

## **Safe Conduct Policy**

### **First Congregational, United Church of Christ, of Anoka**

Approved by the Personnel Committee, January 2016

As a community of Christian faith, the First Congregation Church United Church of Christ of Anoka, (hereinafter FCUCC) is committed to creating and maintaining programs, facilities, and a community in which employees, volunteers, and persons served by the FCUCC can work together in an atmosphere free from all forms of discrimination, harassment, exploitation and/or intimidation.

### **Requirements for Employees and Volunteering, Working with Children, Youth and Adults**

Volunteers will submit the Safe Conduct Application and disclosure form attached.

Prior to assignment as an employee or volunteer, FCUCC will carry out a registered sex offender review by searching by name on the Department of Justice website at [www.nsopr.gov](http://www.nsopr.gov) and a State Criminal Background check at either of the two following sites: [pa.courts.state.mn.us](http://pa.courts.state.mn.us) OR [cch.state.mn.us](http://cch.state.mn.us). The registered sex offender review will be repeated, at a minimum of every three years, for volunteers who return to or continue in their positions. In addition, reference checks may also be conducted for volunteers. Search results are confidential and kept in a secure place in the church office.

### **Additional Requirements**

FCUCC is committed to providing a safe and healthy environment in which young people can learn about and experience God's love. In order to promote this goal, the following requirements apply, in addition to the general requirements listed previously.

The following expectations and regulations shall also apply to any church youth and/or child programming.

FCUCC desires and expects to provide adequate supervision and safeguards for youth and child activities. In situations where participants are not readily visible to each other, no fewer than two adults will be present with children. Youth over the age of 16 may assist an adult in supervising children and youth activities.

The ratio of adults to youth or children for supervision of overnight and off-site activities will be no less than one to **six**. If groups of youth include both male and female youth, there must be both male and female adult supervisors.

In situations of overnight housing, if adults are housed in the same room as youth, at least two adults must be assigned to each room.

### **Procedures for Handling Complaints of Sexual Exploitation or Harassment**

The Anoka UCC Minister and the Personnel Committee will oversee the investigation into and response to any complaints under this policy involving employees or volunteers.

Several approaches may be used to resolve the complaint.

- a) The complainant can attempt to resolve the matter directly with the respondent—the individual accused of sexual exploitation or harassment or physical or verbal abuse.
- b) The complainant can report the incident to his/her supervisor, the personnel committee, or the minister, in an effort to resolve the matter informally.
- c) If the informal resolution of the complaint does not seem appropriate, possible, or does not succeed, the complainant may request that the Minister and the personnel committee institute formal proceedings to investigate the matter.

A decision on removal of the accused must be made:

a) In all cases, if the situation has the potential of harm to any individual, the person against whom the complaint is made will be immediately suspended from the position while investigation is carried out.

*b) If the alleged behavior took place at FCUCC or at an FCUCC event by a volunteer or employee, the appropriate Pastor or event coordinator (if not the accused) will take the leadership in determining how best to assure the safety of all. The Pastor/Event Coordinator must make an immediate decision whether or not to remove the individual against whom a complaint has been made from the leadership position based on the following:*

- 1) If the situation has the potential of harm to any individual, the individual against whom the complaint has been made must be removed.
- 2) If it is unclear whether or not the situation has the potential of harm to any individual, the individual against whom the complaint has been made must be removed.
- 3) If the Pastor/Event Coordinator reasonably believes the situation does not have the potential of harm to any individual, then the Pastor/Event Coordinator may decide to remove the individual against whom the complaint has been made or may leave that individual in place.

c) Before any individual against whom the complaint has been made may return to employment or volunteer ministry, a full investigation of the matter must be made with written records filed and a determination made of the employee or volunteer's fitness to return.

If the formal investigation is required, the resulting documentation shall state determinations and required actions appropriate to resolve the matter.

If it is found that sexual exploitation or harassment or physical or verbal abuse has occurred, action taken may include:

- a) a formal reprimand, with defined expectations for changed behavior
- b) an assignment to probationary standing, with the terms of the probation clearly defined
- c) dismissal from employment or volunteer ministry
- d) other actions appropriate to the individual's position

## **General Conditions**

The investigating individual may seek the advice of legal counsel to advise him/her in performing the investigation.

The person(s) toward whom the inappropriate behavior is directed need not be the complainant. Moreover, neither consent nor acquiescence will excuse or exonerate inappropriate behavior. FCUCC may initiate or proceed with the formal complaint process at any time.

In determining whether alleged conduct constitutes sexual harassment or exploitation or physical or verbal abuse, consideration shall be given to the record of alleged incident(s) as a whole and to the totality of the circumstance, including the context in which the alleged incident occurred.

Any person bringing a sexual harassment, exploitation or physical or verbal abuse complaint or assisting in investigating such a complaint will not be adversely affected in terms and conditions of employment or otherwise discriminated against or discharged.

A written summary of the investigation and recommendations will be maintained in confidential, locked files in the Church Office.

### **Clergy**

Apart from any disposition of the matter by FCUCC, all allegations of behavior that call into question the fitness for ministry of any Authorized Minister will promptly be forwarded to the Committee on Ministry of the UCC Minnesota Conference.

### **Definitions**

**Authorized Minister:** a person who holds ordained ministerial standing or has been commissioned or licensed by an Association (or Conference) of the United Church of Christ.

**Ministerial Relationship:** the relationship between one who carries out the ministry of FCUCC and the one being served by that ministry.

**Sexual Exploitation:** sexual activity or conduct (not limited to sexual intercourse) in which a person engaged in a ministerial relationship with another takes advantage of the vulnerability of the person being served by causing that person to engage in sexual behavior with FCUCC employee or volunteer.

**Sexual Harassment:** repeated or coercive sexual advances toward another person contrary to his or her wishes. It includes behavior directed at another person with the intent of intimidating humiliating or embarrassing the other person, or subjecting the person to public discrimination. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

Submission to such conduct is made either explicitly or implicitly a term or condition or circumstance of instruction, employment or participation in any FCUCC activity; or

Submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making personnel or FCUCC related decisions affecting an individual; or

Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or participation in FCUCC activities or creating an intimidating, hostile or offensive work or church environment.

Prohibited sexual harassment includes unsolicited and unwelcome contact that has sexual overtones, particularly:

Written contact, such as sexually suggestive or obscene letters, notes, e-mails or invitations;

Verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender specific traits, sexual propositions;

Physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement, assault, coercing sexual intercourse; and

Visual contact, such as leering or staring at another's body, gesturing, displaying sexually suggestive objects or pictures, cartoons, posters, or magazines.

Sexual harassment also includes continuing to express sexual interest after being informed directly that the interest is unwelcome and using sexual behavior to control, influence, or affect the career, salary, work, learning or worship environment of another. It is impermissible to suggest, threaten, or imply that failure to accept a request for a date or sexual intimacy will affect a person's job prospects, leadership opportunities, or comfortable participation in the life of FCUCC. It is forbidden either to imply or actually withhold support for an appointment, promotion, or change of assignment, to suggest that a poor performance report will be given because a person has declined a personal proposition; or to hint that benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations or reclassifications, will be forthcoming in exchange for sexual favors.

**Approved by the Church Council April 12, 2016**



Please read and respond to the following:

Have you resided in states other than Minnesota in the past 10 years?

Yes       No

*If yes, what states:* \_\_\_\_\_

I have never been convicted of, nor pled guilty or no contest to, a crime. (Exclude convictions that have been sealed, expunged or legally eradicated, misdemeanor convictions for which probation was completed and the case was dismissed, or offenses about which inquiry is not permissible in this state)

True       Not True

*If not true, please briefly describe the nature of the crime(s), the date and place of conviction and the legal disposition of the case. The Church will not deny a position to any applicant solely because the person has been convicted of a crime. The Church, however, may consider the nature, date and circumstances of the offense, as well as whether the offense is relevant to the duties of the position applied for.*

No civil lawsuit alleging actual or attempted sexual discrimination, harassment, exploitation, or misconduct; physical abuse; child abuse; or financial misconduct has ever resulted in a judgment being entered against me, been settled out of court, or been dismissed because the statute of limitations has expired.

True       Not True

*If not true, give a short explanation of the lawsuit. (Please indicate the date, nature, and place of the incident leading to the lawsuit; where the lawsuit was filed; and the precise disposition of the lawsuit.)*

I have never terminated my employment, professional credentials, or service in a volunteer position or had my employment, professional credentials, or authorization to hold a volunteer position terminated for reasons relating to allegations of actual or attempted sexual discrimination, harassment, exploitation, or misconduct; physical abuse; child abuse; or financial misconduct.

True       Not True

*If not true, give a short explanation. (Please indicate the date of termination; name, address, and telephone number of employer or volunteer supervisor; and nature of the incident(s) leading to your termination.)*

Do you have a valid drivers' license?

Yes       No

With respect to my driving record, I have not had my license suspended or revoked within the last five years due to reckless driving or driving while intoxicated and/or under the influence of a controlled substance.

True       Not True



**Internal Use Only:**

References Checked: Date: \_\_\_\_\_ Initials: \_\_\_\_\_

Background Checked: Date: \_\_\_\_\_ Initials: \_\_\_\_\_