

**Unitarian Universalist Fellowship of the Peninsula
Policies and procedures for the Prevention and Response to Allegations of
Physical and Sexual Abuse within the Fellowship Community**

March 11, 2003

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**Unitarian Universalist Fellowship of the Peninsula
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Physical and Sexual Abuse within the Fellowship Community**

I. POLICY

A. Philosophy

The Unitarian Universalist Fellowship of the Peninsula does not tolerate abuse within the fellowship community. Believing that a safe environment for all adults and children is crucial to the well being of the life of the fellowship community, we acknowledge the need to prepare ourselves to be able to respond to allegations of physical or sexual misconduct. Current statistical data would indicate that there are adult survivors of sexual abuse within our fellowship, as well children who either have been abused or who are at high risk for abuse. Our major goal is that of prevention; however, where that is not possible, our responses fall within the areas of truth, compassion, support, affirmation, and protection against further harm. (See Attachment 1 for definition of terms.)

B. Scope of Prevention

The general scope of the fellowship's involvement with physical and sexual misconduct and harassment (see Attachment 1) will be framed around prevention. Prevention is fostered in ways that include, but are not limited to:

1. **Education** - Training in understanding and responding to the physical and sexual misconduct of others will be made available to adults, youth, parents and children at least twice a year.
2. **Reporting** - The general statutes of Virginia relating to abuse of children, including the law relative to reporting, will be given to RE (Religious Education) staff and volunteers. Copies of these will be available for others in the RE filing cabinet. Liabilities and responsibilities of our specific church will be sought from legal and insurance counsel.
3. **Support** - Support, counsel, referral, and the promotion of healing will be available to all adult, youth, and children of members of the fellowship.

C. Scope of Response

Because there are wide definitions and examples of physical and sexual misconduct, the response of the fellowship is limited in scope. Counseling and referral on an individual basis to other resources are available through our ministry. The fellowship's specific scope falls within the following categories:

1. **If a minister** or any of the fellowship's leadership, paid or unpaid, are involved as an alleged perpetrator or an alleged victim. (See Attachment 2).

2. **If a perpetrator** within the fellowship discloses a current situation or a past history.
3. **If any adult** within the fellowship alleges sexual harassment or misconduct from another adult member. (See attachment 2, relative).
4. **If any child** within the fellowship discloses fear, harassment, or abuse by any adult, minor, teacher, or parent within or outside of the fellowship.

II. PROCEDURES

A. Implementation of Policy

The **Abuse Response Team**, charged by the Policy Board with receiving and considering reports of alleged physical or sexual misconduct, will serve for a period of 2 years. Standing members of the team will be the Minister, DRE (Director of Religious Education), Chairperson of the Committee on Ministry, along with 2 members to be appointed by the Policy Board. In the event that either the Minister or DRE are implicated in an alleged abuse, the President of the Policy Board will serve temporarily in that person's place on the team. The findings will be as confidential as possible to ensure the safety of those who are vulnerable in the congregation. In the event that a paid staff member of the church is suspected to be a perpetrator, the Abuse Response Team shall share that information with the Policy Board. In support of victims of abuse, see *Healing and Justice Making*, (Attachment 3.)

B. Areas of Focus

1. Screening of Prospective Fellowship Staff and Volunteers

Safeguards in the employment of leadership of all paid and non-paid staff include but are not limited to: clergy, religious education leaders and volunteers, office manager, and childcare givers. An interview process with a minister or trained individual will be followed as a process for individuals to self screen their risk factors, and as a method for better understanding individuals who seek to work or to volunteer.

The following procedures are recommended as a part of the employment process (see Attachments 4 and 5):

- Police check
- Reference checks, including specific questions of any allegations of sexual misconduct; or harassment, or physical abuse
- Signed statement by the applicant of never having been involved in any sexual misconduct or physical abuse
- Signed statement of acceptance of the policies and procedures of the Unitarian Universalist Fellowship of the Peninsula (UUFP) relative to physical and sexual harassment and abuse issues.

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2. **Laws of Virginia**, re: "Child Abuse and Neglect Reporting Law". See Attachment 6

regarding aspects of reporting under Virginia law.

3. Education of the Fellowship:

As listed in “I: B, Scope of Prevention”, RE leadership will peruse currently available UU educational materials and will select the most appropriate context. Parents will be informed prior to using these materials.

4. Response to Allegations

1. If a report is made alleging adult or minor misconduct, harassment or abuse, confidential interviews will be held with both the alleged perpetrator and the alleged victim. Every case will be dealt with individually in a respectful, safe and nurturing environment.
2. If a child discloses physical or sexual abuse to any adult at the UUFP, that adult must contact the Minister or DRE immediately, who will help the adult through the process of following the reporting law of the State of Virginia. Support will be given to family members and to the alleged victim; however, all interviews of the child must be done by a member of the Children’s Protective Services within the Department of Social Services. All religious education teachers of children will receive training in the proper response to allegations.
3. If the alleged perpetrator is a non-family member adult or of the fellowship, a protection plan will be made with that person immediately (see Attachment 7).

III. CLOSING

We seek to do our best for both perpetrators and victims. We have a strong commitment to acting with compassion and fairness, while striving to offer safety and protection for the entire fellowship through education and awareness.

IV. ATTACHMENTS

Attachment 1. Definition of Terms

Attachment 2. Clergy Misconduct: Sexual Abuse in the Ministerial Relationship

Attachment 3. Healing and Justice Making

Attachment 4. Draft Application form for Employment at UUFP

Attachment 5. RE Participant Covenant Statement

Attachment 6. Virginia Child Abuse and Reporting Law

Attachment 7. Draft Example of a Protection Plan Agreement

Attachment 1 Definition of Terms

Child Abuse: Non-accidental act by an adult caregiver upon a child under the age of 18 years which results in any of the following:

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- Physical injury or a substantial risk of physical injury; or
- Sexual contact or exploitation; or
- Serious emotional distress; or
- Any act which constitutes child abuse under the laws of the State of Virginia.

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Sexual Abuse: Any sexual contact or sexual exploitation between an adult or minor caregiver and a child under the age of 18 years.

Sexual Misconduct: Any instance of:

- Undesired or inappropriate sexually orientated humor, language, questions, or comments; or
- Undesired or inappropriate physical contact; or
- Inappropriate comments about clothing or physical appearance; or
- Intimidating or hostile sexually orientated comments.

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Sexual Harassment: Occurs when one person subjects another to repeated, ongoing, and unwanted incidents of sexual misconduct.

Clergy Misconduct: Occurs when a person in a ministerial role commits any instance of sexual misconduct with a member of the fellowship, fellowship employee, or other person associated with the fellowship.

Attachment 2 Clergy Misconduct Sexual Abuse In The Ministerial Relationship

The following is adapted from: *Clergy Misconduct: Sexual Abuse in the Ministerial Relationship*, published by the Center for the Prevention of Sexual and Domestic Violence.

What is it?

Sexual abuse within the ministerial relationship happens when someone in the ministerial role (clergy, religious, or lay) engages in sexual conduct or sexualized behavior with a member of the congregation, an employee, student, or counseling client in the ministerial relationship. Sexual abuse can include physical contact from the person in the ministerial role, such as:

- Sexual touch and “accidental” touching of sexual areas of the body,
- Tickling and playful aggression that seem uncomfortable to you,
- A prolonged hug when a brief hug is customary behavior,
- Kissing on the lips when a kiss on the cheek would be more appropriate,
- Pressing up against your body when hugging,
- An inappropriate gift from your minister (such as lingerie),
- Sexual intercourse with your minister.

Sexual abuse can also include verbal behavior initiated by a person in a ministerial role when such behavior sexualizes a relationship. Examples include:

- Innuendo or sexual talk,
- Suggestive comments,
- Tales of sexual exploits or experiences,
- Questions about intimate details of your relationship,
- Looking for sympathy about his or her partner’s sexual inadequacies,
- Inviting you to hot tub or swim naked, etc.

Why is it wrong?

Sexual conduct within the ministerial relationship is violation of profession ethics. There is a difference in power between a person in a ministerial role and a member of his or her congregation, or a counselee. You cannot give meaningful consent to sexual contact since there is a difference in power between you.

You will seek counseling or support with your minister at times of stress or crises in your life. During these times, you are vulnerable emotionally and can be taken advantage of by a minister who does not do what is best for you.

Is sexual contact between you and a religious leader ever appropriate?

Meaningful consent can occur when two people are relatively equal in power; and fear, coercion, or manipulation is absent from their relationship. Clergy who are seeking a romantic

relationship can do so outside their own congregations. If a religious leader becomes interested in dating or romance with a member of his or her own congregation the clergy person must remove his or herself from a ministerial role in that person's life before ethically pursuing a relationship of this nature. Questions that must be asked to evaluate if it is possible to pursue this type of romantic relationship include:

- Was the ministerial relationship minimal in nature (no counseling involved?),
- Is the minister willing to remove his/herself from the ministerial relationship?
- Is the minister willing to be open about the relationship with the congregation?

How do you know if the boundaries have been crossed?

- If you feel uncomfortable or confused about the interaction,
- If you are receiving unusual time and attention from the minister,
- If you are receiving personal gifts from the minister,
- If the minister is inviting you out for intimate, social occasions,
- When you meet the minister for counseling you end up talking more about his or her problems than your own,
- If the minister touches you in a way that you find confusing, uncomfortable or upsetting,
- If the minister gives you theological rationale for questionable conduct (e.g. God has brought us together).

What should you do if you are sexually attracted to your minister?

There is nothing wrong with your feelings. Your minister may be a very attractive, sensitive, caring person. Should you choose to share your feelings with your minister, it is the minister's professional responsibility to honor your feelings and to help you understand that he or she cannot reciprocate your interest in an intimate relationship. If the minister rejects your attention, he or she is trying to preserve the ministerial relationship with you.

What should you do if you believe you are the victim of sexual abuse by a minister?

- Contact a member of the abuse response team,
- Pay attention to your feelings and trust yourself,
- Share your confusion, fear, or anxiety with someone you trust,
- Remember that you are not to blame, even if you agreed to the relationship in the beginning.
- Remember that you might not be the only person in the congregation to whom this happened and that your action can help both yourself and others,
- Find an advocate who understands church systems and ask for their guidance and support,
- If a child has been sexually abused by the minister, make an immediate report to the Department of Social Services in your community,
- Lodge your complaint with the American Association of Pastoral Counselors.

Attachment 3 Healing and Justice Making

The following is adapted from *The Elements of Justice-Making*, published by the Center for the Prevention of Sexual and Domestic Violence. It is included as an Attachment to the Physical and Sexual Abuse Policy to provide guidance to the congregation as a whole and the Abuse Response Team in particular. It describes some elements in the healing process following abuse.

1. **Truth-telling:** This element of justice making is concerned with breaking the silence that usually surrounds abuse, the silence that allows it to continue. Truth telling is not the same as fact-finding. By “truth” we mean not only the facts about the abuse, but also the emotional, psychological, and spiritual dimensions of the person’s experience. When people speak out about abuse, the abuse loses some of its potency.

2. **Acknowledging the Violation:** The victim must be heard and know that they are heard. The individuals and institutions to which the victim tells the truth must listen, and then acknowledge that what happened was abusive and should never have happened. If the individuals and institutions listen to the victim’s account but never condemn the alleged behavior, they are in part sanctioning the behavior and participating in the injustice. Acknowledging the violation means, in essence saying, “We believe you. You have been harmed by these actions. The behavior is wrong and should never happen. We regret that it happened to you. It was not your fault.” Setting in motion the appropriate response procedures as soon as a disclosure or complaint is made can provide a partial acknowledgment of the violation.

3. **Compassion:** Compassion means “suffering with”. When we hear accounts of others’ suffering, we often try to take action too quickly, try to explain it away, minimize it, or avoid dealing with their emotions so as to avoid our own anger or pain. If we can instead listen empathetically and communicate our emotion about what the person tells us, and be witnesses to the pain, we can help counteract the isolation that victims and offenders feel. Compassion creates a connection between the victim and us. The connection is the first step toward healing the damage brought about by the abuse.

4. **Protecting the Vulnerable:** Once we are aware of the potential for abuse, we must do whatever we can to prevent it. If someone is accused of abuse, steps must be taken to prevent further possible harm. If we do not do so, we are colluding in the harm that may already have occurred.

5. **Accountability:** Institutions rightfully hold their representative accountable for their actions in their institutional roles. When individuals violate their role, the institution should confront them officially and, based on their misconduct, impose consequences. If the consequences are minimal the behavior may continue. Holding the abuser accountable for their actions provides them with an opportunity to acknowledge the repercussions of their actions and to begin to take responsibility for them. Holding and abuse accountable is an important step in the restoration of their health and is also part of the victim’s healing process.

6. **Restitution:** What is lost or damaged when abuse occurs can never be fully restored. Nevertheless, some restitution can and must be made. Restitution does not mean, “fixing”; it is a

“returning to the rightful owner what was taken away” or “payment for damages”. Restitution is a tangible means of acknowledging the harm done while contributing to the repair of the damage. In addition to its symbolic value, it is helpful in a material sense, since victims may incur expenses such as therapy costs, medical bills, and time lost from work.

7. **Vindication:** Vindication for a victim is the ultimate goal of justice. The key to physical, emotional, and spiritual healing is to be set free from the multiple layers of suffering created by the abuse.

**Attachment 4.
Draft Application form for employment at UUF**

Date: _____

Name: _____

Home Address: _____

Phone Number: _____

Email Address: _____

Educational Background:

Work History:

List all other previous work during the past five years (including volunteer work) that involved the supervision of, or working with, children:

Special Interests or Hobbies:

Have you ever been convicted of a criminal felony?

Yes _____ No _____

If yes, please describe:

Have you ever been convicted of child abuse or any crime involving sexual molestation of a minor, OR have any such allegations ever been made about you?

Yes _____ No _____

If yes, please describe:

Personal References:

(We suggest someone who has known you for at least a year and is not a relative.)

Name: _____ Address: _____ Phone: _____

Name: _____ Address: _____ Phone: _____

Name: _____ Address: _____ Phone: _____

Attachment 5
RE Participant Covenant Statement

The Religious Education (RE) Committee of the UUFPP is committed to providing a safe and secure environment for all children, youth and volunteers who participate in ministries and activities sponsored by the RE committee. The following policy statements reflect the committee's commitment to preserving this fellowship as a place of safety and protection.

1. No adult who has been convicted of child abuse (sexual abuse, physical or emotional abuse) may volunteer to work with children or youth in any fellowship sponsored activity.
2. Adult survivors of child abuse need the love and support of our fellowship. Any adult survivor who desires to volunteer in some capacity to work with children or youth is encouraged to discuss his/her willingness with the Minister before accepting an assignment. All adult volunteers involved with children or youth in our fellowship must have been members of the fellowship for at least 6 months before beginning a volunteer assignment. Any exceptions will be made by the RE committee.
3. Adult volunteers with children and youth shall observe the "Two-Adult Rule" at all times so that no adult is ever alone with children or youth.
4. Adult volunteers shall themselves refrain from any abusive or inappropriate behavior and shall immediately report to the RE chair, DRE or Minister any behavior they observe that seems abusive or inappropriate.
5. Adult volunteers with children and youth will not use alcohol or illegal drugs while on a volunteer assignment.

Please answer each of the following questions:

1. As a volunteer in this fellowship, do you agree to observe and abide by all RE safety policies regarding working in ministries with children and youth?
Yes _____ No _____
2. As a volunteer in this fellowship, do you agree to observe the "Two-Adult Rule" at all times?
Yes _____ No _____
3. As a volunteer in this fellowship, do you agree to abide by the six-month rule before beginning a volunteer assignment?
Yes _____ No _____
4. As a volunteer in this fellowship, do you agree to participate in training and education events provided by the fellowship related to your volunteer assignment?
Yes _____ No _____
5. As a volunteer in this fellowship, do you agree to promptly report abusive or inappropriate behavior to the RE chair, DRE or Minister?

Yes _____ No _____

6. As a volunteer in this fellowship, do you agree to inform the Minister of this fellowship if you have ever been convicted of a criminal felony, child abuse, or any crime involving sexual molestation, or if you have ever had such allegations made about you?

Yes _____ No _____

I have read the RE Participation Covenant, and I agree to observe and abide by the policies set forth above.

Signature of volunteer _____

Date: _____

Attachment 6 Virginia Child Abuse and Reporting Law

Who Must Report?

Anyone may report abuse or neglect; however, under Virginia law, certain professionals are required to report. These professionals include:

- Persons licensed to practice medicine or any of the healing arts
- Hospital residents or interns
- Persons employed in the nursing profession
- Social workers
- Probation officers
- Teachers or other persons employed in a public or private school, kindergarten, or nursery school
- Persons providing full or part-time child care for pay on a regular basis
- Accredited Christian Science practitioners
- Mental health professionals
- Law enforcement officers
- Professional staff persons employed by a public or private hospital, institution, or facility in which children are placed

Legal Definitions

According to Virginia law, an abused or neglected child is any child under 18 years of age whose parents or any person responsible for his or her care (such as a child care provider, foster parent, or anyone responsible for the welfare of a child receiving residential care at an institution):

- Causes or threatens to cause a non-accidental physical or mental injury
- Neglects or refuses to provide adequate food, clothing, shelter, emotional nurturing, or health care
- Abandons the child
- Neglects or refuses to provide adequate supervision in relation to a child's age and level of development
- Commits or allows to be committed any illegal sexual act upon a child, including incest, rape, indecent exposure, prostitution, or allows a child to be used in any sexually explicit visual material

Operational Definition

Child abuse includes:

- Physical abuse
- Physical neglect
- Sexual abuse
- Emotional maltreatment

Although some of these are more readily detectable, all of these endanger or impair a child's physical or emotional health and development and, therefore, demand attention.

How to Report

When you suspect that a child is being abused or neglected, you should report your concerns to the local department of social services.

Newport News office: 247-2600 (business hours)

Reports can also be made to the 24-hour child abuse and neglect hotline: 1-800-552-7096

Provide as much information as possible:

- Name, address and telephone number of the child and parents or other person(s) responsible for the child's care
- Child's birth date or age, sex and race
- Names and ages of other people who live with the child and their relationship to the child
- Whether or not there is a family member who can protect the child
- Name, address and telephone number of the suspected abuser and his or her relationship to the child
- The nature and extent of the abuse/neglect, including any knowledge of prior maltreatment of the child or siblings
- Any other pertinent information
- Your name, address and phone number

You may report anonymously if you choose, but you are encouraged to give your name in case the child protective services (CPS) needs to contact you for further information or to inform you of the results of the investigation.

When a report of suspected child abuse or neglect is made, social services staff must determine that the situation described meets the legal definition of child abuse or neglect and whether CPS has the authority and responsibility to investigate.

CPS does not accept all reports of suspected child abuse or neglect for investigation. You will be told whether or not the report will be investigated.

Deciding Whether to Inform the Parents of the Reports

As a childcare provider, you have a relationship with the child and or parents: therefore, you may wish to advise the parents of the report to CPS. Filing a report of suspected child abuse or neglect can be described as "making a referral to request help and services for the child and family."

Instances in which you would not want to inform the parents may include:

- A situation where the child's safety would be jeopardized by the parents' knowing the child has disclosed information to you
- A situation where you believe that the child is in imminent danger and the parent might disappear with the child.

The

identity of all persons who report suspected child abuse or neglect is confidential: however, in

some cases despite the CPS worker's efforts to maintain confidentiality, families may be able to deduce the identity of the reporter.

Penalty for not Reporting

Childcare providers who fail to report suspected child abuse or neglect can be charged with a misdemeanor. If found guilty, the fine is up to \$500 for the first incident and from \$100 to \$1000 for any subsequent incidents.

If an incident of suspected child abuse or neglect is reported, some action will occur. At the very least, a record of the report will be made and your legal obligation will be fulfilled. On the other hand, if the incident is not reported, nothing will be done. Abused and neglected children cannot be protected unless they are first identified, and the key to identification is reporting.

* Information in attachment 6 is obtained from *Assistance for Child Care Providers in Recognizing and Reporting Child Abuse And Neglect*

Attachment 7.
Draft Example of Protection Plan Agreement

CONFIDENTIAL
Protection Plan Agreement

The duly appointed Abuse Response Team of the UUFP has serious concerns about your continued contact with children and / or adolescents in this fellowship. The following guidelines are designed to reduce the risk, to both you and them, of an incident or accusation.

The guidelines are as follows:

1. Avoid all contact with children on UUFP property or at UUFP sponsored events. The restriction includes the following:
 - Any verbal or physical contact with children,
 - Volunteering or chaperoning children (including participation in RE classes, organized children's activities, and transporting children in connection with UUFP activities)
2. Remain in sight of, and within hearing distance, of an adult at all times when children are present on UUFP property or at UUFP sponsored events.
3. Avoid conversations with children on UUFP property or at UUFP sponsored events.
4. The fellowship must provide a safe environment for any groups that use its property. Avoid being unsupervised on UUFP property when any activity that children are participating in or attending is taking place.
5. Inform the minister of the fellowship or a member of the Abuse Response Team of any further developments that may influence our concerns about your possible impact on the well being of the children in this church.

Within the confines of the above guidelines, the fellowship continues to welcome your participation in worship services, community coffees and meals, committee meetings, adult discussion groups, adult social events and well-supervised intergenerational events.

To the extent possible, the Abuse Response Team and the Minister will respect your privacy and right to confidentiality. Our prime responsibility, however, is to ensure the safety of the fellowship as a place for children. The Minister of the fellowship and the Abuse Response Team are your points of contact should further developments or questions arise.

I have read the guidelines and I agree to abide by them.

Signature: _____

Date: _____

Witness: _____

Date: _____