

between the pastor and Session. Examples of direct family members may include, but are not limited to, parents, grandparents, siblings, children, in-laws, or a spouse.

- F. Session Responsibilities during the Pastor's Leave: The Session is responsible for the ongoing work of the congregation during the pastor's leave. Session should be ready to arrange and pay for pulpit supply, a Session moderator, coverage for hospital and emergency visitation and whatever teaching and programming for which the pastor was responsible. Should this become a hardship for congregation, they may apply for assistance from the Committee on Ministry as per section G below.
- G. Assistance for Churches: The Committee on Ministry will seek to provide assistance to help churches unable to meet the financial obligations outlined above in the event their pastor requires leave. This assistance is to assure that the pastor does not feel pressured to return to work prematurely and the church is able to secure sufficient pastoral care during the pastor's absence. Financial support for the church would be extended for the same time period granted for the leave, up to, but not to exceed, additional time granted by the Session or appropriate calling body for leave. Financial assistance will not be given during a pastor's use of accrued vacation. Individual sessions will apply to the Committee on Ministry when such cases arise, and each case will be judged on its own merits.
- H. Other Church Staff: The Presbytery invites churches to extend this or a similar policy to all church staff.

Approved 11/21/15

P-28. CHILD /YOUTH/VULNERABLE ADULT PROTECTION POLICY

• INTRODUCTION

The Presbytery of Detroit takes seriously its responsibility to provide a safe and nurturing environment for children, youth, and vulnerable adults. To maintain the strongest sense of integrity, safety, nurturing, and care involving all interactions with children, youth, and vulnerable adults Presbyteries, Synods, and the General Assembly of the Presbyterian Church (U.S.A.) and all entities of the General Assembly have adopted policies that all church members, church officers, nonmember employees and/or contractors, and volunteers of congregations, councils, and entities of the church are to follow. This policy applies to the Presbytery of Detroit (POD) and its constituent teaching elders, committee members, related agencies and staff and applies to all entity sponsored activities that involve children, youth, and vulnerable adults. This policy does not replace or supersede the POD's P-2 Sexual Misconduct Policy and Procedures but rather serves as a companion policy to it by addressing the unique issues involved in monitoring children, youth, and vulnerable adult activities.

• RATIONALE

As stated in the PCUSA's Child/Youth/ Vulnerable Adult Protection Policy's rationale, the implementation and documentation of a Child/Youth/Vulnerable Protection Policy strives to reduce the risk of abuse and neglect for the following reasons:

- Children, youth, and vulnerable adults are a gift from God and the Church has a divine mandate to provide for their safety and nurturing. The Church is called to be a place that reflects the open arms of Jesus. In Matthew 19:14, Jesus says, "Let the little children come to me." The Church is to be, at all levels of council and in all entities, a place of safety and nurture reflective of the arms of Christ.
- Any type of abuse involving children, youth, or vulnerable adults has lasting and devastating effects on the life of the victim/survivor. It is the call of the Church to be

a life-giving entity of Christ's healing and hope for community and individuals, not an entity that brings harm and hurt.

- The larger Church suffers with the victim/survivor and his or her family when abuse and neglect occurs. The Church is crippled by the hurt, pain, and distrust that accompanies abuse. Not only does the Church lose its credibility at all levels, it also suffers considerable financial loss and loss of integrity. More importantly, in instances of child, youth, or vulnerable adult abuse within the Church, there is immeasurable spiritual, psychological, emotional, and physical harm perpetrated that woefully cripples God's call on the Church.
- The Book of Order states, "The congregation as a whole, on behalf of the Church universal, assumes responsibility for nurturing the baptized person in the Christian life," and Presbyterians believe this baptismal commitment to be a serious one, understanding it to apply to all in the church's care, including children, youth, and vulnerable adults (Book of Order W-2.3013).
- Children and youth are not only persons of care and service in the church, but they are also co-recipients of the graces and love of God. Jesus exemplified this in the Gospel of Mark 10:15–16 when he urged his followers to receive the kingdom of God as a little child. And he specifically takes up the children into his arms and blesses them. So also the Church, as the body of Christ, is to be the presence of Christ's love, in the same way taking up all children and youth into its arms and blessing them; providing for them a safe, thriving, and nurturing environments in which to grow in every way.

• DEFINITIONS

For the purpose of this policy:

Child: A child will be defined as a person between the ages of 0–11.

Youth: A youth will be defined as a person between the ages of 12–17.

Minor: A minor is any child or youth 0–17 years-old.

Child/Youth Worker: Any person, volunteer, paid staff or contractor, who participates at any level at Presbytery of Detroit sponsored events or activities involving children and/or youth.

Vulnerable Adult: Any person eighteen-years-old or older without the developmental or cognitive capacity to consent.

Vulnerable Adult Abuse: Any act or failure to act that results in the physical, sexual, psychological, or emotional mistreatment, neglect, or exploitation of a vulnerable adult. This may include, but not be limited to, verbal abuse, physical abuse, bullying, neglect, sexual exploitation, inappropriate use of the internet, technology, and/or social media.

Child/Youth Abuse: Any act or failure to act that results in the physical, sexual, psychological, or emotional mistreatment, neglect, or exploitation of a child or youth. This may include, but not be limited to, verbal abuse, physical abuse, bullying, neglect, sexual exploitation, inappropriate use of the internet, technology, and/or social media.

Sexual Abuse: In the Book of Order, sexual abuse is defined as, "Sexual abuse of another person is any offense involving sexual conduct in relation to (1) any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position" (Book of Order, D-10.0401c).

Misuse of technology: The use of technology that results in the harassing or abusing of a child/youth is strictly prohibited. This includes using technology to send suggestive, harmful, hateful, and/or misleading messages and images to a child or youth.

Sponsoring Council: Any council of the Presbytery of Detroit that is tasked with the responsibility of planning events and activities for children, youth, or vulnerable adults.

Response Team: shall consist of: The Executive Presbyter, Stated Clerk, Chair of the Committee on Ministry, Chair of the Presbyterian Youth Connection Workgroup or Christian Education Workgroup, and the Pastor/Associate Pastor of the Congregation in which the minor belongs.

Note: Additional relevant definitions may be found in POD P-2 Sexual Misconduct Policy and Procedures

- **SCREENING, TRAINING, AND BACKGROUND CHECKS**

A. An adult (18 years and older) must be actively associated with a church within the Presbytery of Detroit through regular worship attendance and participation in other church activities for a minimum of six (6) months before he/she will be considered for volunteer work with children/youth.

B. All Staff and Volunteers are required to undergo a screening process including:

1. Completion of a Staff or Volunteer Application for Children/Youth Work which includes:

- a. References
- b. Form for professional background check
- c. Acceptance of the POD's Child Protection Policy
- d. Acceptance of the POD's Sexual Misconduct Policy

2. A documented reference check.

3. Criminal Background Check: Prior to any planned event or activity, the host council will submit to the Presbytery of Detroit office, a complete listing of all volunteers directly associated with that event or activity to verify that each and all have successfully passed a national background check within the previous 12 months-

4. All information obtained in the screening process, including any review/evaluation notes, and the Professional Background Check Report will become a part of the applicant's permanent file.

C. Any person who is currently under investigation by the authorities for, or who has been convicted of:

- Criminal sexual misconduct
- Neglect of a child
- Physical abuse
- Crimes related to the possession, use or sale of drugs or controlled substances
- Other acts of violence
- Other acts harmful to youth (harmful employment, abandonment, endangerment of a minor)

will be excluded from any, and all, positions, paid or volunteer, involving work with children/youth anywhere within the jurisdiction of the Presbytery of Detroit. In addition, if the POD is aware that an individual has a conviction for one of the above mentioned or related crimes, the individual **shall not be eligible to attend the event in any capacity.**

- **PROVIDING FOR A SAFE ENVIRONMENT FOR POD EVENTS**

The Presbytery of Detroit shall ensure that the following measures be in place and actions taken

for each event or activity involving children and youth:

1. **"Rule of 3"**: Also known as the "2&1" rule. During any situation there should be at least 2 youth and 1 adult present or 2 adults and 1 youth present. Youth and Adults should not be alone, 1 to 1. If a 1 to 1 situation is absolutely unavoidable, the adult should take care to keep the situation as public as possible (doors open, another adult notified and aware of the meeting). This rule requires that employees or volunteers are not alone with children or youth without another person in view. This reduces the opportunity for misconduct and provides a witness if complaints are made against a paid staff or volunteer worker
2. **Ratios**: The adult to child ratio for all child-related events/activities is 2:14. The adult to youth ratio for all youth-related events/activities is 2:14. There shall also be one adult of each gender when there is one or more minors of each gender in a group
3. **View Windows and Open Doors**: When minors and adult workers or volunteers are in a room, if the door is closed, the door must have a view or, the Rule of 3 shall be followed with unencumbered visual access.
4. **Respect privacy**: Adult workers/caregivers should respect the privacy of the children to whom they provide care. Responsible use of digital devices and cell phones is required in all situations (ex. Taking age-appropriate photographs and movies, not taking photographs of minors who are not fully clothed.) Adults and minors are required at all times to wear appropriate attire. The Presbyterian Youth Connection Workgroup shall determine and monitor the appropriate dress code for each event.
5. **Empowering minors to speak up**: A reminder to all participants shall be provided encouraging all participants to report to the parent/guardian or leader of the event of any behavior that makes them uncomfortable.
6. **Transportation**: All adult drivers at child/youth events must have valid license and insurance on file with the organizing council. All vehicles used must have seat belts for the driver and each passenger. No minor under 8 years of age or shorter than 4 feet 9 inches tall may sit in the front seat of any vehicle. All drivers transporting minors and vulnerable adults must be over the age of twenty-five.
7. **Forms**: The legal guardians of each minor must provide the appropriate information and medical forms for each activity/event. The information form should include all contacts for legal guardians and the medical form must include a copy of the minor's health insurance card. Further consent forms must be signed by legal guardians for any events. Completion of these forms includes permission for photos or videos to be used by social media or published material by the organizing council (last names omitted in captioning). All such forms must be stored at the event site, in a secure place with restricted access.
8. **Event rules/ code of conduct**: Each event/activity must ensure that rules are gone over with participants, all staff and volunteers at each event/activity. These rules shall include but are not limited to a code of conduct specific to the event/activity, as well as a list prohibited and expected behaviors for the specific event/activity. The code of conduct and prohibited and expected behaviors list should be given in written form to each participant and legal guardians, as well as discussed thoroughly at the beginning of the event/activity.
9. **Showering/Grooming**: Children/youth and adults must maintain different showering and grooming hours at events in which bathrooms and shower rooms are shared in housing. These hours must be posted on site.
10. **Sleeping quarters**: No adult shall ever be alone with a minor in sleeping quarters, especially if they are changing clothes.

- **Reporting Requirements**

- A. *Every Church Member, employee and person acting as a volunteer in Presbytery related programs involving Children or Youth shall immediately report and document any suspected Incident of Abuse of which such person has knowledge.*
- B. *An Incident of Abuse is any occurrence, in which any adult does, or is suspected of doing, any of the following:*

Threatens or inflicts physical injury upon, or strikes, a Child or Youth other than by accidental means or in self-defense;

Commits or allows to be committed any sexual offense against a Child or Youth

Engages in any sexual contact with a Child or Youth;

Enters into a dating relationship with a Youth

With respect to a Child or Youth, makes any kind of sexual advance, or makes a request for sexual favors, or engages in sexually motivated physical contact, or engages in other verbal, visual or physical conduct of a sexual nature.

Neglects the overall welfare of a child

- C. **REPORTING PROCEDURES for incidents of abuse or suspected abuse:**

1. If there is an imminent threat of continued or additional abuse, any witness to an incident of abuse or suspected abuse shall immediately take measures to protect the alleged victim, this may include contacting the Police.
2. After protective measures, have been taken, the person witnessing or suspecting an incident of abuse or suspected abuse shall report the incident immediately to local law enforcement &/or the mandated reporting hotline and all of the appropriate Presbytery of Detroit representatives explained below:
3. After protective measures, have been taken, the person witnessing or suspecting an incident of abuse or suspected abuse shall report the incident immediately to the **On-site event coordinator** and the **Chair of the sponsoring Presbytery Workgroup or Committee**.
 - **Local Law Enforcement &/or Mandated Reporting Hotline**– All paid staff, Teaching Elders, and volunteers, even those who are not mandated reporters, to report to appropriate civil authorities immediately, without attempting any further investigation their knowledge of abuse of children or youth, if such knowledge is obtained while engaging in the ministries of the POD their knowledge of abuse of children or youth.
 - Depending on the circumstances you will call the local law enforcement agency, county child abuse agency, or the **Mandated Reporter Hotline** at 1-877-277-2585. It is not sufficient to report it to the leader of the event, or a supervisor or other person in the Presbytery. The Michigan law is Act 238 of 1975, MCL 722.623.
 - The **Stated Clerk and Executive Presbyter** in all cases when a violation of this policy is reasonably suspected.
 - When the alleged accused is an Teaching Elder the incident shall be reported to the Stated Clerk. This triggers the formation of an investigating committee under the Rules of Discipline of the Book of Order: The Constitution of the Presbyterian Church (U.S.A.), Part II – Rules of Discipline.

- When the allegation is of a sexual nature, refer to the sexual misconduct policy for specific procedures.
 - If the report is against a Ruling Elder, the response team will notify the session of membership that an allegation of offense has been received against an elder that triggers the formation of an investigating committee under the Rules of Discipline of the Book of Order: The Constitution of the Presbyterian Church (U.S.A.), Part II.
 - If the report is against an employee of the POD, the response team will notify the person(s) or committee responsible for supervision of the employee, Human Resources, and Legal Services. If the report is against an employee of sponsoring council or entity other than the POD, the response team will notify the person(s) or committee responsible for supervision of the employee. The response team will request a follow-up report from the supervisory body of the outcome of any subsequent investigation or discipline.
 - If the report is against a volunteer, or nonmember of the POD the response team will request that the POD entity appoint an investigating committee of three persons to initiate an investigation of the allegations in order to:
 - gather any statements of abuse from those making the report, including any information from the Safety Response Team, and any party to the abuse;
 - gather any information from the accused;
 - make written determinations and take actions appropriate to resolve the matter including, but not limited to, making recommendations for prevention as well as response.
2. The Executive Presbyter and/or the Stated Clerk, working with the sponsoring Presbytery workgroup/committee chair will see that the appropriate action is taken.
 - Notification of the Minor's parents (as directed by the Child Protective services), the Pastor of the Minor's congregation and an incident report being immediately given to the Response Team.
 - The violation of appropriate conduct shall be governed by inquiry and discipline as defined by the Book of Order, Rules of Discipline, with the POD P-2 SMP as a supplement.
 3. A report of suspicious or unusual activity is a serious allegation, and therefore, must include as much detail as possible that may include who, what, when, where and how, of the alleged incident, however in the case of criminal violation any investigation shall be left to the civil authorities.
 4. All reported incidents will be taken seriously, and handled in a manner that is discreet, timely, gentle and protective to both the victim and the alleged abuser.
 5. The accused will be required to **immediately** stop all participation in children and youth activities until it is determined if further action shall be taken. In the event that the removal of an accused party from children or youth activities becomes necessary, care should be taken, to handle this in a discreet manner, recognizing that an investigation is still being conducted.
 6. Response to any and all media inquiries shall be the sole responsibility of the Stated Clerk.

7. Appropriate pastoral counseling for all parties (victim, victim's family, accused, church, other's impacted by abuse) will be provided.
8. A written summary of any proceedings in such cases will be maintained by the POD.
9. Any person bringing a report of abuse or assisting in investigating will not be adversely affected in terms and conditions of employment, church membership or affiliation, or otherwise discriminated against or discharged.

ADMINISTRATION OF THIS POLICY

The Presbytery of Detroit event sponsoring entity shall be responsible for ensuring that the policy is followed for an event, including ensuring that all staff, paid and volunteers, provide the required documentation, have the required background and criminal checks, and have received the training as indicated in this policy.

This policy, including reporting procedures and response strategies shall be reviewed annually by a committee or work group identified by the POD Coordinating Cabinet. The Trustees will periodically do a needs/risk management assessment and update as to adequate liability insurance coverage as needed. The Presbyterian Youth Connection Workgroup will review this policy every five years.

Approved 6/13/17

P-29 PRESBYTERY POLICY ON GUNS & GUIDELINES FOR SESSIONS

No person is authorized to carry a gun of any kind to any Presbytery event or any event sponsored by the Presbytery of Detroit except where required by state or federal law.

If an incident with a gun occurs or is suspected, the police shall immediately be called.

If any person suspects there may be a danger to any person or group by a potential assailant, that person should immediately inform those officiating at the meeting.

Guidelines for Sessions

The Book of Order does not give the authority to require sessions to take steps on guns in their churches. But the presence of a gun in church raises many issues of safety.

Michigan law, MCL 28.425o says that no one may carry a concealed weapon in a church unless the session permits it. Those with a permit may openly carry a weapon in church.

Michigan law makes a church responsible for a gun incident in a church only in those cases where the church is informed of a foreseeable act by a third party that poses a risk of imminent harm to a specific member or members of the congregation. Only then does a church have a duty to use reasonable care to protect their congregation from the criminal acts of a third party. *See Bailey v. Schaaf*, Michigan Supreme Court, 2013. If an incident should occur, then police must be informed immediately.

There is, of course, the moral responsibility to protect our congregation. This raises the matter of likelihood that there will be a gun event in a church. That likelihood is very small. Even though some cases make the news, this must be understood in the context of number of churches and synagogues: something around 350,000. A significant number of gun incidents involve family disputes or other quarrels. Moreover the probability of injury to innocent bystanders goes way up in any kind of gun incident.

With this in mind, Presbytery encourages sessions to declare a strict no-gun policy and post a sign declaring the church property a gun-free zone, but if they decide to allow guns in their church, then the presbytery recommends the following guidelines concerning guns in churches: