

Ashland United Methodist Church

Children, Youth, and Vulnerable Adults Protection Policy (Safe Sanctuary Policy)

It is the policy of Ashland United Methodist Church to provide a safe environment for all children, youth and vulnerable adults participating in church activities. The Ashland United Methodist Church Education Committee shall establish and maintain guidelines to protect youth, children, vulnerable adults, and workers involved in church sanctioned and sponsored activities.

The Education Committee is charged with the responsibility of implementing procedures governing the conduct of workers involved in church activities, including, but not limited to, procedures for the care and supervision of children, youth and vulnerable adults, that ensure physical safety, staffing requirements, screening and training of workers, transportation guidelines, and release and consent processes.

From here on the policy will be called "Safe Sanctuary". This policy includes but is not limited to all statements and guidelines listed above and hereafter.

A temporary Safe Sanctuary team will meet as needed or at least every three years, to thoroughly review and update policy and guidelines. The team shall consist of, but not be limited to, the Director of Educational Ministries and a representative from each of the following committees: Trustees, Staff-Parish, Music, Education, and Communications.

Statements included in the Safe Sanctuary policy:

- Guidelines for Workers with Children, Youth and Vulnerable Adults
- Sexual Misconduct Policy
- Acceptable Use Policy for using electronic media, for Ashland United Methodist Church
- Privacy Statement related to use of the webpage

Definitions:

National Background Check: A search of databases including, but not limited to, a person's criminal record, appearance in National registries, and Social Security number.

Supervisory Adult: A trained person at least 21 years old. An adult who is at least five years older than the oldest child or youth participating in a church function. This person has been trained in accordance with this Safe Sanctuary policy.

Youth Worker: A trained person of 16-17 years old. Is eligible to work with children where the Youth Worker is at least five years older than the oldest child participating.

Young Adult Worker: A trained person of 18-20 years old. Is eligible to work with children and youth where the Young Adult Worker is at least five years older than the oldest child participating.

Adult Leader: Any Youth Worker, Young Adult Worker or Supervisory Adult providing guidance or supervision for an event or program involving children, youth or vulnerable adults.

Vulnerable Adults: A person who is chronologically an adult (18 years old and older) but has limited cognitive, emotional or physical abilities causing him/her to be unable to speak for or defend him/herself.

Child: Any person under 18 years of age.

Youth: Any child in Middle or High School

Line of Sight: Being able to see what is happening in a given room by looking around through window or doorway within a reasonable distance.

Line of Sound: Being able to hear what is being said to children, youth and vulnerable adults within a reasonable distance

Ashland United Methodist Church GUIDELINES FOR WORKERS WITH CHILDREN, YOUTH AND VULNERABLE ADULTS

SCREENING AND TRAINING

- All volunteer workers must have regularly attended Ashland United Methodist Church for a minimum of Six (6) months prior to volunteering and working with children, youth or vulnerable adults
- All workers must go through the church's screening process before they may work with Children, Youth or Vulnerable Adults. Including but not limited to: A National Background check, Check of the Central Registry of Child Abuse & Neglect, Personal Reference check, Application and Training in Safe Sanctuary. Those who will be driving Children, Youth, or Vulnerable Adults must also go through a Department of Motor Vehicles (DMV) check. The full screening process is to be completed approximately every two (2) years. The Pastor will contact the worker if issues arise during the screening process.
- The church realizes and is sensitive to Child Abuse Adult Survivors. If you feel this is a concern in your particular situation, the pastor is available to confidentially discuss these issues with you.
- Mandatory training on children, youth or vulnerable adult abuse issues will be provided to all Youth Workers, Young Adult Workers and Supervisory Adults. Bring Driver's License or photo ID when checking into training. After completed mandatory training, it is suggested that all workers participate in periodic continuing education on this subject.
- Training in CPR, First Aid and emergency equipment in church will be offered for continuing education and certification renewal.
- Workers must read and understand the policies of Ashland Church, including but not limited to: Acceptable Use for using Electronic Media, Privacy Statement, and Sexual Harassment Reporting Procedures. Workers must also sign the attached Worker's Pledge.
- All workers are to follow the procedures stated in the Sexual Misconduct and Abuse Policy of Ashland United Methodist Church, when reporting an incident of abuse.
- Communications using Electronic Media will adhere to our Acceptable Use Policy. See attached Policy.
- Personal contact information on church members and staff will not be given to anyone for non-church related events, functions or duties

REGULAR OPERATIONS

- Two Deep Rule: Primarily for reasons of physical safety, there should be at least two Adult Leaders (more, if necessary) whenever there is an activity/event involving Children, Youth, or Vulnerable Adults. The Supervisory Adult needs to be at least 21 years old and five (5) years older than the oldest child or youth participating in the program.
- Other church sponsored or community groups of children or youth who meet at the church should have two or more Adult Leaders present
- A roving monitor may be provided during the activities/events in order to meet the Two Deep Rule. The door to the activity space should always remain open, if there is no glass in the top portion of the door. (A roving monitor is a trained Supervisory Adult who will be responsible for monitoring a classroom or event when only one adult is present. This person will remain within the assigned area.)
- In no case should any Children, Youth, or Vulnerable Adults be left alone.
- Open Door Policy- Parents of the children served, the clergy, administrative and professional staff of the church have the right to visit and observe the children's/youth's activity, classroom, or church sponsored program at any time, unannounced.

- Interactions between Children, Youth, and Vulnerable Adults with the Adult Leaders should be within Line of Sight and Line of Sound of other Adult Leadership in the church.
- A married couple will count as one worker when working with children, youth or vulnerable adults. Also when male and female children/youth are present for an activity over an extended period of time or off-site activity, there will be male and female worker supervision.
- When taking children to the rest room, the worker should allow the child to enter alone, and the worker should remain outside the rest room, unless assistance is needed. In any instance requiring supervision in the rest room (multiple children, toilet training, etc.), the door of the rest room should remain open.
- Only a Supervisory Adult or Young Adult worker should change a child's diaper and in full view of the other worker(s) present
- Parents will fill out an "approved pick up person" form for their child. Children will not be released to anyone except those listed. Other arrangements can be made with prior notification to the teacher. An approved pick-up list shall be kept for each child in their classroom.
- For the safety of our children, access to the nursery will be limited to the trained nursery personnel.
- Consent and medical release forms are to be used for all church sponsored off-site activities. Copies are to be with workers at all times.
- If an off-site activity involves water activities and no lifeguard will be present, parents are to be notified prior to the event.
- Access to the Application and Authorization forms is to be limited to:
 - Staff – Pastor; Chairperson of Staff Parish Relations Committee
 - Volunteers – Pastor; Director of Education Ministries, or selected appointed administrative personnel

TRANSPORTATION

- In the case where children, youth or vulnerable adults are traveling in a caravan to an event, a minimum of one Supervisory Adult per vehicle will be required as long as the worker in each vehicle is in clear view of a Adult worker in the next vehicle.
- Each driver must be 21 years of age and an approved driver through the church screening process. Approval includes a DMV check of driver's license. Any questions that occur will be addressed in consultation with the Pastor, Director of Education Ministries or Staff Parish Chairperson.
- When chartering a bus for events on behalf of Ashland UMC, a current copy of the bus driver's Commercial Driver's License (CDL) will be requested and kept on file at the church for reference.
- When renting a vehicle (ie. car , minivan etc.) other than bus on behalf of Ashland UMC, purchase of the renting agency's insurance will be required as church's insurance does not cover rented vehicles.

REGISTERED OFFENDER PARTICIPATION

- Individuals who have been convicted of or have a finding of: physical or sexual abuse or neglect may not work in any church-sponsored activity or program for Children, Youth, or Vulnerable Adults.
- If a person who participates or desires to participate in worship or other activities or programs of Ashland Church is found to be a convicted child sex offender or found to be listed on national offender registries the church will follow suggestions laid out by the General Conference in 2004. (See Appendix 1, Resolution 355). This includes but is not limited to a Covenant agreement between the offender and the church.

Ashland United Methodist Church Sexual Misconduct Policy

Policy

It is the policy of Ashland United Methodist Church (hereinafter referred to as "Ashland") that all ministers, lay employees, and volunteers are to maintain the integrity of the ministerial, employment and professional relationship at all times. Sexual misconduct is not only a violation of the principles set forth in Scripture, but also of the ministerial, pastoral, employment, and professional relationship. It is never permissible or acceptable. Ashland is committed to preventing sexual misconduct on all levels in our Christian community.

Procedures

SEXUAL HARASSMENT

Sexual harassment includes any unwanted sexual advance or demand, either verbal or physical, which is perceived by the recipient as demeaning, intimidating, or coercive, and which creates a hostile or abusive working environment. Sexual harassment is not exclusively sexual, but may include exploitation of a power relationship.

- A. IF YOU ARE SEXUALLY HARASSED:
 - 1. Confront the harasser by saying that his/her actions are offensive. If you choose, take another person with you for support. If the person can be reasoned with, tell him/her firmly and clearly that you do not want the behavior to continue. This action, in many cases, will resolve the issue.
 - 2. Keep a journal which documents all incidents of sexual harassment, including dates, times and descriptions of the incidents. Record the names of any witnesses to the harassment. Keep copies of all written materials you complete in reference to the harassment.
 - 3. If you receive any written letters, cards or memos of a suggestive nature from the harasser, keep them. Note the date received and how received (mailed to your home, left on your desk, etc.).
 - 4. Contact the pastor and Staff Parish Relations Committee if the behavior requires further action.
 - 5. If the allegation is of harassment by clergy and it requires further action, contact the District Superintendent and the Staff Parish Relations Committee.

- B. IF YOU ARE ACCUSED OF SEXUAL HARASSMENT
 - 1. Document the actions taken to resolve the situation.
 - 2. Inform the pastor.
 - 3. Present the situation to a member of the Staff Parish Relations Committee.

- C, IF SEXUAL HARASSMENT IS REPORTED TO YOU
 - 1. Listen objectively, take it seriously.
 - 2. Help the persons follow the steps outlined above.
 - 3. Take immediate and corrective action if an employee or volunteer reports harassment.

SEXUAL ABUSE

Sexual abuse includes incest, rape, and any other physical, verbal, or psychological abuse of a sexual nature

- A. ABUSE OF CHILDREN AND ADULTS. PROCEDURES FOR THE ABUSED.
 - 1. If the alleged victim is under 18 years old, whoever hears the allegation is obligated to make a report to the Department of Social Services or Law Enforcement (see [Appendix 2](#), "Mandatory Reporting by Clergypersons and other").
 - 2. Contact the pastor or Staff Parish Relations Chairperson.
 - 3. DO NOT confront or discuss with the alleged abuser without first reporting the incident and getting professional guidance.
 - 4. Keep all evidence and written documentation.

- B. PROCEDURES FOR AN ACCUSED PERSON
 - 1. Contact the pastor or staff person.
 - 2. DO NOT try mediating this on your own.

CLERGY SEXUAL MISCONDUCT (the following procedures apply to all clergy members of the Annual Conference and local pastors under appointment)

- A. When an allegation is made against a clergy person but the accuser is not ready to pursue the allegation, the District Superintendent shall send a certified letter to the accuser acknowledging and stating that follow-up is available when the accuser is ready to proceed.

- B. If you are accused of clergy sexual misconduct, contact the District Superintendent immediately but be aware that the District Superintendent cannot serve as your counselor in light of his/her primary responsibility for ordering the life of the church. Whatever is said by the accused clergy-person may be used against him/her in a future judicial process.

- C. If you are reporting clergy sexual misconduct, contact the District Superintendent and the Staff Parish Relations Committee. If the clergy is a District Superintendent, contact the Bishop.

Acceptable Use Policy (AUP) for using Electronic Media Ashland United Methodist Church, Columbia, South Carolina

Statement of Purpose

The use of new technologies presents new possibilities and challenges for the mission of Ashland United Methodist church's family, the church's education ministries, and general communications. The Church views emerging technologies as gifts of God to this age and encourages its faithful members to make creative use of new discoveries and technologies for the benefit of humanity and the fulfillment of God's plan.

In order to ensure the proper use of the Internet and other electronic means of communications, it is necessary that the Church establish a position on the use of technology to meet these purposes. The following are guidelines to be followed by Church staff, members, and participants in activities related to communicating activities, news, and information of the Church.

Terms

Electronic Media:

Electronic Media as used in this policy includes, but is not limited to: cable television, VCRs and video tapes, CD players and CDs, MP3s, DVD players and DVDs, tape recorders and audiotapes, computers, computer software, Internet usage, electronic mail (email), video cameras, 35mm and digital cameras, scanner, and the telephone.

Internet Definition:

The Internet is the global "network of networks" that connects more than millions of computers worldwide. The Internet is the virtual "space" in which users send and receive e-mail, login to remote computers, browse databases of information, and send and receive information contained on these computers.

Internet Service Provider:

An Internet Service Provider is any organization that provides access to the Internet, for example America On Line (AOL), RoadRunner, or Earthlink.

Internal Network:

The internal network is the system used within the Church's physical and electronic domain. This includes computers, servers, routers, switches, printers and access to them within church property.

Netiquette:

The proper and socially acceptable use of language in electronic communications. This includes email messages, electronic newsletters, blogs, wikis, text messages, and other means of electronic messaging.

Conditions of Use – Internal Network

Legal use:

The Ashland United Methodist Church internal network may be used only for lawful purposes. Transmission, distribution or storage of any material in violation of any applicable law or regulation is prohibited. This includes, without limitation, material protected by copyright, trademark, trade secret or other intellectual property right used without proper authorization, and material that is obscene, defamatory, constitutes an illegal threat, or violates export control laws.

System and network security:

Violations of internal system or network security are prohibited, and may result in criminal and civil liability. Ashland United Methodist Church will investigate incidents involving such violations and may involve and will cooperate with law enforcement if a criminal violation is suspected. Examples of system or network security violations include, without limitation, the following:

- Unauthorized access to or use of data, systems or networks, including any attempt to probe, scan or test the vulnerability of a system or network or to breach security or authentication measures without express authorization of the owner of the system or network.
- Unauthorized monitoring of data or traffic on any network or system without express authorization of the owner of the system or network.
- Interference with service to any user, host or network including, without limitation, mail-bombing, flooding, deliberate attempts to overload a system and broadcast attacks.
- Personal access to or use of the internal network via wired or wireless connections without Church consent.
- Installation of software/programs to Church servers, workstations, laptops without express Church authorization.

E-mail:

Sending unsolicited mail messages, including, without limitation, commercial advertising and informational announcements, is explicitly prohibited. A user shall not use another site's mail server to relay mail without the express permission of the site. For an electronic message to be considered as an "official" church communication, it must originate from an authorized Ashlandumc.com e-mail account.

Usenet/Social Networking:

Posting the same or similar message to one or more newsgroups (excessive cross-posting or multiple-posting, also known as "SPAM") is explicitly prohibited.

The use of social networking sites that include uncontrolled commercial advertising, open space viewing, and unsolicited visitation is prohibited for official church related communications. Protection of identity of church members and youth in particular is paramount.

The Ashland UMC network cannot be used for personal, commercial gain. Use of the Church databases, member contact information, and private information for mass marketing of non-Church activities is prohibited.

Conditions of Use – Ashland Website

Ashland's purpose for using the Internet is to support Church activities, share information by providing access to unique resources consistent with faith-based objectives, and allow collaborative work. Only information found on the Church's official website, www.ashlandumc.com, is considered to be accurate and endorsed by the church.

Privacy:

Ashland UMC has adopted an "opt-out" position on certain information regarding the display of personal data on the web. If an adult member wishes never to have their name or image used in electronic media including the Church website, they must contact the site webmaster or church office with the desire to "opt-out" of sharing such information. Only individual names and authorized images are displayed on the public accessible portion of the Church website. No personal addresses, email, or telephone numbers are to be posted on unsecure areas of the Church website.

In all cases, however, full names and easily identifiable images of youth are not to be placed on the public access portions of the Church website or electronic media. Referencing to youth names must follow the pattern of first name/last initial for all publicly posted electronic content.

The Church website shall visibly post a website privacy policy that details the purpose and position of privacy for visitors.

Process for posting web content:

In order to have announcements, news, and Church related information posted to the church website, authors must present the content in plain text to church staff for review. Upon approval of church staff, the text content is to be sent to the webmaster for publishing.

All images to be posted to the church website must be copyright free or with written permission of the owner of desired images. Images of youth must be of such condition that individuals are not easily identifiable. This can be accomplished through creative angles, lighting, or image manipulation. Any identifiable image(s) of adults can only be published with permission/release of persons identified in the image(s).

Conditions of Use – e-Newsletters

Electronic newsletters (e-Newsletters) are considered "electronic media" and therefore are covered by the policies stated in the Privacy section, regardless of method of distribution of the e-newsletter.

Weekly newsletters, bulletins, flyers, and other church related materials being repurposed for electronic distribution must be edited for web publishing. Editing must include alteration or removal of full names and images of youth per the church privacy policy for youth protection.

No personal contact information of church non-staff, including personal address, telephone number, or email is to be published in electronic media intended to be publicly published to a uncontrolled audience (ie. the Internet.)

Conditions of Use – General

Netiquette:

Users are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:

- Be polite. Do not get abusive in your messages to others.
- Use appropriate language. Do not swear, use vulgarities, or any other inappropriate language. Illegal activities are strictly forbidden.
- Do not reveal personal addresses, phone numbers, or passwords of students, members, or other staff of Ashland United Methodist Church, including yourself.
- Note that electronic mail (e-mail) is not guaranteed to be private. People who operate the system do have access to all mail. Messages relating to or in support of illegal activities may be reported to authorities.
- Do not use the system in such a way that you would disrupt the use of the Ashland Network by others.
- All communications and information accessible via Ashland UMC should be assumed to be private property (i.e., copyrighted). Therefore, no information can be shared with others without permission of Ashland UMC.
- Hate mail, harassment, discriminatory remarks, and other antisocial behaviors are prohibited through the Ashland UMC network. Therefore, any messages should not contain profanity, obscene comments, sexually explicit material, or expressions of bigotry or hate.
- From time to time, Ashland UMC system administrators and/or Church executive staff will make determinations on whether specific uses of the Network are consistent with the acceptable use practice.

INDIRECT OR ATTEMPTED VIOLATIONS OF THE POLICY, AND ACTUAL OR ATTEMPTED VIOLATIONS BY A THIRD PARTY ON BEHALF OF AN ASHLAND UNITED METHODIST CHURCH CUSTOMER OR A CUSTOMER'S END USER, SHALL BE CONSIDERED VIOLATIONS OF THE POLICY BY SUCH CUSTOMER OR END USER.

Privacy Statement

Ashland United Methodist Church places a high priority on safeguarding your privacy online. The following policy describes how your personal information will be treated as you access our websites.

This policy may change from time to time without prior notice.

Some web pages created by Ashland United Methodist Church use "cookies," which are small text files that may be placed on your hard disk for record-keeping purposes. It is essentially your electronic personal identification card, and cannot be executed as code or deliver viruses. It is uniquely yours and is read by the server that gave it to you. A cookie's purpose is to notify the server when you return to that Web page. Cookies in and of themselves do not personally identify users, although they do identify a user's computer. Furthermore, a cookie in no way gives us access to your computer. The use of cookies is an industry standard and common practice by legitimate websites.

Many major Web sites use cookies to provide useful features for their visitors. Most browsers are initially set up to accept cookies. If you'd prefer, you can set your Internet browser to refuse cookies. However, you will not be able to take full advantage of our web site if you do so.

Ashland United Methodist Church will not send you any unsolicited information, including email regarding any commercial offers or advertisements at any time. We value the relationships we have with our visitors and future users, so we respect these concerns.

Other websites that are linked from our website are not under the control of Ashland United Methodist Church. Therefore, Ashland United Methodist Church is not responsible or liable for the contents of any linked site or any link contained in a linked site. These links are provided to you as a convenience, and the inclusion of any link does not imply the endorsement of the site by Ashland United Methodist Church.

If you have any questions, feel free to contact us or call the church office at (803) 798-5350.

CONFIDENTIAL

Ashland United Methodist Church

Safe Sanctuary

Application to Work with Children, Youth and Vulnerable Adults

(to be completed by applicants for a staff or volunteer position involving supervision of minors or vulnerable adults)

*This form will be reviewed, processed, and maintained in a locked, confidential file.

Personal Information

Date: _____ Attending Ashland since: _____

Name: _____ Date of Birth: _____
(please print) Last First Middle

Social Security No. _____ AND Driver's License No. _____ State Issued _____
(*Needed if driving for church function)

Current Address: _____
(please print) Street City State and Zip

If you have lived outside of South Carolina during the past five years, please list former addresses on the back of this sheet.

Years at this address: _____ Home Phone: _____ Work Phone: _____

Email address: _____

List all previous church work and dates worked involving children and youth:

List all previous non-church work and dates worked involving children and youth (i.e. teacher, Boy Scouts etc.) :

Personal references:

Name: _____ (Day) Phone No. _____ Relationship: _____
(Evening) Phone No. _____

Name: _____ (Day) Phone No. _____ Relationship: _____
(Evening) Phone No. _____

WORKER'S PLEDGE

I have not been charged with or convicted of a sexual/physical abuse crime or listed on the Central Registry for Child Abuse and Neglect. I have not been, nor am I currentl, involved in any abuse of a minor or vulnerable adult. I have received a copy of the: 1) Ashland United Methodist Church Sexual Misconduct Policy; 2) Guidelines for Workers with children, youth and vulnerable adults; 3) have read and understand the policies and guidelines, and agree to observe all church policies and procedures regarding working with children, youth or vulnerable adults. I also maintain the information given here to be true and correct and authorize references to give whatever information they may have regarding my character and fitness.

Signature: _____ Date: _____

Printed Name: _____

Notary Seal:

Signature _____

AUTHORIZATION FOR INVESTIGATION

Ashland United Methodist Church Application to Work with Children, Youth, or Vulnerable Adults

*This form will be reviewed, processed, and maintained in a locked, confidential file.

Personal Information

Date: _____ Ashland Member since: _____

Name: _____
(please print) Last First Middle

Date of Birth: _____ Place of Birth: _____

Other Names You Have Been Known By: _____

Social Security No. _____ AND Driver's License No. _____ State Issued _____
(*Needed if driving for church function)

Current Address: _____
(please print) Street City State and Zip

If you have lived outside of South Carolina during the past five years, please list former addresses on the back of this sheet.

Years at this address: _____ Home Phone: _____ Work Phone: _____

Email address: _____

I grant permission to Ashland United Methodist Church to conduct an investigation into my background, including but not limited to, National Registries, National Criminal Records, SLED records, DSS Registry or Department of Motor Vehicles databases.

Signature: _____ Date: _____

Printed Name: _____

APPENDIX 1

355. Church Participation by a Registered Child Sex Offender

The Social Principles of the United Methodist Church declare: "We recognize that family violence and abuse in all its forms-verbal, psychological, physical, sexual- is detrimental to the covenant of the human community. We encourage the Church to provide a safe environment, counsel, and support for the victim. While we deplore the actions of the abuser, we affirm that person to be in need of God's redeeming love. "

Increasingly, churches are faced with a dilemma in their attempt to be faithful to both of the last two sentences above. Assuring the safety of children in our care, our facilities and our programs is a sacred duty. We must weigh that duty in the balance with what often seems the conflicting value of participation in the life of the church by a convicted child abuser. Being part of a worshiping community is not the only way for a person to experience God's redeeming love, but it is an important one.

Recent studies suggest a low likelihood that pedophiles can or will change. Without extensive professional treatment, virtually all child sexual offenders will re-offend. Repentance, prayer and pastoral support, always in combination with lifelong professional treatment, can be crucial in helping to change behavior but, in themselves, offer slim hope in changing the behavior of perpetrators. Welcoming a child sex offender into a congregation must be accompanied by thorough knowledge, careful planning and long-term monitoring.

A convicted and/or registered sex offender who wishes to be part of a church community should expect to have conditions placed on his or her participation. Indeed, offenders who have been in treatment and are truly committed to living a life free of further abuse will be the first to declare that, in order to accomplish that, they must structure a life that includes on-going treatment, accountability mechanisms and lack of access to children.

The following steps should be taken in order to be faithful to the Social Principles' commitment both to safety from abuse and to ministry with abuser:

A. Local Churches should:

- a. Hold discussion in the church council and in adult education setting about the possibility of facing the situation of a convicted sex offender returning to or joining the church. These discussions should be held and general agreements reached about actions to be taken should the church find itself in this circumstance.
- b. Develop a carefully constructed and openly negotiated covenant between the offender and the church community. The covenant should include agreements in the following areas: participation in a professional counseling program for at least the entire time of the church membership or participation; adult "covenant partners" to accompany the offender while on church property or attending church activities; areas of church facilities that are "off limits;" restrictions on leadership in or on behalf of church; no role in church that includes contact with the children or youth; any additional conditions for presence or participation; and
- c. Assure that the covenant is maintained by having it written and signed by the offender, pastor and chair of church council. While confidentiality of victims should be respected the covenant should not be secret. Monitoring of the covenant should be taken seriously as a permanent responsibility.

A. Annual conferences should:

- a. Develop similar plans and covenant for situations in which a convicted and/or registered sexual offender is involved or seeks involvement in the conference, its activities or facilities;
- b. Include information about this concern and assistance with implementation of this resolution in its training and resourcing of clergy and local church lay leaders;

A. The General Board of Discipleship and the General Board of Global Ministries should:

- a. Cooperatively develop and promote a process and specific guidelines to assist congregations in the education and covenant tasks outlined above.

*Adopted 2004
United Methodist Book of Resolutions*

APPENDIX 2

Suspected Child Abuse and Neglect: Mandatory Reporting by Clergypersons and Others

This information is distributed by the Bishop and Cabinet of the South Carolina Conference for use by the clergy of the Annual Conference and by others related to the Annual Conference and its local churches.

March 2008

PURPOSE:

To provide basic information about the requirements of the *Discipline* of The United Methodist Church and the state law of South Carolina to report suspected child abuse and neglect.

INFORMATION:

1. South Carolina law mandates that certain persons, by virtue of their positions, are required to report suspected child abuse or neglect to the department of social services ["DSS"] or a law enforcement agency "when in the person's professional capacity the person has received information which gives the person reason to believe that a child has been or may be abused or neglected as defined in Section 20-7-490 [S.C. Code Ann. § 20-7-490]."

The complete text of the reporting statute is contained in S.C. Code Ann. § 20-7-510. Sections 20-7-510(A) and (B) set forth the primary reporting requirements.

2. The list of required reporters includes members of the clergy, school teachers, counselors, and childcare workers in a childcare center. All of these persons could potentially be connected with a local church or affiliated organization in a professional capacity. The term "school teacher" is not defined in the statute, and its definition is

unclear; however, the term could potentially be interpreted to include Sunday school teachers.

3. Section 20-7-490 and Section 20-7-510(B) define the words "child" and "child abuse or neglect or harm." A "child" is a person under the age of eighteen. For simplicity of explanation, the definition of "child abuse or neglect or harm" is briefly summarized in this information sheet as an occurrence when the parent, guardian, other person responsible for the child's welfare, or any other person:

- a. Inflicts or allows to be inflicted upon the child physical or mental injury or engages in acts or omissions which present a substantial risk of physical or mental injury;
- b. Commits or allows to be committed a sexual offense against the child;
- c. Fails to provide the child with adequate food, clothing, shelter, education, supervision, or health care and the failure has caused or presents a substantial risk of causing physical or mental injury;
- d. Abandons the child;
- e. Encourages, condones, or approves the commission of delinquent acts by the child; and
- f. Has committed abuse or neglect such that a child placed in the household is at substantial risk of abuse or neglect.

4. In those instances where the alleged perpetrator is a parent, guardian, or other person responsible for the child's welfare, a required report of suspected abuse must be made by mandated reporters to the county DSS or a law enforcement agency in the county where the child resides or is found. In those instances where the alleged perpetrator is not a parent, guardian, or other person responsible for the child's welfare, a required report must be made to a law enforcement agency in the county where the child resides or is found.

5. Normally, under the *Discipline*, clergy of The United Methodist Church are required to maintain all confidences inviolate. However, the *Disciplinary* rules governing confidentiality do not apply in the case of suspected child abuse or neglect. Thus, all communications made to United Methodist clergy about suspected child abuse or neglect are not confidential. This exception to the general rule of confidentiality is found at ¶341.5 of the *Discipline*.

6. Pursuant to Section 20-7-510(C) of the reporting statute, any person who has reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse and neglect may report as provided in the reporting statute.

7. Pursuant to Section 20-7-510(E) of the reporting statute, the identity of a person making a report of suspected child abuse or neglect must be kept confidential by the agency receiving the report. Additionally, Section 20-7-540 states that a person required or permitted to report child abuse or neglect or harm, who acts in good faith, is immune from civil and criminal liability.

8. All persons should be aware that a person who knowingly fails to report as required by the reporting statute is guilty of a criminal offense. The criminal statute is found in S.C. Code Ann. § 20-7-560. The complete text of the sections of the South Carolina Code of Laws cited above may be found at

<http://www.scstatehouse.net/code/titl20.htm>