

The Episcopal Diocese of Maine

Policies and Procedures Pertaining to the Protection of Children and Youth

Adopted by Diocesan Council June 2, 2018

The Diocese of Maine (“the Diocese”) is committed to the prevention of child abuse of all forms. The purpose of this policy is to help the church to be a safe place for all who worship, or minister, or come in any sort of need, including children, youth, and those who work with them. We believe that this policy is one aspect of honoring our baptismal vows to “respect the dignity of every human being.”

For purposes of this policy, “children” and “youth” collectively include all persons below the age of 18, and any eighteen year old who is enrolled in high school.

This Policy supersedes and replaces the previous “Policies and Procedures Concerning Allegations and Incidents of Sexual Misconduct” dated November 12, 1994, and all subsequent amendments, with respect to all matters addressed by this Policy.

This policy is intended to govern the conduct of all Diocesan employees, volunteers, and others acting on behalf of the Diocese, as well as all clergy of the Diocese and persons otherwise accountable to the Diocese, with respect to their dealings with children and youth; and is recommended as guidance to all persons not directly accountable to the Diocese.

A. Misconduct Towards Children or Youth Prohibited

Adults shall never under any circumstances:

- Provide children or youth with non-sacramental alcohol, illegal drugs (which for purposes of this Policy include tobacco and cannabis), or pornography.
- Consume non-sacramental alcohol, illegal drugs, or pornography, or misuse legal drugs, at any children’s or youth event.
- Be under the influence of alcohol, illegal drugs, or misused legal drugs at any children’s or youth event.
- Engage in or seek to engage in any sexual, romantic, illicit or secretive relationship or conduct with any child or youth.
- Discuss their own sexual activities or fantasies with children or youth
- Engage in illegal activity, or permit other adults, children, or youth to engage in such activity, when children or youth are under the care, direction or supervision of the adults.

- Egregiously and willfully neglect children or youth under their care, direction or supervision.

B. Reporting to State Authorities

The State of Maine has a mandatory reporting statute, which requires “mandated reporters” to report any time they know or have reasonable cause to suspect that a child (defined as any person under 18 years of age) has been or is likely to be abused or neglected. Mandated reporters include clergy (except for information received in confidential communications), child caregivers, church administrators, and church members who have assumed positions of trust with regard to their congregation. The Diocese believes that clergy, vestry members, Wardens, parish or other administrators, Sunday School teachers, and nursery care givers are generally mandated reporters (this list reflects persons likely to be affected by this policy but it is not exhaustive). The statute is found at 22 M.R.S.A. sec. 4011-A.

The Maine Department of Health and Human Services provides the following contact information for making reports:

To report child abuse or neglect:

Call **1-800-452-1999**

Deaf/Hard of Hearing Call Maine Relay **711**

The Maine Child and Family Services line is staffed 24-hours a day, 7-days a week.

It is the policy of the The Diocese that any and all mandatory reports be made without delay.

In addition, it is the policy of The Diocese that any time there is knowledge or reasonable cause to suspect that a crime has been committed against a child or youth, the matter shall be reported promptly to the police.

Any time a report is made, it is advisable to make and preserve notes including the date and time of the call, the information provided, and the names of the reporter and of the person to whom the information was given. The Diocese will cooperate with governmental authorities in any subsequent investigation.

Congregations or other entities may adopt their own practices pertaining to reports, such as an obligation to advise the priest in charge or other person if a report is necessary or has been made, so long as those local practices do not conflict with or significantly delay compliance with this policy or with the law.

C. Reporting and Responding to Suspected Abuse of Children or Youth

Anyone who knows of or reasonably suspects a violation of these policies in a parish environment shall immediately report the violation to the Rector or priest, and to a Warden, in addition to any reporting required by state law. Anyone who knows of or reasonably suspects a violation of these policies in a Diocesan environment or by a member of the clergy shall immediately report the violation to the Bishop's Office, in addition to any reporting required by state law. Such report may be made by any means, including a telephone call, a letter or email, or an in-person meeting.

Any priest or Warden who receives a report of a violation of these policies shall immediately consult with the Bishop's Office for guidance.

All reports to the Bishop's Office will be taken seriously, and reviewed and investigated promptly and impartially. Interim measures will be taken, if necessary, to guard against any risk of further harm; such measures will not represent a prejudgment of the matters under investigation.

Investigation and other response by the Bishop's Office will be carried out in a manner appropriate to the circumstances, and will to the greatest extent possible:

- Ascertain the truth as quickly as possible
- Avoid causing further harm or trauma to victims
- Avoid assuming the truth or falsehood of any allegation apart from the evidence
- Arrange appropriate pastoral care and support for all affected

In any case where a member of the clergy is accused of misconduct, the procedures of Title IV of the Canons of The Episcopal Church will apply. Any investigation will, if appropriate, be deferred or suspended pending investigation by law enforcement or other governmental authorities.

D. Background Screening

The Diocese will perform background checks on all clergy at the time they begin new positions within the Diocese, except where a recent background check is already on file. The Diocese will similarly perform background checks on all persons who begin employment with the Diocese, and on all persons (including volunteers) who regularly work with children or youth at events sponsored by the Diocese. Background checks will generally include state criminal, sex offender, and driver's history checks, individual interview and reference checks. The specific nature of each background check will be determined by the Bishop's Office and may change over time.

All congregations are required to perform initial background checks on all employees, and on all volunteers who regularly work with children or youth outside the church premises or outside of regular service times. It is the responsibility of the priest in charge to make sure that such background checks are completed. Congregations are strongly encouraged to perform background checks of all volunteers who regularly work with children or youth, excluding unpaid Sunday School teachers whose work takes place entirely within the church premises and during regular service times.

Reference checks usually include

- a conversation with a fellow parishioner or, in the case of someone new to the congregation, with the priest in charge of their former parish. This conversation can be informal. Generally, parishioners should be at the church for six months before volunteering regularly with children or youth.
- Searches can be done on the [Maine Sex Offender Registry](#) (free), [Maine Driver Record Check](#) (\$7), [Maine Criminal Background Check](#) (\$31) and the [National Sex Offender Registry](#) (free). The Bishop's office can also make referrals to outside companies who can provide background checks at a reasonable cost. *[This section will be periodically updated as an administrative matter, not requiring further adoption by Council, to reflect current information.]*

Use your common sense.

No person known to have a history of sexual misconduct or offenses, whether criminal or not, should ever have any unrelated child or youth under their care, direction or supervision.

E. Monitoring and Supervision

The Diocese adopts the following as its policy to the extent applicable to events and programs of the Diocese, and strongly encourages congregations to do the same to the extent applicable to congregational events and programs.

- Plans for all events and activities for children and youth shall include at least two unrelated adults both of whom will generally be present.
- Single-teacher Sunday School classrooms are acceptable if necessary, provided that classes take place on church premises during regularly scheduled service times, and that activities inside the classroom are readily observable by non-participants who pass by.
- Any new event, program, or trip that involves children or youth must be reviewed and approved in advance by the Bishop's Office in the case of Diocesan events, or by the priest in the case of congregational events.

- No event for children or youth shall take place in a private residence without approval as outlined above.
- Adults may not have a secret relationship with any unrelated child or youth. If a one-on-one relationship does exist - such as because of family friendships, mentoring, or other community activities - the relationship should be disclosed and managed by the adult to avoid any appearance of secretiveness.

F. Education and Training

The Diocese will regularly offer a program of education and training on issues of sexual misconduct, including the causes and effects of sexual abuse, preventing abuse, recognizing and responding effectively to warning signs that abuse may be taking place, and related issues. It will also include orientation to the contents of this Policy. The program may be combined with training related to the protection of vulnerable adults, and may be referred to as “Safe Church” training. Safe Church training may be offered via in-person seminars, via a computer-based tutorial, or by other methods, with the goal of offering the highest-quality training feasible in a convenient and accessible manner. Equivalent training completed in another diocese or denomination may, at the discretion of the Bishop’s Office, satisfy the requirements for Safe Church training specified below.

Safe Church training is required every four years for all the following persons who are directly accountable to The Diocese:

- Priests who are in charge of congregations, deacons assigned to congregations and all clergy who exercise their ordained ministry on more than an occasional and ad-hoc manner (thus intending to exclude only retired clergy, or others, who serve infrequently and sporadically as supply clergy).
- Postulants and candidates for Holy Orders.
- Persons employed the Bishop’s Office on a salaried basis.
- Persons (including volunteers) who regularly supervise children or youth at events sponsored by the Diocese.

Safe Church training is also required every four years for the following persons who are accountable to congregations, and it is the responsibility of the priest in charge to ensure compliance with this requirement:

- Employees

- Volunteers who regularly supervise children or youth, excluding unpaid Sunday School teachers whose work usually takes place within the church premises and during regular service times.

Safe Church training is recommended for (though not required of) all Wardens and members of Vestries or Bishops' Committees, and is also offered to all other Maine Episcopalians.

G. Diocesan Alcohol Use Policy

All persons, and for the purposes of this Policy especially those responsible for the care, direction or supervision of children or youth, are reminded of the Diocesan policy on the use of alcohol.