

Hills View Evangelical Free Church - Abuse Awareness, Prevention, and Response Policy – January 30, 2017

I. Policy

Hills View EFC is committed to providing a safe, nurturing, and secure environment in which adults and children may worship and grow in love and service to God.

Unfortunately, even in a church setting, some individuals may be at risk of being physically or sexually mistreated or abused.

To assure that Hills View EFC remains a safe place for all persons the following Abuse Awareness, Prevention, and Response Policies and Procedures (“Policy”) shall govern all church-sponsored programs or activities. For purposes of the Policy, the terms “misconduct” and “child abuse” are defined as follows:

Child Abuse means harm or threatened harm to a child’s health or welfare that occurs through non-accidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment, by a parent, a legal guardian, or any other person responsible for the child’s health or welfare or by a teacher, a teacher’s aide, or a member of the clergy.

Misconduct is behavior that is offensive to the person upon whom it is inflicted or actionable in a church setting and may not reach the legal standard for the definition of abuse.

Physical misconduct means:

- threatened harm or non-accidental injury inflicted on a **minor or legally protected adult**
- or offensive or harmful contact to **any adult** where “offensive” means behavior that is clearly socially unacceptable in the broader church community. Physical misconduct is sometimes a single event, but more often a chronic pattern of interacting with a minor or an adult.

Sexual misconduct includes:

- exploiting or grooming (preparing) a person whether **minor or an adult**—regardless of consent or circumstances—for the purpose of sexual touch, sexual activity, or emotional intimacy with the result of either sexual gratification or power and control over the **minor or adult**;
- unwelcome touch, sexual activity, or emotional intimacy **between co-workers, co-volunteers** where “unwelcome” means behavior that is clearly unwanted or unacceptable in the broader church community;
- or sexual suggestion, sexual touch, sexual activity, or emotional intimacy **between a supervisor and a subordinate** who serve together in a church event or church ministry.

II. Hills View EFC is committed to the following:

- A. Allegations of misconduct or abuse will be taken seriously.
- B. Sexual and physical misconduct or abuse against a child or adult in a church building, in a church-sponsored program, or by church volunteers and church leaders will not be tolerated.
- C. Any applicant for a church volunteer or staff position with a previous history of sexual misconduct or physical assault, or misdemeanor or felony conviction of child abuse, or pleading of no contest to any misdemeanor or felony charge will not be allowed to serve in any positions that put others at risk.
- D. Various means to prevent misconduct or abuse will be utilized to reduce the risk of sexual and physical misconduct or abuse in a church building, in a church-sponsored program, or by church volunteers and church leaders.
- E. Allegations by a minor of sexual or physical misconduct by a church volunteer, church employee, or church leader, in a church facility, or in a church-sponsored program will be reported. Child protection authorities will be notified within 24 hours if there is reasonable cause to suspect that child abuse has occurred. Hills View EFC will cooperate with the civil authorities responsible for handling reported incidents of abuse.
- F. An accused person has the right to due process, both civilly and in the church.
- G. A victim is not to be held responsible for misconduct or abuse that occurs.
- H. A volunteer or church leader who is accused of misconduct will be removed from serving until the allegations are resolved.
- I. A volunteer, employee or church leader who confesses or is found guilty of sexual or physical misconduct against a minor or adult parishioner will be removed or dismissed from position or office.
- J. A volunteer or church leader removed or dismissed from position or office will not be considered for re-entry or reinstatement to any position that puts others at risk. No decisions regarding reinstatement will be made without the advice of legal counsel.
- K. All persons directly or indirectly involved with incidents of misconduct or abuse are to act with honesty, charity, and confidence in God's power to forgive and heal.

III. Abuse Awareness and Prevention

- A. **Screening of Employees:** All prospective employees shall agree to:
 - 1. Complete an employment application.
 - 2. Authorize Hills View EFC to obtain background information and opinions from former employers, personal references, educational institutions, credit agencies, reporting services and governmental agencies.
 - 3. Allow Hills View EFC to verify background information and credentials.
 - 4. Allow Hills View EFC to obtain criminal and credit history, motor vehicle records, and to check the sex offender registry.
 - 5. Different levels of background checks are conducted depending on the responsibilities of the relevant employee position.

B. Screening of Volunteers: All potential volunteers shall agree to:

1. Complete a volunteer information form.
2. Authorize Hills View EFC to do a criminal record search, a statewide sexual offender search, and for any volunteers who are likely to be driving a church vehicle in their volunteer capacity, to obtain driving or motor vehicle records. .

C. Screening Responsibilities and Confidentiality: Staff members are responsible for having the volunteers and employees in their area of supervision complete a volunteer information form or employment application and a background check release form. All information received will be confidential; background check information will be available only to the Pastor, Hills View Elder Team, and to those who are directly responsible for making the selection of an employee or volunteer.

D. Ministry Guidelines: Each ministry area will follow guidelines designed to protect program participants from abuse. These guidelines will be consolidated as the Abuse Prevention, Safety, and Discipline Guidelines and will be used for church volunteers and church leaders to prevent misconduct and to create positive role models in the church.

E. Facility Guidelines: Hills View EFC will endeavor to incorporate features in its buildings and to maintain its facilities in a manner that helps prevent misconduct and abuse, that enables persons with disabilities to participate, and that reduces safety risks to all who come to the church.

IV. Reporting

A. All Allegations: Staff, volunteers, or anyone in a position representing Hills View EFC are required to report any allegations of misconduct or any suspected abuse to the Pastor, an Elder Team Member or to the ministry leader who will report the allegation to the Pastor. Individuals should report to a member of the Elder Team if the Pastor is involved in the allegation(s). It is not the responsibility of the reporting person to substantiate the alleged misconduct or suspected abuse, but only to report the suspected abuse or the incident.

B. Additional Reporting for Suspected Child Abuse: If the alleged victim is a child, the first-hand reporter may report the suspected abuse or the incident directly to Children's Protective Services. They must complete a Report of Possible Child Maltreatment. This information is confidential; the identity of the reporter will also be kept confidential so far as possible. Upon receiving the report, the Pastor and at least one Member of the Elders Team shall make an initial determination of whether there is reasonable cause to suspect that abuse has occurred. If the Pastor and Member of the Elder Team conclude that there is reasonable cause to suspect that abuse has occurred, the Pastor or a member of the Elder Team shall report the suspected abuse to Children's Protective Services.

V. Responding to Allegations

A. A small Response Team of church leaders will oversee the response to allegations. This team is comprised of at least two of the following: the Pastor and /or 1 or 2 members of the Elder Team.

B. The Response Team should first promptly determine:

1. Whether the alleged victim is a child or an adult
2. Whether the alleged offender is a church leader (paid staff, office bearer, or appointed volunteer)
3. Whether there is reasonable cause to suspect that misconduct or abuse has occurred. "Reasonable cause" is defined as a suspicion founded on circumstances sufficiently strong to justify a reasonable person in the belief that the allegations are true.

C. Allegations Involving a Child

If there is reasonable cause to suspect that a person at Hills View EFC is involved in an incident of misconduct, the Response Team should determine in consultation with the Abuse Prevention Committee the appropriate course of action based on the known information and the circumstances of the incident or situation. The Response Team should respond using the principles and guidelines outlined in this policy.

D. Allegations by an Adult Against A Church Leader

If the allegations are made by an adult against a church leader (paid staff, office bearer, or appointed volunteer) of Hills View EFC, the Response Team shall consult with the Committee and determine the appropriate response and course of action using the principles and guidelines outlined in this policy.

VI. Criminal Proceedings: For either church leaders or non-church leaders, if criminal proceedings are involved, the Response Team and the Abuse Prevention Committee shall promptly revisit the matter at the conclusion of the criminal proceedings and take other such action as the circumstances may dictate.

VII. Press Statements: The church legal counsel will handle all press statements with the Pastor and Elders Team. Requests for press statements will be referred to the church attorney.