

## **Safe Conduct Policy**

### **Minnesota Conference, United Church of Christ**

Approved by the Board of Directors, 07 May 2011

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

All persons associated with the UCCMN should be aware that the Conference is opposed to Sexual Exploitation, Sexual Harassment and physical or verbal abuse and that such behavior is prohibited by the UCCMN policy. It is the intention of the UCCMN to take action to prevent and correct behavior that is contrary to this policy and, as necessary, to discipline those persons who violate this policy.

#### **Conduct of Employees and Volunteers**

Consistent with the ministry of all believers, every employee, Authorized Minister, and volunteer, must be adequately prepared and educated for the ministry in which they serve others and to understand ways in which the use or misuse of authority may impact others.

It is the policy of the UCCMN to encourage its employees and volunteers to nurture safety within the Ministerial Relationship and ministry activities by being attentive to self-care, education, maintenance of appropriate boundaries, and referral of those in need to supportive and helpful resources.

Sexual Exploitation, Sexual Harassment, physical or verbal abuse of employees, volunteers, or others by anyone engaged in ministry, including any program or activity, on behalf of the UCCMN is unethical behavior, will not be tolerated by the UCCMN, and may be cause for immediate termination of employment or volunteer position with the UCCMN and/or other appropriate disciplinary action.

Other workplace harassment is defined in the UCCMN's Personnel Policies Manual, Section 1.3, with consequences specified.

#### **Requirements for Commencing and Continuing Employment or Volunteerism**

Before beginning any Conference-Assigned Duties, all employees and volunteers will submit the MN Conference Safe Conduct Application and Disclosure form attached hereto or a similar version thereof.

Prior to **employment**, the UCCMN will conduct a criminal background check and employment reference for all prospective employees, including, but not limited to, a registered sex offender review for each prospective employee by searching by name on the Department of Justice website at [www.nsopr.gov](http://www.nsopr.gov). The registered sex offender review will be repeated on an annual basis for all employees.

Prior to **assignment as a volunteer**, the UCCMN 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). The registered sex offender review will be repeated annually for volunteers who return to or continue in their positions. In addition, reference checks may also be conducted for volunteers.

In addition, all Authorized Ministers employed by the UCCMN will complete boundary workshops required by the UCCMN, attending at least one approved workshop on this topic within two years of receiving standing and every three years thereafter.

### **Additional Requirement Child and Youth Ministry**

The UCCMN 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 above.

- All prospective **employees and volunteers who regularly work with children and youth** will submit a disclosure statement substantially similar to the MN Conference Safe Conduct Application and Disclosure form hereto attached.
- Before beginning their duties, **all prospective employees for youth and children ministry** will undergo a background check, including but not necessarily limited to inquiries of references and criminal history verification by a third party vendor.
- All prospective **volunteers for children and youth ministry** will undergo a background check, ordinarily including but not necessarily limited to, inquiries of references. Volunteers for Conference programming for youth (including Pilgrim Point Camps & Retreats and UCCMN youth and children events) are preferred to have twelve months of active involvement with a local church of the Minnesota Conference United Church of Christ.
- All employees and volunteers who work regularly with children and youth must complete Conference-approved training regarding safe conduct policies and procedures. A list of acceptable programs will be made available upon request.
- All adults are expected to present a mature model of Christian behavior for those being supervised. The use of drugs, alcohol, ammunition, fireworks or firearms is not permitted when children or youth are present and/or during children and youth events.

The following expectations and regulations shall also apply to any Conference youth and/or child programming, including Pilgrim Point Camps & Retreats and UCCMN Youth Events.

- The UCCMN 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 preferably unrelated adults will be present with children. Youth over the age of 16 may assist an unrelated adult in supervising children and youth activities; however, such assistance does not alter the requirement that at least two preferably unrelated adults be present. For purposes of this policy, "related" adults will include those adults in relationship with each other regardless of marital status or sexual orientation.
- 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 unrelated adults must be assigned to the room. When housing is in hotels or college dormitory rooms, it is recommended that youth and adults be housed in separate rooms.

- Except in emergency situations, signed written consent of one custodial parent or guardian of a minor (including transportation consent if appropriate) will be required for all activities off the property of the UCCMN or a UCC-affiliated church or any overnight activity.
- A medical information and/or release form is required for all children and youth attending Conference events taking place away from parental supervision.

In the event youth (ages 13-17) are used as volunteers with children (ages 0 – 12), due diligence will be employed to team the youth with a preferably unrelated adult. At least five years separation between adults or youth 13-17 in supervision and the children/youth they supervise is the recommended rule.

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

Alleged incidents involving Conference employees will be addressed as outlined in the Personnel Policies Manual Section 1.3 of the Minnesota Conference United Church of Christ.

The Minnesota Conference Minister or his/her designee will oversee the investigation into and response to any complaints under this policy involving 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 the supervisor of the MN Conference event, the staff person, or the ministry team chair, in an effort to resolve the matter informally.
- c) If the informal resolution of the complaint does not seem wise, appropriate, possible, or does not succeed, the complainant may request that the Conference Minister 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 in a Pilgrim Point Camps & Retreats setting or MN Conference event by a volunteer, the appropriate Site Manager or MN Conference event coordinator (if not the accused) will take the leadership in determining how best to assure the safety of all. The Site Manager/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 Site Manager/Event Coordinator reasonably believes the situation does not have the potential of harm to any individual, then the Site Manager/Event Coordinator may decide to remove the individual against whom the complaint has been made or may leave that individual in place.
  - c) If the alleged behavior is that of a volunteer and took place in a MN Conference youth ministry setting, and, if conversations among the persons involved do not assure the safety of all, the leader of the event (if not the accused) must immediately remove the individual against whom a complaint has been made from the leadership position and from the event.
  - d) Before any individual against whom the complaint has been made may return to volunteer ministry, a full investigation of the matter must be made with written records filed and a determination made of the 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 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. The UCCMN 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 Conference Office.

### **Child Abuse**

Apart from any legal requirements, the UCCMN will make a report to appropriate authorities, including but not limited to the Minnesota Department of Family and Children's Services, if at any time the UCCMN has reasonable cause to believe that a minor may be an abused or neglected child.

Any employee or volunteer of the UCCMN who becomes aware of facts or circumstances that child abuse or neglect may occur in the reasonably foreseeable future shall immediately report the matter to the Minnesota Department of Family and Children's Services. The Minnesota child abuse hotline number is (800) 422-4453. (The nationwide Child Abuse Hotline is 1-800-25ABUSE).

### **Clergy**

Apart from any disposition of the matter by the UCCMN, 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 Minnesota Conference Acting as an Association.

### **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 the UCCMN 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 the UCCMN 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 UCCMN activity; or

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

Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or participation in UCCMN 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 the UCCMN. 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.

**Volunteer with Conference-Assigned Duties:** a person who has been appointed or elected by the Conference Board of Directors and/or Annual Meeting and/or who has been asked by an entity or staff member of the Conference to perform a particular volunteer duty on behalf of the Minnesota Conference.

*(See MN Conference Safe Conduct Application and Disclosure form on following pages)*



Please read and respond to the following:

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 Conference will not deny a position to any applicant solely because the person has been convicted of a crime. The Conference, 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

Is there any fact or circumstance involving you or your background that would call into question your being entrusted with the responsibilities of the position for which you are applying?

Yes

No

*If yes, please provide a brief explanation.*

*Please read the following carefully and sign:*

The covenants between persons seeking authorized volunteer positions in the Minnesota Conference of the United Church of Christ require honesty, integrity, and truthfulness for the health of the Conference. To that end, I attest that the information set forth in this application is true and complete. I understand that any misrepresentation or omission may be grounds for rejection of consideration for, or termination of, the position I am seeking to fill. I acknowledge that it is my duty in a timely fashion to amend the responses and information I have provided if I come to know that the response or information was incorrect when given or, though accurate when given, the response or information is no longer accurate.

Beginning such relationships with an open exchange of relevant information builds the foundation for a continuing and healthy covenant between volunteers and the Conference they seek to serve. To that end, I authorize The Minnesota Conference and/or its agents to make inquiries regarding my character and qualifications, including all statements I have set forth above. I also authorize all entities, persons, former employers, supervisors, courts, law enforcement, and other public agencies to respond to inquiries concerning me, to supply verification of the statements I have made, and to comment on and state opinions regarding my background, character, and qualifications. To encourage such persons and entities to speak openly and responsibly, I hereby release them from all liability arising from their responses, comments, and statements.

The Minnesota Conference authorized volunteer and employee recruitment process involves the sharing of information regarding applicants with those persons in a position to recruit, secure, and supervise both the position I am seeking to fill and program I am seeking to participate in. To that end, I authorize the Minnesota Conference and its agents to circulate, distribute, and otherwise share information gathered in connection with this application to such persons for these purposes. I understand that the Minnesota Conference will share with me information it has gathered about me, if I request it to do so.

I acknowledge the above statements. I have read the Minnesota Conference Safe Conduct Policy on the Conference website ([www.uccmn.org](http://www.uccmn.org)) or have received and read a print copy from the Conference office.

I have read the Minnesota Conference UCC Safe Conduct Policy.

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**(PRINT NAME & SIGN)** **DATE**

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**(PRINT NAME & SIGNATURE OF PARENT OR GUARDIAN FOR APPLICANTS UNDER 18)** **DATE**

References Checked: \_\_\_\_\_  
**DATE** **INITIALS**