to children;
- Providing input about any risk assessment process which is being considered for persons with previous behaviors violating this policy or resulting in positive criminal background checks;
- Consulting on or regularly reviewing agreements between employers and those known to be a risk to children.

The Canon to the Ordinary as well as state authorities are available for advice and decision-making. Be collaborative; don't try to make decisions on your own!

Records will be maintained in the Diocesan office:

- Persons who are trained in *Toward Healthy Ministry: Safeguarding God's People from Abuse* policies and practices
- Incidents involving violations of these policies and their healing restoration
- Plans for recruitment and training in *Toward Healthy Ministry: Safeguarding God's People from Abuse* policies and practices
- Recommendations for improving this program

**Program  
Record-  
Keeping**

Remember that in order to nurture faithful disciples, the Church must demonstrate the highest standards of behavior. These policy guidelines cannot anticipate every situation, nor can they prescribe steps which are sufficient to safeguard God's people. It is the responsibility of everyone to safeguard children, adolescents, and other vulnerable persons within the Church and to establish necessary local policies.

## Procedure For Safeguarding Training

There are three “course options” for the safe church training currently in use in the Episcopal Diocese of Fort Worth: Safeguarding God’s Children, Safeguarding God’s People (Preventing Sexual Exploitation), and Safeguarding God’s People (Preventing Sexual Harassment).

**Who  
Needs  
This?**

While all members of our congregations are encouraged to be informed about these important issues, the specific training *requirements* are determined by a person’s role in the congregation. For example: someone who serves with children or youth needs to take the “Safeguarding God’s Children” training, while someone who is serving on the personnel committee needs to take the “Safeguarding God’s People – Preventing Sexual Harassment” training. The safe church trainings are not sequential and have mutually reinforcing themes.

In order to “fulfill the requirement” for safe church training, an individual must strive to take the appropriate training within six (6) months of taking a role related to leadership, children, youth, or vulnerable adults.

To help our faithful clergy and lay leaders meet this requirement, the Diocese will provide trainings on a regular schedule. These trainings will be arranged through the deaneries so that easy access to trainings will be provided throughout the Diocese. If additional trainings are needed, or if a congregation has a group of more than 10 people who need to undergo training, trainers will be provided on-site. Congregations may contact the Diocesan office to arrange for these trainings.

The trainings will be provided free of charge. In order to make this possible, congregations will be asked to host the trainings. A list of tasks to be fulfilled by the hosting congregation is available on the Diocesan website and in Appendix 2, U.

- Safeguarding God’s Children *is required for:*
  1. All those working with children and youth
  2. All wardens
  3. All employeesThis training is *recommended for:*
  4. All vestry members
  
- Safeguarding God’s People (Preventing Sexual Exploitation) *is required for:*
  1. All those working with vulnerable populations of adults (the elderly, the infirm, and those with disabilities)
  2. All wardens
  3. All employeesThis training is *recommended for:*
  4. All vestry members

- Safeguarding God’s People (Preventing Sexual Harassment) *is required for:*
  1. All wardens
  2. All congregation leaders involved with hiring and finances
  3. All employees

This training is *recommended for:*

4. All vestry members
5. All leaders of influence (ministry team leaders, etc.)

Recertification is required every three years. Recertification may be accomplished by:

1. Repeating the same Safeguarding training module.
2. Taking another Safe Church training module.
3. After two modules are completed in person, online training may be used for recertification.

**Re-  
Credential-  
ing**

For wardens and other lay leaders whose ministries require training in multiple modules, the trainings required for the roles in which one is serving must be accomplished, if possible, within one year of starting those roles. The date of the most recent training will serve as the date for indicating when recertification is required.

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# Diocesan Policy on Background Checks

## Episcopal Diocese of Fort Worth Policy on Background Checks

**Policy Number: A-5**

**Adopted: December 8, 2012**

**Revised: May 17, 2014**

### **Purpose:**

To describe

- What lay persons need to have a background check
- What the background check should cover
- How and when background checks will be administered
- How the costs of background checks will be paid

### **Canonical Reference**

Diocesan Canon 17.6 Risk Management

Committee General Convention Resolution B008

(2003)

Church Pension Fund's Safeguarding God's Children and Safeguarding God's People projects

### **1.0 General Provisions**

1.1 Our churches, schools, and ministries must be safe places, especially for all youth, children, the elderly and those with physical or mental disabilities ("Vulnerable Persons"). The Diocese uses a combination of training and screening to help confirm that we have qualified people serving in the ministries of the Diocese and to support the Safeguarding God's Children and Safeguarding God's People programs.

1.2 This policy deals with background checks of lay persons and members of the clergy to evaluate basic fitness for these ministries and to document that process.

1.3 This policy applies to the Episcopal Diocese of Fort Worth, its Institutions, diocesan and parish schools, parishes, missions, mission stations, and their institutions, respectively, in the Diocese ("Church Entities").

### **2.1 Persons required to have background checks**

2.1 Acceptable background checks are required for the following categories of persons selected to implement ministries in Church Entities, respectively:

- Those whose church positions require that they work directly with Vulnerable Persons.
- Employees and long term contractors.
- Those who handle or control church money.

- Vendors who provide long term services on the premises will be required to provide evidence of background checks
- Any person who drives a motor vehicle (their own or church-owned or rented) in doing their ministry / work
- Any person in active ordained ministry who is canonically resident in the diocese or licensed by the diocese

### 3.0 Scope of background checks

Tier	Required for . . .	Areas Checked
<b>Tier 1 –</b>	<ul style="list-style-type: none"> <li>• Persons working in a ministry to children/youth or vulnerable persons</li> </ul>	<ul style="list-style-type: none"> <li>• Multi-state criminal background check</li> <li>• National sex offender registry check</li> <li>• Alias search</li> <li>• Social Security number trace</li> </ul>
<b>Tier 2 –</b>	<ul style="list-style-type: none"> <li>• Persons with unsupervised access to funds or financial records</li> <li>• Members of the Standing Committee</li> <li>• Trustees of the Diocesan Corporation</li> <li>• Clergy in active ministry who are canonically resident in or licensed in the diocese</li> </ul>	<ul style="list-style-type: none"> <li>• Multi-state criminal background check</li> <li>• National sex offender registry check</li> <li>• Alias search</li> <li>• Social Security number trace</li> <li>• Credit check</li> </ul>
<b>Tier 3 –</b>	<ul style="list-style-type: none"> <li>• Employees and long term contractors</li> </ul>	<ul style="list-style-type: none"> <li>• Multi-state criminal background check</li> <li>• Individual county background check</li> <li>• National sex offender registry check</li> <li>• Alias search</li> <li>• Social Security number trace</li> <li>• Credit check</li> <li>• Motor vehicle check</li> <li>• Employment or volunteer verification*</li> <li>• Reference check (typically, 3)*</li> </ul> <p><i>*Employment verification <b>may</b> be done either by the background check agency (@ \$10 per employer) or by the Church Entity. Reference checks <b>must</b> be done by the Church Entity.</i></p>
<b>DMV Check</b>	<ul style="list-style-type: none"> <li>• Any person who will drive a motor vehicle (their own or church-owned or rented) in doing their ministry/work</li> </ul>	<ul style="list-style-type: none"> <li>• Motor vehicle/driving record check</li> </ul>

#### **4.0 Background checks required**

4.1 The background check must be completed before a person is finally selected for a position and begins to serve.

4.2 Persons taking on new responsibilities do not need new background check unless their new responsibilities move them into a higher tier or their previous check was done more than 3 years prior.

4.3 Persons working in a ministry to children/youth or vulnerable persons need to have a new background check every 3 years.

4.4 Persons driving for church business/functions need a motor vehicle check at least every 3 years and must provide proof of adequate Personal Injury Protection insurance.

#### **5.0 Cost of the background checks**

5.1 The Diocese will be responsible for the cost of obtaining and maintaining required background checks for persons serving in positions for the Diocese or any of its Institutions.

5.2 Each Church Entity will be responsible for the cost of obtaining and maintaining required background checks for persons serving in those entities.

5.3 It is appropriate for each Church Entity to request but not require that each person required by this policy to have a background check to help defray the cost of that person's background check and to accept other donations specified for this purpose.

#### **6.0 Background check Process**

6.1 If a background check report raises questions about the person's appropriateness for the church position, the Bishop and the President of the Standing Committee (for issues involving diocesan positions) or other requester (for issues involving congregational positions) shall confidentially investigate and evaluate the available information and make a decision about whether the person will be authorized to serve in the position.

6.2 When the Diocesan office receives a report with a red flag, the report shall be immediately forwarded to the requester.

6.3 The Diocesan office will make a note that a red flag was indicated on the report and if the Church Entity is not the Diocese, the Bishop will be informed that a red flag was indicated and the report sent to the original requester.

6.4 A requester receiving a red flagged report will inform the Bishop of the results of the evaluation of the report and any decisions made.

6.5 A person whose report generates a red flag has the right to know of the red flag and to respond to it.

#### **7.1 Records and Confidentiality**

7.1 Each Church Entity shall maintain a Background Check Roster, a current list of the name, address, and church position of each person required to have

a background check and the date that the last background check was completed.

7.2 By December 31 each year, each Church Entity shall submit its updated Background Check Roster to the Diocesan office and will provide a current Background Check Roster to the Risk Management Committee upon request at other times. In addition, each Church Entity will submit its initial Background Check Roster no later than March 1, 2013.

7.3 The data and records gathered for background checks will be maintained with security and confidentiality by the Diocesan office and/or the Church Entity requesting the background check.

- “Security” is defined as being in a locked filing cabinet, with access to the file permitted only to the Bishop or his/her designee, in the case of the Diocesan office, or permitted only to the pastor of the subject of the background check in the case of the Church Entity requesting the background check.
- “Confidentiality” means that information will be shared in written, electronic, or verbal form only by the Bishop or his/her designee, in the case of the Diocesan office, or by the requester in the case of the Church Entity requesting the check; and that information will be shared only for the purpose of adhering to this policy or furthering the pastoral care of the subject of the check.
- The subject of the background check may provide for exceptions to the security and confidentiality of the data and records through express written consent.

## **8.0 Vendors**

8.1 The Diocese shall maintain a contract with an outside security firm qualified to perform and contract with others to perform the required background checks.

8.2 It is required that all background checks be completed by the Diocesan vendor or by a comparable provider that the Risk Management Committee has approved.

8.3 The Diocese and each Congregation will investigate any discrepancy in a person’s address if notified by the credit bureau that the person’s address substantially varies from the address the credit bureau has on file for that person and will advise the credit bureau of the accurate address if that address is different from the one provided by the credit bureau.

*Appendix 1*  
*Background and Historical Documents*  
*(not part of the policy)*

- A. 1997 General Convention Resolution B005  
A Children's Charter For The Church
- B. Guidelines For Appropriate Affection With Children & Youth
- C. Definitions of Abuse
- D. Code of Conduct: Workers With Children & Adolescents
- E. Code of Conduct With Elders & Vulnerable Adults
- F. Guidelines for Email, Social Media, and Other Forms of Digital  
Communication, Episcopal Diocese of Fort Worth
- G. Reporting Child Abuse; Texas Family Code
- H. 1991 General Convention Resolution B052  
Establish a Committee on Sexual Exploitation
- I. Acknowledgement Of Policy (Sample)
- J. Texas Human Resources Code Section 48

**Appendix 1, A: Convention Resolution 1997-B005: “A Children’s Charter For The Church”**

THE CHURCH

“Children are a heritage from the LORD, and the fruit of the womb is a gift.” — Psalm 127:4 (BCP)

THE CHURCH IS CALLED:

- \* to receive, nurture and treasure each child as a gift from God; □□ to proclaim the Gospel to children, in ways that empower them to receive and respond to God’s love;
- \* to give high priority to the quality of planning for children and the preparation and support of those who minister with them;
- \* to include children, in fulfillment of the Baptismal Covenant, as members and full participants in the Eucharistic community and in the church’s common life of prayer, witness and service.

THE CHURCH

“When Jesus took the children in his arms, placed his hands on each of them and blessed them.” — Mark 10:16

THE CHURCH IS CALLED:

- \* to love, shelter, protect and defend children within its own community and in the world, especially those who are abused, neglected or in danger;
- \* to nurture and support families in caring for their children, acting in their children’s best interest, and recognizing and fostering their children’s spirituality and unique gifts;
- \* to embrace children who seek Christian nurture independently of their parents’ participation in the church;
- \* to advocate for the integrity of childhood and the dignity of all children at every level of our religious, civic and political structures.

THE CHILD

“A child shall lead them.” — Isaiah 11:6

THE CHURCH IS CALLED:

- \* to receive children’s special gifts as signs of the Reign of God;
- \* to foster community beyond the family unit, in which children, youth and adults know each other by name, minister to each other, and are partners together in serving Christ in the world;
- \* to appreciate children’s abilities and readiness to represent Christ and his church, to bear witness to him wherever they may be, and according to gifts given them, to carry on Christ’s work of reconciliation in the world, and to take their place in the life, worship, and governance of the church. (Ministry of the Laity pg. 855 BCP)

For more information: [www.episcopalchurch.org/myp](http://www.episcopalchurch.org/myp) 1-800-334-7626 ext. 5212 Developed by the Episcopal Dioceses of Alaska, Bethlehem, Central New York, Chicago, Dallas, Hawaii, Iowa, Massachusetts, Mexico, Southwest Florida, Western North Carolina, Wyoming, and The Office of Children's Ministries for the Episcopal Church

## **Appendix 1, B: Guidelines for Appropriate Affection with Children and Youth**

The following guidelines are to be carefully followed by all Church Personnel working around or with children and youth.

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 and youth. 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 and youth in ministry settings because many of them are the behaviors that child molesters use to “groom” children or youth 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.
- 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 1, C: Definitions of Abuse (Church of England: Church:A2)

### Spiritual aspects of abuse

Churches need to be sensitive so that they do not, in their pastoral care, attempt to ‘force’ religious values or ideas onto people, particularly those who may be vulnerable to such practices. Within faith communities harm can be caused by the inappropriate use of religious belief or practice; this can include the misuse of the authority of leadership or penitential discipline, oppressive teaching, or intrusive healing and deliverance ministries, which may result in vulnerable people experiencing physical, emotional or sexual harm. If such inappropriate behavior becomes harmful it should be referred for investigation in the usual way. Careful supervision and mentoring of those entrusted with the pastoral care of adults should help to prevent harm occurring in this way. Other forms of spiritual abuse include the denial to vulnerable people of the right to faith or the opportunity to grow in the knowledge and love of God.

### Physical abuse

The ill-treatment of an adult, which may or may not cause physical injury, is regarded as physical abuse. Instances might include hitting, slapping, pushing, kicking, inappropriate restraint, withholding or misuse of medication, squeezing, biting, suffocating, poisoning, drowning or killing. It could include racially or religiously motivated attacks.

A requirement for someone to work in an unsafe environment can be construed as physical abuse.

Possible indicators of physical abuse:

- cuts, lacerations, puncture wounds, open wounds, bruising, welts, discoloration, black eyes, burns, broken bones and skull fractures;
- untreated injuries in various stages of healing or not properly treated;
- poor skin condition or poor skin hygiene;
- dehydration and/or malnourishment without an illness-related cause, loss of weight, soiled clothing or bedding;
- broken eyeglasses or frames, physical signs of being subjected to punishment, or signs of being restrained;
- inappropriate use of medication, overdosing or under dosing;
- the adult telling you they have been hit, slapped or mistreated.

### Emotional or psychological abuse

The use of threats or fear or the power of the leader’s or other adult’s position to negate the vulnerable person’s independent wishes. Such behavior can create very real emotional or psychological stress. Bullying, sexual and racial harassment would also come into this category if physical harm were not used. It includes lack of privacy or choice, denial of

dignity, deprivation of social contact or deliberate isolation, making someone feel worthless, lack of love or affection, threats, verbal abuse, humiliation, blaming, controlling, pressurizing, coercion, fear, ignoring the person.

Other behaviors which may take place within a working relationship include public or unreasonable criticism, insults and shouting, ignoring a person's wishes or point of view, setting unreasonable work targets, removing areas of responsibility, undervaluing a person's efforts.

Harassment may include name calling, victimization and ostracism, unwanted sexual attention, stalking, compromising invitations or gifts, the display of images that are racially or sexually offensive, the suggestion that sexual favors might further promotion prospects.

Possible indicators of emotional/psychological abuse:

- feelings of helplessness;
- hesitation in talking openly;
- implausible stories;
- confusion or disorientation;
- anger without an apparent cause;
- sudden changes in behavior;
- the person becoming emotionally upset or agitated;
- unusual behavior (sucking, biting or rocking);
- unexplained fear;
- denial of a situation;
- the person becoming extremely withdrawn and non-communicative or non-responsive;
- the adult telling you they are being verbally or emotionally abused.

#### Financial or legal abuse

The willful extortion or manipulation of the vulnerable person's legal or civil rights must be construed as abuse. Such activity may include misappropriation of monies or goods, the misuse of finances, property or possessions, or withholding money, the exploitation of a person's resources or embezzlement. Such abuse may involve the use of a position of authority or friendship to persuade a person to make gifts, to leave legacies or change a will.

Possible indicators of financial abuse:

- signatures on checks etc. that do not resemble the adult's signature or which are signed when the adult cannot write;
- any sudden changes in bank accounts including unexplained withdrawals of large sums of money;

- the inclusion of additional names on an adult's bank account;
- abrupt changes to or creation of wills;
- the sudden appearance of previously uninvolved relatives claiming their rights to a vulnerable person's affairs or possessions;
- the unexplained sudden transfer of assets to a family member or someone outside the family;
- numerous unpaid bills, overdue rent, when someone is supposed to be paying the bills for the vulnerable person;
- unusual concern from someone that an excessive amount of money is being expended on the care of the vulnerable person;
- lack of amenities, such as TV, personal grooming items, appropriate clothing, that the vulnerable person should be able to afford;
- the unexplained disappearance of funds or valuable possessions such as art, silverware or jewelry;
- deliberate isolation of a vulnerable person from friends and family resulting in the caregiver alone having total control.

### Neglect

Neglectful behavior is any pattern of activity by another person, which seriously impairs an individual. Neglect can include: failure to intervene in situations where there is danger to a vulnerable person or to others, particularly when a person lacks the mental capacity to assess risk, not giving personal care, deliberately withholding visual or hearing aids, withholding food, drink, light and clothing, restricting access to medical services, denying social, religious or cultural contacts, denying contact with family, lack of appropriate supervision.

Possible indicators of neglect:

- dirt, fecal or urine smell, or other health and safety hazards in the vulnerable person's living environment;
- rashes, sores, lice on the vulnerable person;
- inadequate clothing;
- untreated medical condition;
- poor personal hygiene;
- over or under medication;
- lack of assistance with eating or drinking;
- unsanitary and unclean conditions.

### Sexual abuse

A sexual act carried out without the informed consent of the other individual is abuse. Such behavior includes contact and non-contact abuse. The issue of informed consent is a fraught

one and would need to be carefully investigated. No one should enter into a sexual relationship with someone for whom they have pastoral responsibility or have a position of trust.

Non-contact abuse may include sexual remarks and suggestions, introduction to indecent material, indecent exposure. Contact abuse may include rape, indecent assault, being forced to touch another person, sexual intercourse or being pressurized into consenting to sexual acts.

Possible indicators of sexual abuse:

- bruises around the breasts or genital areas;
- unexplained venereal disease or genital infections;
- unexplained vaginal or anal bleeding;
- torn, stained or bloody underclothing;
- the vulnerable person telling you they have been sexually assaulted or raped.

#### Sexual harassment

Sexual harassment: Unwelcome or unwanted sexually oriented humor or language, questions or comments about sexual behavior or preference, physical contact, inappropriate comments about clothing or physical appearance, or repeated requests for social engagements, in a situation where there is an employment, mentor or colleague relationship between persons involved.

#### Sexual Exploitation

A betrayal of trust in a pastoral relationship by the development, or the attempted development, of a sexual or romantic relationship between the cleric or other church worker and a person with whom she or he has a pastoral or fiduciary relationship, whether or not there is apparent consent from the individual.

Possible examples of sexual harassment or exploitation are:

- repeated sexual innuendos, sexual epithets, derogatory slurs, off-color jokes;
- propositions, threats, or suggestive or insulting sounds;
- inappropriate e-mail;
- derogatory posters, cartoons or drawings;
- suggestive objects or pictures;
- graphic commentaries; leering; or obscene gestures;
- unwanted physical contacts;
- 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.

(Church Pension Group; 70<sup>th</sup> Convention of the Episcopal Church)

Other indications that abuse may be occurring:

- the vulnerable person may not be allowed to speak for themselves, or see others, without the caregiver (suspected abuser) being present;
- attitudes of indifference or anger towards the vulnerable person;
- family member or caregiver blames the vulnerable person (e.g. accusation that incontinence is a deliberate act);
- aggressive behavior (threats, insults, harassment) by the caregiver towards the vulnerable person;
- previous history of abuse of others on the part of the caregiver;
- inappropriate display of affection by the caregiver;
- flirtations, coyness, etc., which might be possible indicators of an inappropriate sexual relationship;
- social isolation of the family or restriction of activity of the vulnerable person by the caregiver;
- conflicting accounts of incidents by the family, supporters or the vulnerable person;
- inappropriate or unwarranted defensiveness by the caregiver;
- indications of unusual confinement (closed off in a room, tied to furniture, change in routine or activity); obvious absence of assistance or attendance.

#### Appendix 1, D: Code of Conduct: Workers With Children and Adolescents

1. Church Personnel agree to comply with the Diocese of Fort Worth *Toward Healthy Ministry: Safeguarding God's People From Abuse* and the *Guidelines for Appropriate Affection* (Appendix 1, B).
2. Church Personnel agree to do their best to prevent abuse and neglect among children and youth involved in church activities and services.
3. Church Personnel agree to not abuse or neglect a child or youth physically, sexually or emotionally (See Appendix 1, C: Definitions)
4. In the event that Church Personnel observe any inappropriate behaviors or possible policy violations with children or youth, or with staff or volunteers, Church Personnel agree to immediately report their observations. In cases of suspected child abuse, it is not necessary that Personnel have proof of the abuse; reporting to authorities is mandatory under State law.
5. No person will be allowed to volunteer to work regularly with children or youth until the person has been known to clergy and congregation for at least six (6) months.
6. Programs for infants and children under six (6) years of age will have procedures to ensure that children are released only to their parents or legal guardians or those designated by them in writing.
7. 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 and youth.
8. Parents or guardians must comply with complete written permission forms before Church Personnel transport children or youth for a church-sponsored activity or for any purpose **for more than an occasional basis**.
9. Church Personnel will respond to children 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.
10. One-on-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 ("line-of-sight" rule – in the sight of other adults).
12. Church Personnel are prohibited from dating or becoming romantically involved with a child or youth, or with anyone they supervise on staff. **If such a relationship appears imminent with any staff or volunteers, Personnel must seek guidance from the priest.**
11. Church Personnel are prohibited from having sexual contact with a child or youth. **Sexual contact is not to be engaged in by Church Personnel with anyone they are in ministry with unless that person is their spouse.**

12. 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.
13. 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. Possessing any form of child pornography is against the law.
14. Church Personnel are prohibited from discussing their own sexual activities, including dreams and fantasies, or discussing their use of sexually oriented or explicit material such as pornography, videos or materials on or from the Internet with children or youth. **Such activity is not to be engaged in by Church Personnel with anyone they are in ministry with unless that person is their spouse.**
15. 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.
16. Church Personnel are prohibited from dressing, undressing, bathing, or showering in the presence of children or youth.
17. 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 youth, child or others.
18. Church Personnel are prohibited from using harsh language, degrading punishment, or mechanical restraint (such a rope or tape) for behavior management.
19. 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.
20. Review and agree to follow guidelines for electronic communications (below) which concern children and youth.



### Appendix 1, E: Code of Conduct With Elders and Vulnerable Adults

1. We are committed to respectful ministry to all adults within our church community, and agree to do our best to prevent sexual harassment or exploitation.
2. We are committed to respectful ministry to all adults within our church community, and agree to do our best to prevent sexual harassment or exploitation.
3. **Church Personnel are prohibited from displaying or discussing sexual material with any adult in the church except as part of a pre-authorized educational program or commonly accepted psycho-educational activity.**
4. Church Personnel will promptly respond to any report of policy violations or observation of such behavior, with due consideration to State laws which may affect such reporting.
5. Church Personnel will be sensitive to avoiding any abuse of power or the creation of unhealthy dependent relationships with persons they are in ministry with. Church Personnel should exercise particular care when ministering to persons with whom they have a close personal friendship or family relationship.
6. Church Personnel should recognize their limits and not undertake any ministry that is beyond their competence or role. In such instances the person receiving ministry should be referred to another person or agency with appropriate expertise.
7. Church Personnel should avoid behavior that could give the impression of inappropriate favoritism or the encouragement of inappropriate special relationships.
8. Conversations and interviews in a ministry context should be conducted respectfully with regard to personal safety, special physical needs and confidentiality. Church Personnel are prohibited from undertaking pastoral ministry while they are under the influence of drink or non-prescribed drugs.
9. Record-keeping in the practice of ministry must take steps to ensure confidentiality. A process must be in place for the destruction of records when they are no longer necessary or upon the death of the Personnel or custodian in charge of the record.

# **Guidelines for Email, Social Media, & Other Forms of Digital Communication in the Episcopal Diocese of Fort Worth**

## **1. Introduction**

As an ever-increasing number of people use and prefer digital communication over other forms, it is essential that The Episcopal Diocese of Fort Worth be present in this mission field. Basic email, social networking sites, and on-the-spot communication devices can enhance communication, facilitate faith sharing and deepen relationships.

The way the church communicates written words to its people and to the world has always been evolving. It is important to recognize that engaging in more-timely communication methods and using higher-tech tools has not really changed the challenges faced in communication. Since pen first hit parchment and a scribe handed a letter to a courier, it has been nearly impossible to retrieve or change written information once it has been sent. People have written words they wish they hadn't. What was intended to be private has been made public and remained public for a long time. What was an original work has been copied and shared without the creator's consent. Written words have failed to convey what spoken words, voice inflection, and body language together can. What someone writes can receive public scrutiny and public comment.

There have been many technical turns that have changed and improved writing technology. Each major technical advancement has increased the speed, ease and variety of ways in which people communicate. Advancements continue in the wireless and web-connected world of social networking and social media, which is constantly evolving. Despite the advances in and the expanding types of communication, the church must continue to constantly consider the content in its communication, and church personnel must constantly recognize that they are often considered the voice of the church.

There are other notable changes that our newer, higher-tech communication offers over previous communication methods. The speed is indeed faster; communication can happen almost instantaneously, seemingly in real time. Content is delivered and received outside the bounds of traditional media news cycles, like the daily newspaper, or the 6 o'clock news, or monthly newsletter distribution, or even an office memo. Contributors take charge of delivering their own message, instead of waiting for others to publish it for them.

Transparency is more evident when contributors choose to stand toe-to-toe with and engage their audience.

This document will not tell you how many emails a week is right for your parish, which Facebook profile is right for your organization, or explain the right privacy settings on a profile, or identify elegant widgets for your wiki, or any such details. This document doesn't guide you into the best social media vehicles for you to broadcast your information or connect your people. As handy as that type of information might be, it's not in here.

The guidelines in this document form a set of safe practices and are intended to be helpful in navigating the ever-changing online communication landscape. These guidelines apply commonly-accepted principles of healthy boundaries and a safe church to the virtual world of digital networking and communication. These guidelines are intended to help organizations in our diocese face the challenges that have always been present in communication but that seem amplified by the speed and openness that current technologies offer.

## **2. Applicability**

These guidelines form the norms for the diocese, and as such, apply to all churches, organizations, committees, and personnel. The definition of "church personnel" is found in the Episcopal Diocese of Fort Worth *Policies for Ethics and Integrity in Ministry*. Existing policies and behavior guidelines extend to activities in the online environment just as they do in the physical world. Church personnel are personally responsible for the information they present in the digital world.

## **3. Definitions**

A. Digital communication is communication sent digitally. Forms of digital communication include email, text messages, instant messaging, blogs, posts to electronic forums and bulletin boards, information presented on social networking and social media sites.

- B. The line between social networking and social media can be blurry; though distinctions exist, these distinctions are ignored in this document. Herein the term “social media” will be used to encompass social media, social networking, and social publishing; the term refers to a way to electronically bring people and information together to share and discuss. Examples of social media sites and services are Facebook, Twitter, MySpace, LinkedIn, blogs, wikis, Google and Yahoo Groups, electronic bulletin boards.
- C. Electronic accounts used to communicate on behalf of the church or an organization within the church are called church-affiliated accounts.
- D. The term “recording” is used to encompass photography, audio recording, and video recording.

## **4. Copyright**

- A. If you use artwork, music, photographs, videos, poems, or text that you did not create, the creator’s copyright is enforceable.
- B. Respect copyright laws. The Library of Congress’ Copyright Office website <http://www.copyright.gov/> will help you navigate issues of copyright.
- C. Nothing in our diocese is exempt from copyright law because of our nonprofit status or religious affiliation.

## **5. Use of Service Mark**

- A. The service mark of the Diocese of Fort Worth must not be used without permission.
- B. If a parish has a service mark, originators of digital content should seek permission from the vestry or organization’s designated authority to use it in any communications.

## **6. Safe Church Policies**

Safe church policies are designed to increase awareness regarding misconduct and abuse of power, to outline steps toward preventing abuse, and to equip anyone in a position of leadership with effective ways of caring for the body of Christ. Safe church policies from the physical world are reviewed below in section A; they form a basis for safe church policies in the digital world, presented in section B.

### **A. Commonly Accepted Principles of Healthy Boundaries and Safe Church**

1. Adults have more power than children and youth.

2. Clergy have more power than people with whom they have a pastoral relationship.
3. The mutuality of friendship cannot exist when there is a disparity of power.
4. Two unrelated adults must be able to maintain visual contact with each other any time they engage in ministry with children or youth.
5. Windows in doors allow transparency of interactions with children, youth and adults who may be vulnerable.

## **B. General Information about Digital Communications in a Safe Church**

1. All digital communication is NOT CONFIDENTIAL and may be shared with others.
2. Interactions in the virtual world need to be transparent, just as a window in the door provides transparency in the physical world.
3. In the virtual world healthy boundaries and safe church practices must be adhered to just as they are in the physical world.
4. In the physical world, “friend” can mean much in terms of intimacy, self disclosure, mutuality and expectations for relationship but in the virtual world, “friend” can mean anyone with whom you are willing to communicate through that medium. Be aware of the difference.
5. Laws regarding mandated reporting of suspected abuse/neglect/exploitation of children, youth, elders and vulnerable adults apply in the virtual world as they do in the physical world.

## **7. Ownership and Administration of Electronic Accounts**

A. Ownership of church-affiliated accounts should be registered with church email accounts, not personal accounts.

B. Administration privileges on any church-affiliated accounts should be held by church staff and in church email accounts; additional non-church-owned email accounts may be used in addition to church accounts.

C. Administration privileges on church-affiliated accounts should be held by at least two unrelated adults, ensuring transparency and oversight.

D. Assignment of the responsibility of creation, administration, and use of church-affiliated accounts should be done by the Vestry or Rector or the head of the group’s organization; responsibilities should be detailed in organizational/governance structures.

## **8. Profiles and Identity**

A. Remember your association and responsibility with the church in online

environments at all times. If you identify yourself as a church employee, staff member, leader, or volunteer, ensure your profile and related content is consistent with how you should present yourself with colleagues, church members, parents, children, youth, and the public at large. Ensure your profile and related content are consistent with the image, purpose and mission of your church and the church organizations you are affiliated with. How you represent yourself online should be comparable to how you represent yourself in person.

B. When uploading digital pictures or avatars that represent yourself make sure you select a church-appropriate image. Also remember not to utilize protected images.

C. Be cautious how you setup your profile, biography, avatar, etc.; it should not conflict with the responsibility you have in and to the church. The same guidelines apply to the substantive content you share.

D. On public social media sites, avoid providing complete identifying personal information, such as full name, birthday, physical address, or phone numbers.

## **9. Use of Email and Messaging (Includes Texting and Twitter and mailing-list services)**

A. Email or messaging is an appropriate and effective means of communicating basic factual information such as the time of an event, agenda for a meeting, text of a document, update to a website, etc.

B. Email or messaging is not an appropriate communication method for matters that are pastorally or legally sensitive, emotionally charged or require extensive conversation.

C. A short email signature for the originator of a message should be included in the email. The signature should at a minimum identify the originator's name and church or organization. Additional recommendations include telephone and website.

D. Humor and sarcasm can be easily misinterpreted and should be avoided.

E. Email or messaging should not be considered private correspondence. Do not put anything in an email that you would not want on a billboard on a major highway.

F. All email and message senders should take a moment to consider the ramifications of the content of their message before clicking on the "send" or "reply to all" or "post" button.

G. Protecting email addresses

1. When sending emails to a specified list of committee or commission members, it is preferable for the members to see each others' email addresses and to have the ability to respond to each member individually and to the group as a whole.

2. When planning to send an email to a broader distribution list, such as to a large group or entire parish, recognize that many recipients who have shared their email address with your organization may NOT want their email

addresses to be visible to others. Individuals may not want their email address to become part of large mailing lists, and they may not want to receive a large number of copies of replies from fellow members of the distribution group.

These guidelines are recommended:

- a. prepare a courtesy draft and email it to the highest organizational authority (senior warden, priest, board director, etc.) for review, suggestions, and a go-ahead decision on how to address it.
- b. avoid mass distribution of email lists and mass replies by entering the email addresses into the blind carbon copy (BCC) field.
- c. use a no-reply mailing-list service that only shows the recipient's address.

## 10. Behavioral Covenants in Social Media Sites

1. Behavioral covenants should be posted on social media sites that have a discussion forum.
2. Covenants should be posted in such a way as to be accessible to all site viewers.
3. Covenants should acknowledge that materials posted on church-affiliated sites are not confidential.
4. Covenants should acknowledge that content deemed inappropriate will be removed from the site.
5. Covenants for communities of faith should address the following issues:
  - a. Appropriate language
  - b. Eligibility of membership to join a social media group. Things to consider include whether the applicant must be a member of a parish or group and whether there are age requirements/restrictions for participation for groups.
  - c. Loss of eligibility of membership and removal from the social media group. Consider how and when members will be removed from the group due to moving away, leaving the faith community, becoming too old for youth group, clergy and staff (including volunteer leaders) leaving to minister to another parish or exclusion from ministry positions for other reasons.
  - d. Who, how and when may photos or videos be tagged (members identified by name) For example, individuals may tag themselves but should not tag others.
  - e. Appropriate and inappropriate behavior of members (bullying, pictures that depict abuse, violence, sexual acts, etc.) and the consequence for inappropriate dialogue or behavior.

## 11. Social Media Connecting Adults

1. Account administrators are strongly encouraged to set all available privacy settings on any social media profile or site to shield any members from viewing content that may be inappropriate.
2. Church personnel should use their personal profiles to interact with their personal friends, family, and peers, but in many cases a personal profile may not be the best method in which to engage parishioners or church group members. Church personnel should carefully consider whether to submit personal “friend” requests to parishioners and others to whom they minister and interact. The disparity of power may not give the other person the ability to decline such request. Consider also whether feelings might be hurt or whether favoritism might be perceived if one member is friended and another is not.
3. Clergy and church personnel who want to connect with parishioners or organization members via social media are strongly encouraged to set up social media groups in which all organization members may freely participate, rather than connecting with members via a personal account. The purpose of having a personal profile and a separate organization online group is to create a line of privacy in interactions with personal family, friends and colleagues and yet still engage members. For example, if a member can connect with a priest through his personal profile, the priest’s brother’s raunchy comments on the priest’s status updates may not be able to remain private. As another example, all of the choir members don’t need access to the director’s profile to see the director’s daughter’s bikini-clad beach photos, but they do need to ask questions and discuss the music plans and practice schedules. In both of these examples, connecting members and church personnel to an organizational group blends the personal with the professional and allows everyone involved to stay in touch and share information, without the distractions that can be found in inter-personal connections.
4. Clergy and church personnel should consider the impact of declining a “friend” request from parishioners or organization members. These encounters may create a tension in “real world” relationships. Clergy and church personnel can direct “friend” requests from parishioners and organization members to the group site.
5. When and how church personnel should engage members in social media can be tricky in some situations. For example, should a priest (a) comment on a member’s status if they are pouring out their broken heart, and thus seemingly begin pastoral care on a social media site, or (b) use private communication to engage the member. There are no concrete guidelines that can cover all situations, so in every engagement, consider that digital communication is often not the best communication method for matters that are pastorally or legally sensitive, emotionally charged or require extensive conversation.



6. Church personnel who work directly with members are encouraged to establish church- affiliated digital communications groups to maintain contact with members.
7. When the role of clergy or church personnel ends (for example, change of job, leaving a position, retirement, termination) they should gracefully disengage from digital communication that revolves around their former role. This separation is to allow new personnel to assume their leadership role. The separation may be as simple as removal from a social media group, but it may also extend to removing parishioners or group members as personal “friends” or contacts in all forms of digital communications. Account administrators may need to assist or to enforce this guideline.

## **12. Social Media Connecting Children and Youth**

1. Adults who minister to children and youth are strongly encouraged to set very stringent privacy settings on any social media profile to shield any members from viewing content that may be inappropriate.
2. Individual personal profiles should be used to interact with real friends, family and peers. Adults should not submit individual “friend” requests to children or youth with whom they interact on behalf of the church. Children or youth may not be able to decline such requests due to the disparity of power between youth and adults. Children or youth may ask to be “friends,” and adults should discern the level of contact that is appropriate with that young person prior to responding to a request, and should consider also whether feelings might be hurt or whether favoritism might be perceived if one member is friended and another is not.
3. If an adult chooses to accept friend requests from children or youth who are associated with their community of faith, other unrelated adult leaders must have full access to all aspects of that adult’s profile and social media correspondence.
4. Adults who want to connect via social media services to children or youth to whom they minister are strongly encouraged to set up a closed group structure that children or youth may join. Groups provide the transparency that is a goal of safe church practices.
  - a. Closed groups, but not public or hidden groups, should be used for child or youth groups (EYC, confirmation, pilgrimage, mission trips, etc.). Using a closed group should protect the privacy of the child or youth membership and should keep the details of the group dialogue away from non-members. Using a hidden group would protect privacy, but should not be used because no one can find out that the group exists. Using a public group will not protect child or youth members’ privacy.

- b. Children or youth requesting to “friend” an adult can be invited to join this group rather than be accepted as a friend on an adult’s personal profile account. The purpose of having a personal profile and a separate organization online group is to create a line of privacy in interactions with personal friends and yet still engage children/youth members.
  - c. Youth social media groups may employ child or youth administrators in addition to the unrelated adult administrators required on all accounts. If young administrators are employed, there must be at least 2, and there may be more. If young administrators are employed, invitations to children or youth to join the group should be made by a non-adult administrator, unless a child or youth previously asked an adult administrator to invite him to join the group.
- 5. When and how church personnel should engage members in social media can be tricky in some situations. For example, should a priest or adult leader (a) comment on a young member’s status if they are pouring out their broken heart, and thus seemingly begin pastoral care on a social media site, or (b) use private communication to engage the member. There are no concrete guidelines that can cover all situations, so in every engagement, consider that digital communication is often not the best communication method for matters that are pastorally sensitive, emotionally charged or require extensive conversation.
- 6. Social media groups for children or youth should be open to parents of current members.
- 7. Parents should be informed that the content of children/youth social media communications that are not sponsored and administered by the church are NOT within the purview of adult youth leaders OR the church.
- 8. Any content that details inappropriate behavior (outside of the bounds of the established behavioral covenant) during a church-sponsored event or activity should be addressed by adult youth leaders and parents together.
- 9. Any material on any site (whether affiliated with the church or not) that raises suspicion that a child or youth has been or will be abused/neglected/exploited should be immediately reported to the clergy and/or the Department of Family and Protective Services (DFPS, 1-800-252-5400, <https://www.txabusehotline.org>). If the material is on a church-affiliated site, that material should be documented for church records and then removed from the site after consultation with DFPS and/or police.
- 10. When the role of an adult leader ends in a child or youth group, the adult should gracefully disengage from social media that revolves around his former role. This separation is to allow new personnel to assume their leadership role.

11. Former youth members who, due to departure, removal from position, or who are no longer eligible because they “aged-out” of a program should be immediately and gracefully removed from digital communication with the group and from associated church-sponsored social media sites for the group.
12. When a special group is formed for a short-term purpose (such as for mission trips, events, event planning, confirmation, etc.), the group should be terminated once the ministry has come to an end.

## **13. Photographic, Audio, and Video Recording and Publishing**

There is nothing new that social media brings in the areas of recording or publishing, but current technology has put recording devices in many people’s pockets, and publishing the information is at their fingertips. The issues of “can I make a recording here?” “can I publish it?” and “who must approve it?” continue to exist in print, and any issues that have always existed in print are the same in the digital world.

A. Do not publish any recording for news purposes or commercial purposes without permission of the creator of the recording, per the “Copyright” section above.

B. There are 5 general privacy guidelines that apply to all forms of recording:

1. Get permission to record on the property. Follow the guidelines that are given by whoever grants you permission. Permission for any type of recording on church property should be obtained from the vestry, rector, or other property-governing authority. Church property can be considered to be a semi-public space - it is privately-owned, but in most areas, the public is welcome. Because church property is privately-owned, permission for recording should be obtained.
2. Do not intrude into anyone’s solitude or record in a location where there is a reasonable expectation of privacy.
3. Do not publish private information without permission. Private information may include name, age, address, or any contact information. Private information may also include whether someone is verbally or visually recognizable as an individual receiving counseling or attending a Narcotics Anonymous meeting or taking a medication. Carefully consider whether any written or visual private information is needed to maintain the integrity of the publication. Consider whether recognition of an individual associated with a news story is in the best interests of the individual’s privacy, and if it is, then get their permission before publication.
4. Do not publish anything that presents the subject in a false or negative light.
5. Do not appropriate any recording of any individual for any commercial

use without permission. Publication of recordings used for anything other than reporting news falls under commercial-use restrictions, and therefore the latitude offered to the “free and independent press” does not apply. However, church media may use recordings for commercial use without express permission if one of these two exceptions applies:

- a. an individual cannot be identified in the recording, as in a view of someone’s back or a portion of their body.
- b. the recording is from a newsworthy event (note that is a broad, interpretative definition) at a public place (churches are semi-public), and if individuals are only incidentally visible (broad definition) in a large group (broad definition).

C. For news recording and publication, the United States constitution’s protection of free speech and an independent press generally allows the media to publish news-related content in any form without personal permissions, following the 5 established privacy guidelines above.

D. Not everything that is legal is wise, so adhere to these additional best practices for church media:

1. For any type of recording at any time, inform people that they are being recorded.
2. If someone asks not to be recorded, honor their request.
3. Secure signed release forms from individuals being recorded. For child and youth participants, the release must be signed by a parent or guardian.
4. Include a broad and unrestrictive media release on every participation agreement and event/activity registration or permission form. The addition of a broad media release form that grants all elements of a hierarchical organization the unrestricted use of recordings is an easy addition to a registration procedure and to forms. Having a media release that includes use by the diocese and all of its constituent organizations is in our collective best interest.
5. Church organizations should establish policies to state what their media creation, approval, and publication process are, addressing print and digital publication.
6. Participants in a video session should consider what will be shown in the video, such as their surroundings, their clothing, state of dress, etc.
7. Refrain from initiating live video interaction with youth or children.

## **14. Advertising on Church-Affiliated Sites**

Advertising from commercial organizations on church websites and social media sites is discouraged.

## **Appendix 1, G: Reporting Child Abuse: Summary of Relevant Texas Statutes**

Information on Reporting Child Abuse or Neglect from the Child Protective Services

Website:

[http://www.tdprs.state.tx.us/Child\\_Protection/About\\_Child\\_Protective\\_Services/reportChildAbuse.asp](http://www.tdprs.state.tx.us/Child_Protection/About_Child_Protective_Services/reportChildAbuse.asp)

### **Report Abuse or Neglect of children, the elderly, or people with disabilities.**

To report an emergency, call 911. To report child abuse or neglect, call 1-800-252-5400 or use our secure website: <https://www.txabusehotline.org>

Other states may use: **512.834.3784** to report abuse or neglect that has occurred in Texas.

We cannot accept e-mail reports of suspected abuse or neglect. You may use the 1-800 number to report abuse or neglect that has occurred in Texas if you live in Texas, Oklahoma, Louisiana, Arkansas, or New Mexico.

- Child abuse and neglect are against the law in Texas, and so is failure to report it. •If you suspect a child has been abused or mistreated, you are required to report it to the Texas Department of Family and Protective Services or to a law enforcement agency.
- You are required to make a report within 48 hours of the time you suspected the child has been or may be abused or neglected.

### **What is Abuse?**

Abuse is mental, emotional, physical, or sexual injury to a child or failure to prevent such injury to a child.

### **What is Neglect?**

Neglect includes (1) failure to provide a child with food, clothing, shelter and/or medical care; and/or (2) leaving a child in a situation where the child is at risk of harm.

### **How do I make a report?**

1. 2.

Call the abuse and neglect hotline at 1-800-252-5400.

When you make a report, be specific. Tell exactly what happened and when. Be sure to record all injuries or incidents you have observed, including dates and time of day and keep this information secured.

213. Reports should be made as soon as possible but no later than 48 hours before bruises and marks start to fade. It is important for the investigators to be able to see the physical signs.

4. Give the agency person any information you have about the relationship between the child and the suspected abuser.

5. Please provide at least the following information in your report.

- \* Name, age, and address of the child
- \* Brief description of the child
- \* Current injuries, medical problems, or behavioral problems
- \* Parents names and names of siblings in the home

**Will the person know I've reported him or her?**

Your report is confidential and is not subject to public release under the Open Records Act. The law provides for immunity from civil or criminal liability for innocent persons who report even unfounded suspicions, as long as your report is made in good faith. Your identity is kept confidential.

**What if I'm not sure?**

If you have reason to suspect child abuse, but are not positive, make the report. If you have any doubts about whether or not it is abuse, call the hotline. They can advise you on whether the signs you have observed are abuse.

## **FAMILY CODE**

SUBTITLE E. PROTECTION OF THE CHILD CHAPTER 261. INVESTIGATION OF REPORT OF CHILD ABUSE OR NEGLECT

**SUBCHAPTER A. GENERAL PROVISIONS**

**Sec.261.001. DEFINITIONS. In this chapter:**

- (1) "Abuse" includes the following acts or omissions by a person:
  - (A) mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development, or psychological functioning;
  - (B) causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child's growth, development, or psychological functioning;
  - (C) physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian, or managing or possessory conservator that does not expose the child to a substantial risk of harm;
  - (D) failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child;
  - (E) sexual conduct harmful to a child's mental, emotional, or physical welfare, including conduct that constitutes the offense of indecency with a child under Section 21.11, Penal code, sexual assault under Section 22.011, Penal Code, or aggravated sexual assault under Section 22.021, Penal Code;
  - (F) failure to make a reasonable effort to prevent sexual conduct harmful to a child;
  - (G) compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01, Penal Code;
  - (H) causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene as defined by Section 43.21, Penal Code, or pornographic;

- (I) the current use by a person of a controlled substance as defined by Chapter 481, Health and Safety Code, in a manner or to the extent that the use results in physical, mental, or emotional injury to a child;
  - (J) causing, expressly permitting, or encouraging a child to use a controlled substance as defined by Chapter 481, Health and Safety Code; or
  - (K) causing, permitting, encouraging, engaging in, or allowing a sexual performance by a child as defined by Section 43.25, Penal Code.
- (2) “Department” means the Department of Protective and Regulatory Services.
- (3) “Designated agency” means the agency designated by the court as responsible for the protection of children.
- (4) “Neglect” includes:
- (A) the leaving of a child in a situation where the child would be exposed to a substantial risk of physical or mental harm, without arranging for necessary care for the child, and the demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the child;
  - (B) the following acts or omissions by a person:
    - (i) placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child’s level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child;
    - (ii) failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child;
    - (iii) the failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused; or
    - (iv) placing a child in or failing to remove the child from a situation in which the child would be exposed to a substantial risk of sexual conduct harmful to the child; or
  - (C) the failure by the person responsible for a child’s care, custody, or welfare to permit the child to return to the child’s home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away.
- (5) “Person responsible for a child’s care, custody, or welfare” means a person who traditionally is responsible for a child’s care, custody, or welfare, including:
- (A) a parent, guardian, managing or possessory conservator, or foster parent of the child; (B) a member of the child’s family or household as defined by Chapter 71; (C) a person with whom the child’s parent cohabits; (D) school personnel or a volunteer at the child’s school; or
  - (E) personnel or a volunteer at a public or private child-care facility that provides services for the child or at a public or private residential institution or facility where the child resides.

**SUBCHAPTER B. REPORT OF ABUSE OR NEGLECT; IMMUNITIES**

**Sec.261.101. PERSONS REQUIRED TO REPORT; TIME TO REPORT**

- (a) A person having cause to believe that a child’s physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as provided by this subchapter.

(b) If a professional has cause to believe that a child has been abused or neglected or may be abused or neglected, or that a child is a victim of an offense under Section 21.11, Penal Code, and the professional has cause to believe that the child has been abused as defined by Section 261.001, the professional shall make a report not later than the 48th hour after the hour the professional first suspected that the child has been or may be abused or neglected or is a victim of an offense under Section 21.11, Penal Code. A professional may not delegate to or rely on another person to make the report. In this subsection, “professional” means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children. The term includes teachers, nurses, doctors, day-care employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile detention or correctional officers.

(b-1) In addition to the duty to make a report under Subsection (a) or (b), a person or professional shall make a report in the manner required by Subsection(a) or (b), as applicable, if the person or professional has cause to believe that an adult was a victim of abuse or neglect as a child and the person or professional determines in good faith that disclosure of the information is necessary to protect the health and safety of:

- (1) another child; or
- (2) an elderly or disabled person as defined by Section 48.002, Human Resources Code.

(c) The requirement to report under this section applies without exception to an individual whose personal communications may otherwise be privileged, including an attorney, a member of the clergy, a medical practitioner, a social worker, a mental health professional, and an employee of a clinic or health care facility that provides reproductive services.

(d) Unless waived in writing by the person making the report, the identity of an individual making a report under this chapter is confidential and may be disclosed only:

- (1) as provided by Section 261.201; or
- (2) to a law enforcement officer for the purposes of conducting a criminal investigation of the report.

#### **Sec. 261.102. MATTERS TO BE REPORTED**

A report should reflect the reporter’s belief that a child has been or may be abused or neglected or has died of abuse or neglect.

Added by Acts 1995, 74<sup>th</sup> Leg., ch. 20, Sec. 1, eff. April 20, 1995. Amended by Acts 1995, 74<sup>th</sup> Leg., ch. 751, Sec. 88, eff. Sept. 1, 1995.

#### **Sec. 261.103. REPORT MADE TO APPROPRIATE AGENCY.**

(a)

Except as provided by Subsections (b) and (c) and Section 261.405, a report shall be made to:

- (1) any local or state law enforcement agency;
- (2) the department if the alleged or suspected abuse involves a person responsible for the care, custody, or welfare of the child;
- (3) the state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred; or
- (4) the agency designated by the court to be responsible for the protection of children.

(b) A report may be made to the Texas Youth Commission instead of the entities listed under Subsection (a) if the report is based on information provided by a child while under the supervision



of the commission concerning the child's alleged abuse of another child.

(c) Notwithstanding Subsection (a), a report, other than a report under Subsection (a) (3) or Section 261.405, must be made to the department if the alleged or suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child.

**Sec. 261.104. CONTENTS OF REPORT**

The person making a report shall identify, if known: (1) the name and address the name and address of the child; (2) the name and address of the person responsible for the care, custody, or welfare of the child; and (3) any other pertinent information concerning the alleged or suspected abuse or neglect.

**Sec. 261.105. REFERRAL OF REPORT BY DEPARTMENT OR LAW ENFORCEMENT**

(a) All reports received by a local or state law enforcement agency that allege abuse or neglect by a person responsible for a child's care, custody, or welfare shall be referred immediately to the department or the designated agency.

(b) The department or designated agency shall immediately notify the appropriate state or local law enforcement agency of any report it receives, other than a report from a law enforcement agency that concerns the suspected abuse or neglect of a child or death of a child from abuse or neglect.

(c) In addition to notifying a law enforcement agency, if the report relates to a child in a facility operated, licensed, certified, or registered by a state agency, the department shall refer the report to the agency for investigation.

(d) If the department initiates an investigation and determines that the abuse or neglect does not involve a person responsible for the child's care, custody, or welfare, the department shall refer the report to a law enforcement agency for further investigation. If the department determines that the abuse or neglect involves an employee of a public primary or secondary school, and that the child is a student at the school, the department shall orally notify the superintendent of the school district in which the employee is employed about the investigation.

(e) In cooperation with the department, the Texas Youth Commission by rule shall adopt guidelines for identifying a report made to the commission under Section 261.103(b) that is appropriate to refer to the department or a law enforcement agency for investigation. Guidelines adopted under this subsection must require the commission to consider the severity and immediacy of the alleged abuse or neglect of the child victim.

**Sec. 261.106. IMMUNITIES**

(a) A person acting in good faith who reports or assists in the investigation of a report of alleged child abuse or neglect or who testifies or otherwise participates in a judicial proceeding arising from a report, petition, or investigation of alleged child abuse or neglect is immune from civil or criminal liability that might otherwise be incurred or imposed.

(b) Immunity from civil and criminal liability extends to an authorized volunteer of the department or a law enforcement officer who participates at the request of the department in an investigation of alleged or suspected abuse or neglect or in an action arising from an investigation if the person was acting in good faith and in the scope of the person's responsibilities.

(c) A person who reports the person's own abuse or neglect of a child or who acts in bad faith or with malicious purpose in reporting alleged child abuse or neglect is not immune from civil or criminal liability.

**Sec. 261.109. FAILURE TO REPORT; PENALTY.**

(a) A person commits an offense if the person has cause to believe that a child's physical or

mental health or welfare has been or may be adversely affected by abuse or neglect and knowingly fails to report as provided in this chapter.

(b) An offense under this section is a Class B misdemeanor.

**Appendix 1, H: 1991 General Convention Resolution - B052: Establish a Committee on Sexual Exploitation**

**Resolution Number:** 1991-B052

**Title:** Establish a Committee on Sexual Exploitation

**Legislative Action Taken:** Concurred As Amended

**Final Text:** *Resolved*, the House of Deputies concurring, **That the 70th General Convention of the Episcopal Church declares that sexual abuse, exploitation, coercion, and harassment of adults and minors by clergy and church employees are abuses of trust, a violation of the Baptismal Covenant, contrary to Christian Character, and are therefore wrong; and be it further**

*Resolved*, **That the 70th General Convention of the Episcopal Church establish a Committee on Sexual Exploitation to be appointed by the Presiding Bishop and the President of the House of Deputies to work with the Office of Pastoral Development. It shall be the duty of the Committee on Sexual Exploitation to study, educate, develop curriculum, and propose policy and standards of conduct on sexual abuse, exploitation, coercion, and harassment, and to advise the Office of Pastoral Development as resource persons. The membership of the committee is to be representative as to sex, race and ethnic diversity. The Committee will report to the 71st General Convention.**

**Citation:** General Convention, *Journal of the General Convention of...The Episcopal Church, Phoenix, 1991* (New York: General Convention, 1992), p. 783.

**Appendix 1, I: Acknowledgement of Policy**

**Sample: Not Real Policy**

I acknowledge that I have received a copy of the Policy and Procedures Manual, which describes important information about [Company Name], and understand that I should consult the Human Resource Department if I have questions. I have entered into employment with [Company Name] voluntarily and acknowledge that it is for no specified length of time. Accordingly, either I or [Company Name] may terminate the relationship at will, with or without cause, at any time, for any reason or no reason. I understand that neither this Manual nor any other [Company Name] policy, practice or procedure is intended to provide any contractual obligations related to continued employment, compensation or employment contract.

Since the information, policies and benefits described here are necessarily subject to change, I acknowledge that revisions to the Manual may occur, except to [Company Name] policy of employment-at-will. I understand that [Company Name] may change, modify, suspend, interpret or cancel, in whole or part, any of the published or unpublished personnel policies or practices, with or without notice, at its sole discretion, without giving cause or justification to any employee. Such revised information may supersede, modify or eliminate existing policies. The [Company Name] Manager shall have sole authority to add, delete or adopt revisions to the policies in this Manual. Any written or oral statement by a supervisor or department director contrary to the personnel policy manual is invalid and should not be relied upon by any employee.

I understand and agree that I will read and comply with the policies contained in this Manual and any revisions, am bound by the provisions contained therein, and that my continued employment is contingent on following those policies.

\_\_\_\_\_  
Employee Name (Printed)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**Appendix 1, J: Texas Human Resources Code Section 48**

TEXAS HUMAN RESOURCES CODE

TITLE 2. DEPARTMENT OF HUMAN SERVICES AND DEPARTMENT OF PROTECTIVE AND REGULATORY SERVICES

SUBTITLE D. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES; CHILD WELFARE AND PROTECTIVE SERVICES

CHAPTER 48. INVESTIGATIONS AND PROTECTIVE SERVICES FOR ELDERLY AND DISABLED PERSONS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 48.001. PURPOSE. The purpose of this chapter is to provide for the authority to investigate the abuse, neglect, or exploitation of an elderly or disabled person and to provide protective services to that person.

Added by Acts 1981, 67th Leg., p. 2368, ch. 584, Sec. 1, eff. Sept. 1, 1981. Amended by Acts 1983, 68th Leg., p. 730, ch. 172, Sec. 1, eff. Sept. 1, 1983; Acts 1995, 74th Leg., ch. 303, Sec. 2, eff. Sept. 1, 1995; Acts 1999, 76th Leg., ch. 907, Sec. 2, eff. Sept. 1, 1999.

Sec. 48.002. DEFINITIONS. (a) Except as otherwise provided under Section 48.251, in this chapter:

(1) "Elderly person" means a person 65 years of age or older.

(2) "Abuse" means:

(A) the negligent or wilful infliction of injury, unreasonable confinement, intimidation, or cruel punishment with resulting physical or emotional harm or pain to an elderly or disabled person by the person's caretaker, family member, or other individual who has an ongoing relationship with the person; or

(B) sexual abuse of an elderly or disabled person, including any involuntary or nonconsensual sexual conduct that would constitute an offense under Section 21.08, Penal Code (indecent exposure) or Chapter 22, Penal Code (assaultive offenses), committed by the person's caretaker, family member, or other individual who has an ongoing relationship with the person.

(3) "Exploitation" means the illegal or improper act or process of a caretaker, family member, or other individual who has an ongoing relationship with an elderly or disabled person that involves using, or attempting to use, the resources of the elderly or disabled person, including the person's social security number or other identifying information, for monetary or personal benefit, profit, or gain without the informed consent of the elderly or disabled person.

(4) "Neglect" means the failure to provide for one's self the goods or services, including medical services, which are necessary to avoid physical or emotional harm or pain or the failure of a caretaker to provide such goods or services.

(5) "Protective services" means the services furnished by the department or by a protective services agency to an elderly or disabled person who has been determined to be in a state of abuse, neglect, or exploitation or to a relative or caretaker of an elderly or disabled person if the department determines the services are necessary to prevent the elderly or disabled person from returning to a state of abuse, neglect, or exploitation. These services may include social casework, case management, and arranging for psychiatric and health evaluation, home care, day care, social services, health care, respite services, and other services consistent with this chapter. The term does not include the services of the department or another protective services agency in conducting an investigation regarding alleged abuse, neglect, or exploitation of an elderly or disabled person.

(6) "Protective services agency" means a public or private agency, corporation, board, or organization that provides protective services to elderly or disabled persons in the state of abuse, neglect, or exploitation.

(7) "Department" means the Department of Protective and Regulatory Services.

(8) "Disabled person" means a person with a mental, physical, or developmental disability that substantially impairs the person's ability to provide adequately for the person's care or protection and who is:

(A) 18 years of age or older; or

(B) under 18 years of age and who has had the disabilities of minority removed.

(9) "Legal holiday" means a state holiday listed in Subchapter B, Chapter 662, Government Code, or an officially declared county holiday.

(10) "Volunteer" means a person who:

(A) performs services for or on behalf of the department under the supervision of a department employee; and

(B) does not receive compensation that exceeds the authorized expenses the person incurs in performing those services.

(b) The definitions of "abuse," "neglect," and "exploitation" adopted by the department as prescribed by Section 48.251 apply to an investigation of abuse, neglect, or exploitation in a facility subject to Subchapters F and H.

(c) Except as provided by Subsection (b), the executive commissioner by rule may adopt definitions of "abuse," "neglect," and "exploitation," as an alternative to the definitions of those terms under Subsection (a), for purposes of conducting an investigation under this chapter or Chapter 142, Health and Safety Code.

Added by Acts 1981, 67th Leg., p. 2368, ch. 584, Sec. 1, eff. Sept. 1, 1981. Amended by Acts 1983, 68th Leg., p. 274, ch. 51, Sec. 1, eff. Aug. 29, 1983; Acts 1983, 68th Leg., p. 730, ch. 172, Sec. 1, eff. Sept. 1, 1983; Acts 1985, 69th Leg., ch. 264, Sec. 16, eff. Aug. 26, 1985; Acts 1987, 70th Leg., ch. 568, Sec. 1, eff. Sept. 1, 1987; Acts 1991, 72nd Leg., ch. 213, Sec. 1, eff. Sept. 1, 1991; Acts 1995, 74th Leg., ch. 76, Sec. 5.95(15), 8.041, eff. Sept. 1, 1995; Acts 1995, 74th Leg., ch. 303, Sec. 3, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1022, Sec. 51, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 907, Sec. 2, eff. Sept. 1, 1999.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1056 (S.B. [221](#)), Sec. 5, eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 1056 (S.B. [221](#)), Sec. 6, eff. September 1, 2011.

## SUBCHAPTER B. REPORTS OF ABUSE, NEGLECT, OR EXPLOITATION: IMMUNITIES

Sec. 48.051. REPORT. (a) Except as prescribed by Subsection (b), a person having cause to believe that an elderly or disabled person is in the state of abuse, neglect, or exploitation, including a disabled person receiving services as described by Section 48.252, shall report the information required by Subsection (d) immediately to the department.

(b) If a person has cause to believe that an elderly or disabled person, other than a disabled person receiving services as described by Section 48.252, has been abused, neglected, or exploited in a facility operated, licensed, certified, or registered by a state agency, the person shall report the information to the state agency that operates, licenses, certifies, or registers the facility for investigation by that agency.

(c) The duty imposed by Subsections (a) and (b) applies without exception to a person whose knowledge concerning possible abuse, neglect, or exploitation is obtained during the scope of the person's employment or whose professional communications are generally confidential, including an attorney, clergy member, medical practitioner, social worker, employee or member of a board that licenses or certifies a professional, and mental health professional.

(d) The report may be made orally or in writing. It shall include:

- (1) the name, age, and address of the elderly or disabled person;
- (2) the name and address of any person responsible for the elderly or disabled person's care;
- (3) the nature and extent of the elderly or disabled person's condition;
- (4) the basis of the reporter's knowledge; and
- (5) any other relevant information.

(e) If a person who makes a report under this section chooses to give self-identifying information, the caseworker who investigates the report shall contact the person if necessary to obtain any additional information required to assist the person who is the subject of the report.

Added by Acts 1981, 67th Leg., p. 2368, ch. 584, Sec. 1, eff. Sept. 1, 1981. Amended by Acts 1983, 68th Leg., p. 730, ch. 172, Sec. 1, eff. Sept. 1, 1983; Acts 1987, 70th Leg., ch. 1052, Sec. 5.02, eff. Sept. 1, 1987; Acts 1989, 71st Leg., ch. 247, Sec. 16, eff. June 14, 1989. Added by Acts 1981, 67th Leg., p. 2368, ch. 584, Sec. 1, eff. Sept. 1, 1981. Amended by Acts 1983, 68th Leg., p. 730, ch. 172, Sec. 1, eff. Sept. 1, 1983; Acts 1987, 70th Leg., ch. 1052, Sec. 5.02, eff. Sept. 1, 1987; Acts 1989, 71st Leg., ch. 247, Sec. 16, eff. June 14, 1989; Acts 1991, 72nd Leg., ch. 14, Sec. 284(22), eff. Sept. 1, 1991; Acts 1995, 74th Leg., ch. 76, Sec. 8.043, eff. Sept. 1, 1995; Acts 1995, 74th Leg., ch. 303, Sec. 6, 15(1), eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1022, Sec. 54, eff. Sept. 1, 1997. Renumbered from Sec. 48.036 and amended by Acts 1999, 76th Leg., ch. 907, Sec. 5, eff. Sept. 1, 1999. Amended by Acts 2001, 77th Leg., ch. 205, Sec. 1, eff. May 21, 2001.

Amended by:

- Acts 2005, 79th Leg., Ch. 268 (S.B. [6](#)), Sec. 2.08, eff. September 1, 2005.
- Acts 2009, 81st Leg., R.S., Ch. 284 (S.B. [643](#)), Sec. 26, eff. June 11, 2009.
- Acts 2013, 83rd Leg., R.S., Ch. 395 (S.B. [152](#)), Sec. 6, eff. June 14, 2013.

Sec. 48.052. FAILURE TO REPORT; PENALTY. (a) A person commits an offense if the person has cause to believe that an elderly or disabled person has been abused, neglected, or exploited or is in the state of abuse, neglect, or exploitation and knowingly fails to report in accordance with this chapter. An offense under this subsection is a Class A misdemeanor, except that the offense is a state jail felony if it is shown on the trial of the offense that the disabled person was a person with mental retardation who resided in a state supported living center, the ICF-MR component of the Rio Grande State Center, or a facility licensed under Chapter 252, Health and Safety Code, and the actor knew that the disabled person had suffered serious bodily injury as a result of the abuse, neglect, or exploitation.

(b) This section does not apply if the alleged abuse, neglect, or exploitation occurred in a facility licensed under Chapter 242, Health and Safety Code. Failure to report abuse, neglect, or exploitation that occurs in a facility licensed under that chapter is governed by that chapter.

Added by Acts 1987, 70th Leg., ch. 1052, Sec. 5.03, eff. Sept. 1, 1987. Amended by Acts 1991, 72nd Leg., ch. 14, Sec. 284(21), eff. Sept. 1, 1991; Acts 1995, 74th Leg., ch. 303, Sec. 7, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 1278, Sec. 1, eff. Sept. 1, 1997. Renumbered from Sec. 48.0361 and amended by Acts 1999, 76th Leg., ch. 907, Sec. 6, eff. Sept. 1, 1999.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 284 (S.B. [643](#)), Sec. 27, eff. June 11, 2009.



*Appendix 2*  
*Sample Forms and Other Resources*

- K. Confidential Notice of Concern
- L. Congregational Safe Church Self-Audit
- M. Volunteer Application
- N. Field Trip Permission
- O. Release For Medical Treatment
- P. Incident Report
- Q. Volunteer Driver Information
- R. Photo Release Form
- S. Procedure for Safe Church Training
- T. Safe Church Training – Information for Hosting Congregation
- U. Duties For Hosting Safeguarding Training

Appendix 2, K – Confidential Notice of Concern

## Confidential Notice of Concern

Once completed, please enclose in a sealed envelope marked “Confidential” and deliver or mail to the rector/priest-in-charge or wardens in the congregation office or mail to the Intake Officer at the Diocesan Office, 4301 Meadowbrook Drive, Fort Worth, Texas 76103.

Individual(s) of concern:

Congregation:

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

**Please describe the situation** — (What happened? Where and when? Who was involved, present, notified? If reported to the State, what was their recommendation about investigating? 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:

Date:

Signature \_\_\_\_\_

Preferred phone:

Email Address:

Reviewed by (Rector/Priest-in-Charge/Warden/Intake Officer):

## Congregational Safe Church Self-Audit (for annual review)

### Screening of Ministry Leaders

There is a well-understood process for screening staff and volunteers who minister with children, youth, and vulnerable persons, which includes:

- A written application;
- A personal interview;
- Verification of personal references; and
- Criminal records check (via Secure Search or other background check service)

Individual records of these procedures are located \_\_\_\_\_, and

\_\_\_\_\_ (name or position) has access to them.

NOTES

### Training of Ministry Leaders

All paid employees and any volunteers whose ministry includes regular contact with children, youth, or vulnerable persons have completed Safeguarding training within the past three years.

Records of completion of this training are located: \_\_\_\_\_

NOTES

### Safe Program Space

There are always two or more unrelated adults present in ministry settings and events designed for children and youth.

All program space whose primary use is for children and youth is visually accessible.

Alcoholic beverages are not stored in publicly accessible areas of the church buildings.

Publicly accessible computers with internet access are password protected and children and youth use church computers only with supervision.

Keys to church spaces are limited to people who have met all the requirements for screening and training of volunteers who work with children, youth and home bound elders.

NOTES



Appendix 2, M – Volunteer Application

# Volunteer Application

**Personal  
Data**

LAST NAME	FIRST	MIDDLE
STREET ADDRESS	CITY	ZIP
Best time to contact you:	PHONE	ALTERNATE #
Have you ever been <u>convicted</u> of a criminal offense (misdemeanor or felony)? Exclude minor traffic violations. If yes, give details. A conviction will not necessarily disqualify you.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
Have you ever been <u>accused</u> of a crime? Have you ever been accused of physically, sexually, or emotionally abusing a child or adult? If yes, please explain.	YES <input type="checkbox"/>	NO <input type="checkbox"/>
List your home address(es) for the past three years:	STREET ADDRESS	CITY
(DATES)		ZIP
(DATES)		
(DATES)		

For which position(s) are you applying?	<b>Position</b>
What interests you about the position?	
What has prepared you for the position?	

# Volunteer Application – page 2 of 3

**VOLUNTEER / PROFESSIONAL / PERSONAL REFERENCES:** Please list at least two volunteer, professional, or personal references. It is preferable that your references be individuals from previous volunteer or employment organizations who can provide information regarding your job-related capabilities.

**References**

NAME	RELATIONSHIP	POSITION	ORGANIZATION	PHONE

Please include employment and volunteer experience, especially any experience working with children and youth. Please attach additional pages as needed. Alternatively, you may attach a current resume or CV including supervisor and contact information.

**Experience**

ORGANIZATION	ADDRESS
CONTACT	PHONE
DATES (FROM-TO)	DUTIES

ORGANIZATION	ADDRESS
CONTACT	PHONE
DATES (FROM-TO)	DUTIES

ORGANIZATION	ADDRESS
CONTACT	PHONE
DATES (FROM-TO)	DUTIES

**CODE OF CONDUCT ACKNOWLEDGEMENT, RELEASE, AND SIGNATURE  
CODE OF CONDUCT FOR PROTECTION OF CHILDREN & YOUTH**

*Please read and initial each item to signify your agreement to comply with this statement:*

\_\_\_\_\_ I agree to do my best to prevent abuse and neglect among children and youth involved in church activities and services.

\_\_\_\_\_ I agree not to physically, sexually or emotionally abuse or neglect a child or youth.

\_\_\_\_\_ I agree to comply with the behavioral standards for adults in ministry with children or youth as defined in the policies of this Diocese and congregation.

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

\_\_\_\_\_ I understand that the church will not tolerate abuse of children and youth and I agree to comply in spirit and in action with this position.



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 driving record, criminal conviction record, sexual offender registry or other qualifications for my volunteering. I also authorize \_\_\_\_\_ Church, and/or \_\_\_\_\_ to request and receive such information.

I also understand that my volunteering may be terminated, or any offer or acceptance of volunteering withdrawn, at any time, with or without cause, and with or without prior notice at the option of \_\_\_\_\_ Person / Church, or myself.

Nothing contained in this application or in any pre-volunteering communication is intended to or creates a contract between myself and \_\_\_\_\_ Person / Church, for either volunteering or the providing of any benefit.

**I HAVE READ AND UNDERSTAND THE ABOVE PROVISIONS.**

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date





Appendix 2, O – Release For Medical Treatment

## Release for Medical Treatment

### Participant Information

Event name \_\_\_\_\_ Event Date \_\_\_\_\_

Participant's name \_\_\_\_\_ Grade \_\_\_\_\_

Email \_\_\_\_\_ Church \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Parent(s) / guardian(s):

Name 1 \_\_\_\_\_ Name 2 \_\_\_\_\_

Preferred phone \_\_\_\_\_ Preferred phone \_\_\_\_\_

Email \_\_\_\_\_ Email \_\_\_\_\_

*In case of an emergency, where the above persons cannot be reached, please notify:*

Name \_\_\_\_\_ Relationship \_\_\_\_\_

Phone (day) \_\_\_\_\_ Phone (night) \_\_\_\_\_

**Medical Authorization:** I/we, the parent(s) or legal guardian(s) of a minor, hereby authorize and consent to any x-ray examination, anesthetic, medical or surgical diagnosis or treatment and hospital care which is deemed advisable by, and is to be rendered under the general or special supervision of any licensed medical personnel on staff of any licensed hospital. This authorization is given in advance of any specific diagnosis, treatment, or hospital care required, but is given to provide authority and power to render care, which is deemed advisable in the best judgment of the physician.

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

Birthdate of minor \_\_\_\_\_ Date of last tetanus shot \_\_\_\_\_

Allergies \_\_\_\_\_

Medications \_\_\_\_\_

Special needs \_\_\_\_\_

Physician \_\_\_\_\_ Physician phone \_\_\_\_\_

Insurance \_\_\_\_\_ Insured's Name \_\_\_\_\_

Policy # \_\_\_\_\_ Group # \_\_\_\_\_

## Incident Report

Date of incident

Date report filed

Person filing report

*Instructions:* As close as possible to the time the incident occurred, a copy of this report must be filled out by the person in charge. Other eyewitnesses to the incident (preferably adults) may also fill out additional copies of this form. You may use a separate sheet of paper.

Location, date and time of the incident

Description of the incident

Your involvement in the incident

Individuals who were injured and a description of the injuries

Description of action taken on behalf of injured

Names of others involved in the incident or witnesses

Name of adult in charge at time of the incident

Cause of the incident (in your opinion)

Additional comments

Appendix 2, Q – Volunteer Driver Information

## Volunteer Driver Information

Driver Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Address \_\_\_\_\_

City / State / Zip \_\_\_\_\_

Phone \_\_\_\_\_ Alternate Phone \_\_\_\_\_

Driver's license # / State \_\_\_\_\_

**Vehicle(s)\* that will be used:**

Name of owner \_\_\_\_\_ Year & make \_\_\_\_\_

Address (street) \_\_\_\_\_ Model \_\_\_\_\_

Address (city/zip) \_\_\_\_\_ Lic. Plate: \_\_\_\_\_

Registration expiration date \_\_\_\_\_

**\* If more than one vehicle is to be used, required information must be provided for each vehicle.**

**Insurance information: \*\***

Insurance company \_\_\_\_\_

Policy # \_\_\_\_\_

Expiration date \_\_\_\_\_ Liability limits of policy\*\* \_\_\_\_\_

**\*\* NOTE:** When using a privately owned vehicle, the insurance coverage is the limits of the insurance policy covering that specific vehicle. The minimum acceptable limit for privately owned vehicles is \$500,000 CSL (Combined Single Limit).

I certify that the information given on this form is true and correct to the best of my knowledge. I understand that as a volunteer driver, I am 21 years of age or older, hold a valid non-probationary driver's license, have no physical disability that may impair my ability to drive safely, and have required insurance coverage in effect on any vehicle used.

Driver's name (print) \_\_\_\_\_

Driver's signature \_\_\_\_\_ Date \_\_\_\_\_

Appendix 2, R – Photo Release Form

## Photo Release Form

I grant permission to The Episcopal Diocese of Fort Worth to use photographs taken of me on the date and at the location listed below for use in church publications such as brochures, newsletters, and magazines, and to use the photographs on display boards, and to use such photographs in electronic versions of the same publications or on web sites or other electronic forms or media without notifying me.

I hereby waive any right to inspect or approve the finished photographs or printed or electronic matter that may be used in conjunction with them now or in the future, whether that use is known to me or unknown, and I waive any right to royalties or other compensation arising from or related to the use of the photograph.

I hereby agree to release, defend, and hold harmless the Episcopal Diocese of Fort Worth, including any firm publishing and/or distributing the finished product in whole or in part, whether on paper or via electronic media, from and against any claims, damages, or liability arising from or related to the use of the photographs, including but not limited to any misuse, distortion, blurring, alteration, optical illusion, or use in composite form, either intentionally or otherwise, that may occur or be produced in taking, processing, reduction, or production of the finished product, its publication or distribution.

I am 18 years of age or older and I am competent to contract in my own name. I have read this release before signing below, and I fully understand the contents, meaning, and impact of this release.

Location of Photo\_\_\_\_\_

Date\_\_\_\_\_

Name (please print)\_\_\_\_\_

Signature\_\_\_\_\_

Signature of guardian if under 18 years of age\_\_\_\_\_

## Procedure for Safe Church Training

### Safeguarding God’s Children/People: Three Modules . . .

#### And Who Needs To Take Which Training

There are three “course options” in the safe church training materials currently in use in the Episcopal Diocese of Fort Worth: Safeguarding God’s Children, Safeguarding God’s People (Preventing Sexual Exploitation) and Safeguarding God’s People (Preventing Sexual Harassment).

While all members of our congregations are encouraged to be informed about these important issues, the specific training *requirements* are determined by a person’s role in the congregation. For example: someone who serves with children or youth needs to take the “Safeguarding God’s Children” training, while someone who is serving on the personnel committee needs to take the “Safeguarding God’s People – Preventing Sexual Harassment” training. The safe church trainings are not sequential and have mutually reinforcing themes.

In order to “fulfill the requirement” for safe church training, an individual must (whenever possible) take the appropriate training within six months of assuming a role related to leadership, children, youth, or vulnerable adults.

- Safeguarding God’s Children
  - This training is required for
    - All those working with children and youth
    - All wardens
    - All employees
  - This training is recommended for
    - All vestry members
- Safeguarding God’s People – Preventing Sexual Exploitation
  - This training is required for
    - All those working with vulnerable populations of adults (the elderly, the infirm and those with disabilities)
    - All wardens
    - All employees
  - This training is recommended for
    - All vestry members
- Safeguarding God’s People – Preventing Sexual Harassment
  - This training is required for
    - All wardens
    - All congregation leaders involved with hiring and finances
    - All employees
  - This training is recommended for
    - All vestry members
    - All leaders of influence (ministry team leaders, etc.)

## **Training Schedule**

To assist our faithful lay leaders in meeting these requirements, the Diocese will offer trainings on a regular schedule. Trainings will be offered throughout the Diocese, to make them easily accessible. Deaneries are asked to host trainings for people in their area and are encouraged to establish a schedule for trainings that suits their needs.

Trainings will be coordinated through the Canon to the Ordinary. Training dates and locations will be posted on the online Diocesan calendar (available 24/7 at edfw.org) and reminders for upcoming trainings announced monthly on/about the last day of each month. Those wishing to register for a training may do so by calling Michele King at the Diocesan office, 817-534-1900.

The trainings will be provided free of charge. In order to make this possible, deaneries/congregations will be asked to host the trainings. A list of tasks to be fulfilled by the hosting deanery/congregation is included in *Toward Healthy Ministry: Safeguarding God's People From Abuse*.

## **Recertification**

Recertification is required every three years. Recertification may be accomplished by:

1. Repeating the same safe church training module.
2. Taking another safe church training module.
3. After completion of any two modules in-person, online training may be used for recertification. On-line training includes a mandatory one-hour group meeting following successful completion of the online module.

Planning for utilization of on-line training for the Diocese of Fort Worth is currently under way.

For wardens and other lay leaders whose ministries require training in multiple modules, the trainings required for the roles in which one is serving must be accomplished, if possible, within one year of starting those roles. The date of the most recent training will serve as the date for indicating when recertification is required.

## **Certification of Trainers**

Trainers are deployed “two by two.” One trainer may be certified and one in process of certification. The trainers work together on signing in those who have registered, leading the workshop, facilitating conversation, issuing certificates to those who complete the workshop, and record-keeping for the Diocesan office.

Lay people and clergy may become trainers through the following process:

1. Completion of at least one Safeguarding module.
2. Leading a Safeguarding module twice, each time with a different already-trained facilitator as a partner.
  - a. Upon completion of each training, reflect on the experience with your training partner.
3. When the training partners certify ability/preparedness of the new trainer, the trainer will be certified by the Bishop.

### **Record-Keeping**

A sign-in sheet will be completed by each person who attends a training. Following the training, this sheet will be transmitted to the Diocesan office by the trainers, signifying successful completion of the training.

This sign-in sheet includes the following information:

- Name of individual
- Congregation where they serve
- Role in which they serve
- Contact information (phone and email)
- Name of the trainer
- Location of training
- Date of training

The Diocesan office will maintain records of all trainings. These records will be updated and confirmed by congregations annually.

Appendix 2, T – Safe Church Training – Information for Hosting Congregation  
**Safe Church Training – Information for Hosting Congregation**

**Thank you for offering to host a Safe Church Training event.**

Your deanery/congregation has offered to host the recertification training on Day & Date. This offering will be included on the Diocesan training schedule and publicized throughout the Diocese.

The following information is provided to make the sessions run as smoothly as possible for all who attend the training, the hosting congregation, and the trainers.

If you have any questions about the logistics of hosting the training, please call Michele King at the Diocesan office, 817-534-1900.

**Basic schedule for an evening training:**

- 5:45 trainers arrive
- 6:00 participants arrive, register and get light dinner
- 6:30 training starts
- Mid-session break
- Training concludes by 9:00 p.m.

**Basic schedule for a Saturday morning training:**

- 8:45 trainers arrive
- 9:00 participants arrive, register and get light dinner
- 9:30 training starts
- Mid-session break
- Training concludes by 12:00 noon.

**Number of attendees:** Diocesan staff will be in contact with your deanery/congregation the week before the training to let you know how many people are registered for the training. Often members of the hosting deanery/congregation ask to register for the training at the congregation; please note that *everyone* attending the training *must* register with the Diocesan office to ensure adequate training materials.

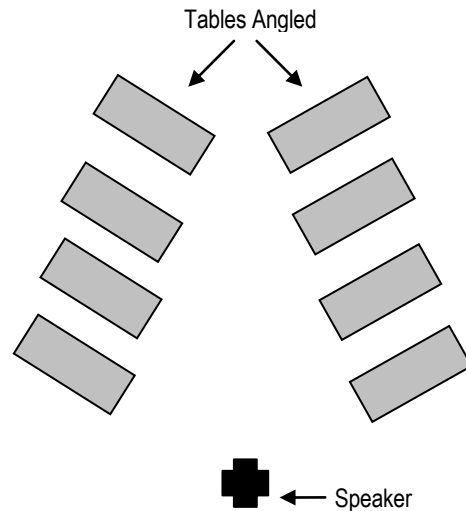
**Equipment Needed:**

- A flip chart and markers
- TV/DVD player or computer/projector/screen
- It may be necessary to use a microphone/speaker system depending on the space and the number of registrants. If the congregation does not have a speaker system, please notify the Diocesan office.

**Set-up of Room:**



- 1 or 2 tables for registration located by the door(s) by which people will enter the room.
- Trash receptacles: At least one trash receptacle near the registration table(s) and another near the area where food is served.
- Tables of 6-8 people.
- If the tables are rectangular, it is best if they are arranged as shown in the diagram below so that people are not sitting with their backs to the trainers.



#### **Hospitality/Food:**

- Coffee/ Tea available upon arrival of participants and left out through the evening.
- Light dinner foods such as sandwiches, salad or soup, fruit and/or cookies or brownies that can also be left out through the evening. Should be simple and should be something that can be served quickly as training will start as participants are eating.
- If providing a meal is a financial burden for the hosting congregation, call Canon to the Ordinary Janet Waggoner before the training to make arrangements for partial reimbursement of expenses.

**Pastoral care: Trainers are deployed two-by-two.** This allows attendees to have private pastoral conversation if the need arises during the training.

**Questions about hosting?** Please do not hesitate to call Michele King at the Diocesan office (817-534-1900), if you have any questions about hosting this training session.

Appendix 2, U – Duties For Hosting Safeguarding Training

## Safe Church Training Host Checklist

Equipment Needed	Person Responsible	✓ Done
Registration Table		
Flip Chart / Easel		
Markers & Eraser		
Lectern		
Pencils		
Microphone (if needed)		
Speaker System (if needed)		
Projector, Screen, Cable, Extra Projection Bulb (or TV/DVD)*		
Trash Receptacles (at Registration table & for food)		
Dinner or Light Snack		
Coffee / Tea		
Tables & Chairs / Room Set-Up		

Personnel	Name	Phone
Host Contact		
Instructor		
Pastoral/Counseling Associate		
AV / Projector Operator *		

\*List the person who will be present and knows how to operate the system in “Personnel.”

NOTES

**Questions About Hosting?**

If providing a meal is a financial burden for the hosting congregation, call Canon to the Ordinary Janet Waggoner before the training to make arrangements for partial reimbursement of expenses.

Please do not hesitate to call Michele King at the Diocesan office (817-534-1900) if you have any questions about hosting this training session.