The Episcopal Diocese of Texas

Safeguarding God's People

Policies Prohibiting Sexual Exploitation

College Ministries

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Why We Have These Policies

The Episcopal Diocese of Texas is committed to establishing and nurturing environments of health, safety, and mutual care in its college ministries. This includes maintaining an environment free of abuse, exploitation and harassment. The final promise of our Baptismal Covenant asks us to "...strive for justice and peace among all people, and respect the dignity of every human being." Diocesan Safeguarding policies give life to that baptismal promise.

Responsibility for Administration

College Missioners (ordained or lay) are directly responsible to the Bishop for the implementation and administration of the policies and procedures outlined in *Policies Prohibiting Sexual Exploitation, College Ministries.*

The administration of these policies and procedures may be delegated to other staff members or volunteers, but the ultimate responsibility may not be delegated. Supervision of these administrative processes by the College Missioner is required to assure appropriate compliance and confidentiality.

Administrators of these policies must be certified in Safeguarding God's People and must extensively familiar with the policies and procedures in order to make appropriate decisions about their application in the local ministry setting. The administrator is to contact the Safeguarding Minister for clarification of the policies or guidance in applying them.

Requirements for Clergy and Staff

The Diocese of Texas requires all clergy to be certified in Safeguarding by completing Safeguarding God's Children and Safeguarding God's People-Clergy training in our diocese **within 90 days** of hire. This is in addition to any other training which may have previously been taken in another diocese and/or seminary. Recertification is required every five years. Clergy certifications are managed through the [Safeguarding Office](#) of the Episcopal Diocese of Texas.

Clergy are required to know and comply with all directives as set forth in the current *[Clergy Manual](#)* of the Episcopal Diocese of Texas. Clergy must also know and comply with all directives in *[Title IV of the Constitutions and Canons](#)* of the Episcopal Diocese of Texas and of *[The Episcopal Church](#)*.

All employees of diocesan organizations and all volunteers who serve in staff positions are required to be certified in Safeguarding God's People in the Workplace and in Safeguarding God's Children (whether or not they work with children). Employees or volunteers who are in a pastoral relationship with adults as defined in these policies must also be certified in Safeguarding God's People.

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I. Definitions

A. Sexual Misconduct

For purposes of this policy, sexual misconduct is defined as any sexual or sexualized activity toward another person in a pastoral relationship, irrespective of age or marital status. This definition includes sexual abuse of a minor (under 18 years of age) as set forth more specifically in *Policies for the Protection of Children and Youth*. The sexual abuse of a minor must be reported in the manner described in those policies.

B. Sexual Exploitation

Sexual misconduct includes sexual exploitation, which is the development or attempt to develop a sexual relationship between a person in a ministerial position, lay or ordained, and an individual with whom he or she has a pastoral relationship. The general *Policies Prohibiting Sexual Exploitation* for the Episcopal Diocese of Texas. Sexual exploitation in college ministries are covered by these *Policies Prohibiting Sexual Exploitation: College Ministries.*

C. Sexual Harassment

Sexual harassment in the workplace is also included in the definition of prohibited sexual misconduct. Sexual harassment is defined in the *Policies Prohibiting Sexual Harassment*.

II. Policy Prohibiting Sexual Misconduct

The Episcopal Diocese of Texas is committed to providing healthy, safe, and nurturing environments wherein, by God's grace, the full work of the Church can be carried out. **Sexual misconduct on the part of any clergyperson, employee, or volunteer of any congregation, institution, organization, school, or agency within the diocese violates the mission of the church, is prohibited, and will not be tolerated.**

III. Preventing Sexual Exploitation

A. Pastoral Relationships

A pastoral relationship is defined as a relationship between a person in a duly appointed position, lay or ordained, whether employee or volunteer, and any individual who

- attends ministry events or other ministry settings in which the person serves, and
- either is supervised by the person or seeks ministry from the person.

B. Examples of Inappropriate Conduct for those in a Pastoral Relationship

Physical
- Sexual touching
- Unwelcome casual hugs/kisses
- Being in someone else's "space"
- Any touching after being told it is unwelcome
- Aggressive physical contact or assault

Verbal
- Off-color jokes
- Sexual language, references, propositions
- References of a sexual nature about any person
- Gossip/ speculation about a person's sexuality, sexual practices, pregnancy, or virility
- Remarks about anatomy
- Use of curse words or vulgarity

Other Interactions
- Photographs of a sexual or nature
- Texts, email messages, or electronic displays of a sexual nature, including inappropriate wallpaper, screensavers, or other graphics
- Any display, duplication, or transmission of pornography or inappropriate materials of a sexual nature

C. Examples of Appropriate Physical Contact

Some forms of physical contact may be appropriate between those in pastoral relationships, provided they are welcomed by the recipient. These include the following:
- Brief hugs
- Handshakes
- Holding hands during prayer
- Pats on the shoulder or back
- Touching hands, shoulders, arms
- Holding hands when a person is upset

If a person in a pastoral relationship is ever unsure about whether one of these types of touching is appropriate, he or she should ask permission and wait for a response before making physical contact.

D. Directives for College Missioners and Ministerial Staff

1. **Prohibition of Dating**. College missioners, program coordinators, and other ministerial staff members in pastoral relationships with students are prohibited from dating or becoming romantically involved with students in the college ministry. These leaders are required to maintain clear and appropriate boundaries and to avoid even the appearance of impropriety.

2. Limitations on Counseling. Clergy and other ministerial leaders may not go outside their areas of expertise and training, but should instead make a referral to a physician, psychologist or other mental health professional for issues that involve those specialties. Clergy are required to comply with all directives found in the current *Clergy Manual* of the Episcopal Diocese of Texas.

E. Ministry Settings

Locations where pastoral relationships take place should, whenever possible, be in open, visible spaces or in spaces with windows that are unobstructed by blinds or other barriers, where casual monitoring by others is convenient. The location that is selected should convey safety and comfort without the use of couches or other furniture that would encourage close seating.

IV. Code of Conduct

Persons with pastoral relationships must meet and comply with the following code of conduct:

- Agree never to engage in any sexual or inappropriate relationship with a person in a pastoral relationship

- Agree never to exploit sexually any person they serve or work with on behalf of the college ministry or any other ministry of the Episcopal Diocese of Texas

- Agree to comply with the *Policies Prohibiting Sexual Exploitation: College Ministries*

- Understand that the Episcopal Diocese of Texas will not tolerate the sexual exploitation of any person

- Immediately seek advice from the Safeguarding Minister or Canon to the Ordinary if there are any questions or concerns about any of these policies or their expectations

- Agree never to engage in any inappropriate behavior, boundary violations, or policy violations

V. Certification Requirements

The Safeguarding Record System (SRS) of the Diocese of Texas must be used to obtain and retain all the required documentation for certification and recertification, including registration for training. All information gathered about an applicant must be carefully reviewed and evaluated. The Safeguarding Minister should be consulted if there is any uncertainty.

A. Screening and Training

People in the following positions must be certified in Safeguarding God's People: Prohibiting Sexual Exploitation, using the full certification process in the Safeguarding Records System (SRS).

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- Clergy; College Missioner
- Other ministerial staff, such as program coordinators (paid or volunteer)

B. **Ministry with Children or Youth**

Volunteer leadership involved in ministry programs for youth or children (mission trips; community outreach, etc.) are required to be certified in Safeguarding God's Children, as set forth in *Policies for the Protection of Children and Youth*.

C. **Volunteer Exceptions**

Persons in short-term volunteer positions of one semester or less that involve pastoral relationships require only a policy review in order to be approved for ministry. Examples of such positions include student Bible study leader; student small group facilitator; student mentor, etc.

Prior to starting in their positions and annually thereafter, such persons must receive and review these *Policies Prohibiting Sexual Exploitation: College Ministries* and agree to comply with the code of conduct by signing the *Acknowledgment of Receipt and Review of Safeguarding God's People: College Ministries*. (*Section VIII*)

D. **Certification Process**

1. In the case of volunteer, the applicant has been known to the missioner and student vestry for one semester
2. Individual **Interview** with the applicant
3. **Application** completed by the applicant that includes an authorization for the release of information to conduct a background check.
4. **Background** check via a nationwide sexual offender and criminal history registry check in any state where the applicant has resided during the past ten (10) years.
5. **Reference checks** with persons who know the applicant. No more than one may be a relative and one must be outside the college ministry
6. **Safeguarding God's People: Prohibiting Sexual Exploitation** training and signature on Sign-out Sheet, acknowledging compliance with the *Code of Conduct*.

This process must be completed by the applicant within 90 days of the start of the position.

E. **Recertification Process**

Certified persons who continue to have Pastoral Relationships as defined in this policy are required to be recertified in SRS every five years. Recertification includes a new background check and

completion of Safeguarding God's People training. On-line recertification training is available to lay persons who begin the recertification process before the expiration of their current certification.

VI.   <u>Reporting Sexual Misconduct Not Involving a Minor</u>

Any person who believes that he or she is being subjected to any type of sexual misconduct must promptly report it to an individual described below.

- The College Missioner

- A member of the student vestry

- The Safeguarding Minister or Canon to the Ordinary

- The Safeguarding Office at report@epicenter.org

The Rev. Canon Lisa Burns
Safeguarding Minister
510 Rathervue Pl. Austin, TX 78705
lburns@epicenter.org
1-512-478-0580 or 1-800-947-0580
Secure Fax: 1-866-241-7050

The Rev. Canon Christine Faulstich
Canon to the Ordinary
Texas Ave. Houston, TX 77002
cfaulstich@epicenter.org
1-713-520-6444 or 1-800-318-4452
Secure Fax: 1-713-521-2218

The person complaining of sexual exploitation or sexual harassment is not required to address the matter with the individual who is the subject of the complaint. For guidance on what information to include in a report, see *Confidential Notice of Concern.*

All clergy and ministry leaders are required to report immediately any suspected or known sexual exploitation to one or more of the individuals above.

College Missioners and other diocesan employees who suspect or know of sexual exploitation or who have received a report of suspected or known exploitation must report it immediately to the Safeguarding Minister or the Canon to the Ordinary.

No person who reports sexual misconduct will be retaliated against or adversely treated because he or she made a complaint.

The Episcopal Diocese of Texas may suspend any individual who is the subject of a complaint of sexual exploitation or sexual harassment during the pendency of the investigation. If the investigation substantiates that the complaint is valid, immediate corrective action designed to stop the misconduct and prevent its recurrence will be taken.

VII. Other Policies

A. Virtual Ministry, Social Media, and other Digital Communications

All digital communications must comply with Safeguarding policies. Ministry use of virtual platforms (such as Zoom) and social media is evolving, and protocols should be revisited as technology and platforms change. When questions arise about applying Safeguarding policies to a particular technology or platform, consult with the Safeguarding Minister.

1. **Implement consistent privacy settings** that respect personal boundaries with all participants across all platforms.
   a. Remember that privacy settings do not ensure confidentiality.
   b. Each organization should develop and publish agreed upon privacy settings to be used by staff and volunteers and share that information with parents and students. members of the community.
   c. For virtual meetings or classroom forums, utilize passwords and/or waiting rooms that require the facilitator to admit each participant.

2. **Be accountable.**
   a. Ministry presence on social media platforms should have more than one adult administrator.
   b. Inform parents of the ways that personnel use social media and virtual platforms for meetings or instruction. Schedule all virtual meetings and classes in advance on a calendar that, together with log-in information and passwords, is shared with parents and the Supervisor.
   c. Consider recording all meetings or classes held on virtual platforms. Before recording children or youth, obtain parental approval (see Section IV.A.2).
   d. Whenever possible, communication with children or youth, including image sharing, should be with groups rather than in private messages.
   e. Any digital communications that raise pastoral concerns or are of a potentially harmful nature (such as bullying, abuse, etc.) should be saved and disclosed to the Supervisor and head of the organization and, as appropriate, to parents.
   f. Any inappropriate material posted in online groups must be removed but should be saved by the administrator and reported to the Supervisor to be addressed.
   g. Obtain parental approval before posting images or recordings of children or youth on social media or websites (see Section IV.A.2).
   h. Review frequently the content and photos posted on social media platforms and websites.
   i. Keep informed about new and emerging social media platforms that are being used by the children or youth in the program.

3. **When video chatting or meeting on virtual platforms involving video,**
   a. Personnel should be mindful of appropriate attire and surroundings that are visible to the viewer.
   b. Personnel should not initiate an unscheduled video chat or video meeting on a virtual platform without prior parental consent.
   c. Avoid video chatting or meeting online with a child or youth when another adult is not present who can observe the interaction casually. (See the Adequate Adult Supervision Help Sheet for guidelines for online tutoring.)

4. In group communication on social media and other digital platforms, **users shall create covenants** that address
   - Appropriate and inappropriate language and behavior (sexual, profane, or derogatory language and any sort of bullying are forbidden)
   - Who may join and/or view a group activity
   - Content that may be posted/published on the site or page
   - How images will be taken and shared (see Section IV.A on prior parental approval)
   - Consequences for breaking the covenant, which may include removal from group
   - Mandatory rules for reporting misconduct

Consider disabling private chat features in virtual classrooms or meeting spaces when private conversations are not necessary.

5. **When posting photos or videos of children and youth online** or in any digital publication (after obtaining parental permission as required in Section IV.A), do not provide personal or identifying information about the children or youth pictured unless the parents have expressly consented to providing such information with respect to the particular photo or recording.

6. **Social media, texts, and emails are rarely appropriate for a sensitive matter** that requires pastoral care and attention. In those instances, an in-person meeting or phone call is preferable as it allows for an assessment of tone and demeanor that helps to evaluate the situation and determine both urgency and appropriateness of a response.

7. *Use prudent judgment in the timing of your communications to maintain appropriate boundaries and avoid the appearance of impropriety.*

8. *Reporting*: Laws regarding mandated reporting of suspected abuse or neglect apply in the virtual world just as they do in the physical world. Report suspected abuse or neglect to the Texas

[Department of Family and Protective Services](link): 800-252-5400. The rules of reporting found in *Section VIII* of these policies also apply.

B. <u>**Harassment and Discrimination Policy**</u>

The Episcopal Diocese of Texas prohibits discrimination or harassment based on race, color, sex (including sexual orientation and sexual or gender identity), national origin, age, religion, or disability toward any person. To report discrimination or harassment based on any of these protected classes, please follow the guidelines for reporting sexual harassment in *[Policies Prohibiting Sexual Harassment](link)*. All complaints will be promptly investigated, and if substantiated, corrective action designed to stop the harassment or discrimination will be taken.

C. <u>**Weapons Policy**</u>

The Episcopal Diocese of Texas does not permit any person, including clergy, staff, students, volunteers, and visitors, to carry a weapon in our churches, schools, or organizations. This prohibition applies even if the person is licensed to carry a concealed weapon under Texas law. Law enforcement officers are the only exception to this policy. There are three ways to legally give notice that the church is a gun free zone: (1) signs posted at entrances, (2) a printed card or other written communication and (3) oral communications. Notification details can be found here: *[Gun Law and Policy](link)*. Personnel must report violations under the provisions of Section II of these policies.

D. <u>**Bullying**</u>

Bullying is manifested in various ways: abusive language, offensive name calling, acts or threats of physical abuse, vandalism, theft, or destruction of property. Bullying violates a person's sense of worth and his or her immeasurable value to God. Bullying of all forms, including homophobic bullying, inhibit a person's ability to feel safe in our congregations, schools, or other organizations. Therefore, bullying of any form will not be tolerated in entities of the Episcopal Diocese of Texas. Personnel must report incidents of bullying under the provisions of *Section VI* of these policies.

VII. Acknowledgment of Receipt and Review of
Safeguarding God's People:
Policies Prohibiting Sexual Exploitation: College Ministries

I _____ (print name)

volunteer as _____ (print position)

in _____. (print name of ministry, ex: UT, UH, etc.)

I acknowledge that I have received and reviewed The Episcopal Diocese of Texas' *Safeguarding God's People: Policies Prohibiting Sexual Exploitation: College Ministries.*

I agree to comply with the Code of Conduct set forth in these policies.

I commit myself to following these policies faithfully, by treating my leaders and fellow students with honor and respect at all times, and by promptly reporting any policy violations that come to my attention.

Signature: _____

Date: _____ Email address: _____

College Missioners: ensure that each student volunteer in a pastoral relationship has received, reviewed, and agreed to comply with *Safeguarding God's People: Policies for Prohibiting Sexual Exploitation: College Ministries.*

<div align="center">Please submit this form to the Safeguarding Office.</div>

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1. Email form to Marty Brickley, Manager of Safeguarding Certifications mbrickley@epicenter.org
    or
2. FAX to 866-898-8976 Attn: Marty Brickley

Questions? Call the Safeguarding Office for assistance 800-947-0580 or 512-609-1876

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