

St. Sophia Greek Orthodox Church, 440 Whitehall Rd. Albany, New York

This statement of Policy & Procedures for the Prevention of Sexual Misconduct of St. Sophia Greek Orthodox Church (the “Policy”) is to be given to each employee, to all lay volunteers who regularly supervise activities for children and youth, and to all clergy (paid or volunteer). Each of the persons named above shall sign a statement verifying that they have received the Policy, have read and understood it and agree to follow it. A copy of the full policy is found in the church office.

Introduction:

Those clergy or laity who serves the Orthodox Church (whether paid or volunteer) must adhere to Christian moral principles in their sexual conduct. It is a grave ethical transgression for any Christian to betray trust by sexually abusing or exploiting another person, whether child or adult. Sexual exploitation or abuse is a terrible injury to the one abused and a violation of faithfulness to Christ.

The Church has always recognized that clergy bear a particular responsibility to pattern their lives according to Jesus' example. Bishops, priests and deacons are regarded by the faithful and the world as examples of what Christian lives should be. Any moral offense by clergy is especially damaging because it betrays that trust committed to them by the Church to nurture and care for every member. Therefore, it is intolerable and morally wrong for a clergyman to exploit the inherent power and trust in his office to gratify his sexual appetite or emotional needs.

In recent years, however, it has become increasingly clear that some clergy and church volunteers have engaged in sexual misconduct in some parishes in America, which has hurt those very persons entrusted to their care. Unfortunately, in the past, instances of sexual misconduct at some parishes were often denied by church leaders or dealt with secretly. In some cases, offenders have been sent on to another parish or diocese while victims were neglected or even blamed and parishes ignored. Such a response fails to implement the standards of justice and love God requires of the Orthodox Church.

With this Policy, St. Sophia Greek Orthodox Church is confronting the fact that sexual misconduct can occur in our church and has instituted policies and procedures for the prevention of such misconduct. Sexual misconduct is strictly prohibited and will be cause for termination of the employee, volunteer or clergyman of St. Sophia Greek Orthodox Church who is guilty of such misconduct. In the case of clergy, termination will be coordinated with the diocesan bishop.

Definition of Sexual Misconduct

Sexual misconduct includes any form of sexually inappropriate behavior or contact, whether criminal or not, by employees or representatives of the Church, whether clergy or laity, whether paid or unpaid, and without regard to particular titles of positions. Without limitation, sexual misconduct encompasses:

- a. Sexual abuse, sexual molestation, or sexual offense against any person, including but not limited to, any sexual involvement or sexual contact with a person who is below 18 years of age or who is legally incompetent; or
- b. Sexual exploitation or harassment, including but not limited to, the development of or the attempt to develop a sexual relationship between a clergyman, employee or volunteer and a person with whom he/she has a ministerial relationship, whether or not there is apparent consent from the individual; or

- c. Sexual behavior or sexual contact between a clergyman and anyone other than his wife.

(Examples of actions that could be considered sexual exploitation or harassment:

Touching any part of a person's body that would be covered by a modest swimsuit or the clothing that covers those parts; or Jokes, remarks, conversation or writing with sexually suggestive content; or Display of sexually suggestive objects or pictures)

Reporting Suspicious Behavior

Anyone who knows of or suspects sexual misconduct shall immediately report the incident or suspicion to a priest or any member of the Parish Council. If the misconduct involves sexual offense or abuse against a child, it should be reported also to the local law enforcement authorities in conformity with applicable laws.

Suspicion is cause enough to report. The confidentiality of the victim and the person who reports will be maintained, in conformity with applicable laws.

Response Team

When a suspicion is reported, a team of persons (the "Response Team") will meet as soon as possible to investigate and respond to any suspicious behavior. The majority of persons on the Response Team will be laypersons. The group of persons will include one or more women, a clergyman, a lawyer, and a professional in psychiatry, psychology, medicine or social work. The Response Team will investigate and respond to any reported suspicious behavior. The Team will seek to determine if there is a reasonable possibility that sexual misconduct has occurred. The Response Team will not attempt to determine legal or criminal guilt, but will cooperate with law enforcements officials. This Team also will coordinate efforts to minister to the needs of any victim. The confidentiality of the victim and the person who reports will be maintained, in conformity with applicable laws.

Policy on the Protection of Children

St. Sophia Greek Orthodox Church strictly prohibits interaction with children and youth by anyone with a civil or criminal record of sexual offense against a child, or anyone who has admitted prior sexual abuse, or anyone known to have a paraphiliac diagnosis or tendency (e.g. pedophilia, exhibitionism, voyeurism, and computer sex crimes). All employees, lay leaders who regularly supervise activities for children and youth, and all clergy (paid or volunteer) will be subject to background screenings with police, previous employers and personal references.

Policy on Personnel Employment & Volunteers

Requirement of Background Screenings: Clergy:

Prior to assignment by the Archdiocese/Diocese or other paid or volunteer work at St. Sophia Greek Orthodox Church, background screenings will be obtained on all clergy. Background screenings shall include such things as: inquiries of bishops having past or present canonical authority over the individual, schools attended by the individual and employers of the individual during the last five years. Additionally, background screenings shall be obtained of any past convictions of a criminal or sexual nature and civil claims regarding sexual misconduct or child abuse/neglect/abandonment. The completion of the Application for Child/Youth Workers shall be a required part of the background screening.

Employees:

Prior to employment, all church employees shall be subject to a background screening of any past convictions of a criminal or sexual nature and civil claims regarding sexual misconduct or child abuse/neglect/abandonment. Other background screenings, such as previous employers and personal references, and other screening procedures will also be used. The completion of the Application for Child/Youth Workers shall be a required part of the background screening.

Volunteers:

Prior to assignment, volunteers who regularly supervise youth activities (e.g., youth advisors, Sunday School teachers, regular chaperones) shall be subject to a background screening of any past convictions of a criminal or sexual nature and civil claims regarding sexual misconduct or child abuse/neglect/abandonment. Other background screenings, such as personal references, and other screening procedures will also be used. The completion of the Application for Child/Youth Workers shall be a required part of the background screening.

A driving record screening shall be obtained for volunteers who regularly drive on church business or events. Background screenings will not be required of volunteers who occasionally assist with children/youth (e.g., parent volunteers for particular event), but who do not regularly supervise youth activities, as long as such volunteers are under the direct and constant supervision of someone who has been screened.

Background screening reports shall be kept strictly confidential, in accordance with applicable laws.

Compliance:

Compliance with this Policy, including the need for periodic updates of employment and background records, shall be reviewed annually as a part of the annual internal audit of the church, or by another committee appointed by the Parish Council.

PREVENTION PRACTICES & PROCEDURES TO PROTECT CHILDREN & YOUTH

These Prevention Practices & Procedures of St. Sophia Greek Orthodox Church deal with the prevention of sexual misconduct as well as some general safety concerns. These Prevention Practices & Procedures shall be given to each employee, to all lay leaders who supervise activities for children and youth, and to all clergy (paid or volunteer) as a part of the Policy & Procedures for the Prevention of Sexual Misconduct (the “Policy”) of St. Sophia Greek Orthodox Church. For the purpose of these Prevention Practices, "adult" means someone 21 years of age or older. “Child or youth” means anyone below 21 years of age

For Church School/Youth & Dance Groups/Child Care Programs/Greek School:

- 1) All people who shall participate in ministries with children/youth must have been members of St. Sophia Greek Orthodox Church for at least one year, and/or be well known to members of the church leadership.
- 2) All those working with children/youth are subject to background screenings and other screening procedures (as specified in the Policy), including a check for a previous record of Driving While Intoxicated or any reckless citation.
- 3) Older teenagers (19-20 years old) cannot work with younger children or youth (18 years old or younger) without an adult present at all times.
- 4) At least two adults will be present during all child/youth activities. We do not allow “one-on-one”; one adult should never be alone with one child.
- 5) Travel off church premises:
 - a) If children/youth are to be taken off church premises at any time, or are meeting off-premises, at least two adults (more if the size of the group requires), preferably a male and a female, should accompany them.
 - b) Permission slips with details are required for all trips off church premises, whether during or outside of regular church school hours.
 - c) When a church program or activity calls for someone to drive children/youth anywhere, be sure to have on file a form which records important information about the vehicle operator and the vehicle to be used, including a copy of the driver's license, proof of Insurance and the vehicle registration.
- 6) Pick up after youth events:
 - a) If children/youth are to be picked up by someone other than a parent or known babysitter or dropped off somewhere other than their home, the parent(s) or guardian should indicate that person's name and phone number. Children/youth will be released to properly identified and authorized adults only.
 - b) An adult leader should stay with children/youth at the conclusion of an activity until every child/youth has been picked up, or has a vehicle to drive or ride home. Never leave a child/youth alone waiting for a ride to their home.

- 7) Overnight events:
- a) Adult advisors and/or clergy must approve overnight stays in advance.
 - b) For overnights (lock-ins, camp, etc.) always have at least 4 adults present (and more if the size of the group requires), including 2 males and 2 females.
 - c) Make parents/guardians and children/youth aware of the ground rules which will govern all such overnight events and whenever possible have them sign an agreement to abide by those rules in advance of the event itself. Be clear about specifying the consequences of any infraction.
 - d) For overnights, whether on church property or elsewhere, be sure that separate sleeping areas are provided for boys and girls and that privacy is assured for use of bathroom facilities and for changing clothes. When staying in a hotel or camp, the rooms for the boys should not be adjacent to the rooms for the girls.
- 8) If a child/youth needs to undress (for example, to get into a costume or for first aid), do call another adult to accompany you. (This is another good reason for adult teachers to work in teams). **Be sure that separate dressing areas are provided for boys and girls and that privacy is assured.**
- 9) Send two children together to the bathroom. Where possible, one child should not go to the bathroom alone.
- 10) We have an "**open door policy**"; that is, clergy, church staff and adult youth leaders always have the right to visit and observe a class or program at any time unannounced. Classroom doors should **never** be locked with children inside. Where feasible, put glass in doors, or install half doors so someone can see in the classroom at all times.
- 11) Even playfully, even if a child or youth asks, do not touch any part of the body that would be covered by a modest swimsuit, nor on the clothing which covers those parts.
- 12) Never meet a child/youth in secret or in an unplanned way (e.g., meeting them at the end of a school day) without discussing the meeting with parents and/or appropriate supervising people. Also, do not become involved in secret "meetings" with a child/youth by computer instant messaging, e-mail or in a chat room.
- 13) It is unwise to be alone (and out of sight of anyone else) with a child/youth. If that seems necessary, ask another adult to stand by. Or, file a short memo with the church school coordinator (or other person designated) noting that the private conference took place. Should a question ever arise, a dated memo would be more useful than your memory of the incident. Of course, such memo would not betray the privacy of the conversation itself.
- 14) If you have an encounter with a child/youth where you think there might be a possibility of misunderstanding or misinterpreting your behavior, discuss the encounter with the church school director or clergy. Document the encounter with a dated memo. Where possible, discuss the matter with the child's parent or guardian.

- 15) Use caution about any movies or videotapes which might raise concerns. Offer to show them to parents first (even if parents do not take up your offer). Videos should be age appropriate, keeping in mind the rating. "R-rated" movies are never to be shown to children below the age of 17 without parental and clergy permission. All material dealing with sexual themes should be reviewed by clergy before it is seen by children/youth. These guidelines also apply to video seen in a hotel on overnight trips.
- 16) Never show youth any material which displays nudity or could by any standard be called obscene or pornographic. If such material is brought by youth or anyone, confiscate it at once and consult with clergy/supervisor/trusted adult.
- 17) Alcoholic beverages, illegal drugs, or tobacco products are never permitted to be brought to or consumed during any church-related activity for children/youth.
- 18) If a child/youth comes to any church program and appears intoxicated (from either drugs or alcohol), contact parents immediately and consult with the clergy, parish council or other authority as to further action.
- 19) Examples of actions that could be considered sexual exploitation or harassment:
 - a) Touching any part of a person's body that would be covered by a modest swimsuit or the clothing that covers those parts; or
 - b) Jokes, remarks, conversation or writing with sexually suggestive content; or
 - c) Display of sexually suggestive objects or pictures; or
 - d) Attempts to develop personal contact/friendship beyond a pastoral, ministering or professional relationship)

Sexual misconduct is strictly prohibited and will be cause for termination of the employee, volunteer or clergyman of St. Sophia Greek Orthodox Church who is guilty of such misconduct. Sexual misconduct includes any form of sexually inappropriate behavior or contact, whether criminal or not, by employees or representatives of the Church, whether clergy or laity, whether paid or unpaid, and without regard to particular titles of positions.

(A more complete definition of sexual misconduct is found in the Child Sexual Abuse Policy and Prevention Guidelines, which is located in the church office.) This information is available to all parishioners.

Once a year a class must be conducted for new employees and volunteers, to bring the church community up to date, and comply with the insurance requirements. Everyone who participates in the Child Sexual Abuse Class will be given an overview of these guidelines.

If the participants feel they could volunteer in the future to work with the children of St. Sophia, they will be given the opportunity to fill out an Volunteer Application Form, as well as participate in a training session, as a way of making them safely available for service to our children and youth on an occasional basis (e.g. teaching and helping in Sunday School, JOY, GOYA, YAL, Greek School, Dance Group, Choir, Olympics, and the many Youth Programs. Anyone who is going to be a worker with our children or youth over an extended period of time will be required to fill out an Application Form, consent to a background check, if necessary, and references being contacted, as well as participate in a training session about our child sexual abuse prevention guidelines. (E.g., daycare, nursery school, Greek teachers, etc).

These forms must be kept in an alphabetical and confidential file for availability to our insurance carriers or New York State Authorities, if needed. Compliance with these policies and procedures are mandatory, and must be taken very seriously by the St. Sophia church leaders. The auditing committee must annually review and report to the General Assembly that guidelines are being met.

In recent years, however, it has become increasingly clear that some clergy and church volunteers have engaged in sexual misconduct in some parishes in America, which has hurt those very persons entrusted to their care. Churches of many denominations have been sued, as a result of the sexual molestation of minors by church workers, and such lawsuits are on the rise. Doing nothing to respond to this significant risk may subject our church to civil liability, which may include "punitive damages" (which ordinarily are not covered by a church's liability insurance policy) and can even expose the Parish Council to personal legal liability. This lack of a prevention program leaves St. Sophia, our children, and church leaders vulnerable. That is why St. Sophia is committed to maintaining a wholesome and safe environment for work, worship, study, nurture and fellowship for all who enter through its doors.

False accusations are a violation of trust just as abuse of a physical, sexual, or emotional nature is a violation of trust. St. Sophia is equally committed to preventing unfounded, mistaken, or false claims and minimizing opportunities for false accusations against our staff and volunteers. Written guidelines will provide a set of policies and procedures that can help us investigate and respond to reports of suggested or suspected abuse, as well as, reduce the risk of such incidents ever occurring. As we implement this preventative program, keep in mind that the main objective is to provide a safe and secure environment for the children who are entrusted to our place of worship. In seeking to accomplish this objective, we will be accomplishing another very important objective -- reducing the legal risk and liability exposure of our St. Sophia church community. We will also have a clearly defined procedure that conforms to the requirements of New York State law for reporting a suspected incident of child abuse

Child sexual abuse is a subject not many want to talk about, dwell on, or believes can happen to their loved one or occur in our church. However, child sexual abuse does occur and is happening in ever increasing numbers in homes and churches across the United States. Its part of our evening television news and is slowly becoming commonplace in our society. Statistics show that one in every four girls and one in every six boys will be sexual abused before they reach the age of eighteen. We cannot be a statistic to this societal disease.... Through this combination of efforts, St. Sophia intends to minimize actual or perceived instance of abuse, to respond appropriately to those that might occur, and to guard against misinterpretations of actions as we continue our service in Christian love.

This "Policy & Procedures on Sexual Misconduct" document contains many items that were suggested by the speakers at the Fall 2006 SCOBA Bishop's workshop. This document was produced by Fr. J. Gregory Waynick, serving at Transfiguration Greek Orthodox Church in Florence, SC and has been modified for the needs of the St. Sophia Greek Orthodox Church in Albany New York.