

Open Table, United Church of Christ Safe Church Policy

Statement Prohibiting Abuse, Exploitation, and Harassment

Open Table: A Community of Faith is committed to creating and maintaining programs, facilities, and a community in which employees, volunteers, members, participants, visitors, and persons served by Open Table can work together in an atmosphere free from all forms of discrimination, harassment, exploitation or intimidation. All persons associated with Open Table should be aware that the church is strongly opposed to sexual exploitation and sexual harassment and that such behavior is prohibited by Open Table's policy. It is the intention of Open Table to take action to prevent and correct behavior that is contrary to this policy and, if necessary, to discipline those persons who violate this policy.

Ministerial, Employee, and Volunteer Conduct

It is important that every employee, including authorized ministers, independent contractors, and volunteers be adequately prepared and educated for the ministry in which they serve others, and to understand the ways in which their use or misuse of authority may impact others. It is the policy of Open Table to encourage its employees, independent contractors and volunteers to nurture safety within the work performed on behalf of Open Table, and to treat themselves and others with respect, loyalty, patience, integrity, courtesy, dignity, and consideration. Sexual exploitation or sexual harassment of employees, volunteers or others by anyone engaged in the work performed on behalf of Open Table will not be tolerated within this congregation.

Requirements for Commencing and Continuing Employment or Volunteerism

- Before beginning their duties, all employees will be required to submit an application and/or disclosure form similar to the sample attached hereto as Exhibit A.
- Before beginning their duties, all employees, independent contractors, and volunteers may be personally interviewed to assess the suitability of their character and qualifications for the position they seek.
- Prior to employment, Open Table will conduct a criminal background check and employment reference check for all prospective employees, including, but not limited to, a registered sex offender review for each prospective employee, by searching their name on the Department of Justice website at www.nsopr.gov. This registered sex offender review will be repeated on an annual basis.
- All employees will be required to attend mandatory workshops on "Safe Church" issues as recommended by the association or conference, not less than once each three year period. Independent contractors and volunteers will be invited to participate in workshops on "Safe Church" issues.
- All authorized ministers employed at Open Table are expected to attend all boundary workshops required by the association where the minister currently has standing.

Additional Requirements for Child and Youth Ministry

Open Table: A Community of Faith is committed to providing a safe and healthy environment in which young people can learn about and experience God's love. In order to promote this, we have established the following guidelines in addition to the general requirements for ministry to the church:

- We expect that those who volunteer to work with minors will have been members of Open Table for at least six months or, if not members, regularly and frequently associated with Open Table for at least a year.
- All volunteers who regularly work with children and youth will complete and submit a disclosure document in a form substantially similar to the sample attached hereto as Exhibit B.

- Before beginning their duties, all prospective employees will undergo a background check, including but not necessarily limited to inquiries of references and a criminal history verification by a third party vendor.
- All volunteers, independent contractors and employees who regularly work with children and youth will receive orientation regarding safe church policy and procedures.
- It is the policy of this church to provide adequate supervision and safeguards for children and youth activities. If at least two unrelated and screened adults are not available to supervise the children, the children's parents will be notified and their verbal consent will be obtained. No single child will be alone with an adult.
- Written consent of one parent or guardian of a minor will be required for all activities off the property of Open Table, and any overnight activities.

Definitions

- **Minister:** a person authorized by the church to carry out its ministry. Ministers include elected or appointed leaders of the church, employees, and volunteers, as well as authorized ministers.
- **Authorized Minister:** a person who holds ordained ministerial standing or has been commissioned or licensed by an Association of the United Church of Christ. An authorized minister is one type of minister within the meaning of this policy.
- **Called Minister:** the authorized minister called by a particular congregation to fulfill the duties of pastor.
- **Independent Contractor:** a person who is contracted by Open Table to perform services that ordinarily would be performed by an Open Table employee, normally on a short term or temporary basis. An independent contractor, for purposes of this policy, does not include a vendor or third party who supplies goods or services to Open Table. (i.e. attorneys, auditors, suppliers of equipment/office supplies, caterers, musicians, etc.).
- **Ministerial Relationship:** the relationship between one who carries out the ministry of the church and the one being served by that ministry.
- **Sexual Exploitation:** sexual activity or conduct (not limited to sexual intercourse) in which a person takes advantage of the vulnerability of the person being served by causing that person to engage in sexual behavior with Open Table employees or volunteers.
- **Sexual Harassment:** repeated or coercive sexual advances toward another person contrary to his or her wishes. It includes behavior directed at another person with the intent of intimidating, humiliating, or embarrassing the other person, or subjecting the person to public discrimination. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

submission to such conduct is made either explicitly or implicitly a term or condition or circumstance of instruction, employment or participation in any church activity;

submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making personnel or church related decisions affecting an individual; or

such conduct has the purpose or effect of unreasonably interfering with an individual's performance or participation in church activities or creating an intimidating, hostile or offensive work or church environment.

Prohibited sexual harassment includes unsolicited and unwelcome contact that has sexual overtones, particularly:

written contact, such as sexually suggestive or obscene letters, notes, text messages, instant messages, e-mails, or invitations;

verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender specific traits, or sexual propositions;

physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement, assault, or coercing sexual intercourse; and

visual contact, such as leering or staring at another's body, gesturing, displaying sexually suggestive objects or pictures, cartoons, posters, or magazines.

Sexual harassment also includes continuing to express sexual interest after being informed directly that the interest is unwelcome and using sexual behavior to control, influence, or affect the career, salary, work, learning or worship environment of another. It is impermissible to suggest, threaten, or imply that failure to accept a request for a date or sexual intimacy will affect a person's job prospects, leadership opportunities, or comfortable participation in the life of Open Table. It is forbidden either to imply or actually withhold support for an appointment, promotion, or change of assignment, to suggest that a poor performance report will be given because a person has declined a personal proposition; or to hint that benefits, such as promotions, favorable performance evaluations, favorable assigned duties or shifts, recommendations or reclassifications, will be forthcoming in exchange for sexual favors.

Procedures for Handling Complaints of Sexual Exploitation or Harassment

1. Response Team

A subcommittee of Open Table: A Community of Faith with no less than two members, one male and one female, will be chosen by the church council to investigate a reported incident. The subcommittee, hereafter referred to as "The Response Team," will be familiar with the terms of this policy, as well as the established procedures of the church for dealing with a complaint. Several approaches may be taken in addressing incidents of alleged sexual exploitation or harassment:

- A. The complainant can attempt to resolve the matter directly with the respondent, the individual accused of sexual exploitation or harassment.
- B. The complainant can report the incident to the called minister or a church council member in an effort to resolve the matter informally.
- C. If an informal resolution of the complaint does not seem wise, appropriate, possible, or does not succeed, the complainant may request that the Response Team institute formal proceedings which shall include the following steps:
 - a. The Response Team shall keep the pastor and moderator apprised of ongoing steps and actions taken. If either the pastor or moderator is the subject of the complaint, this notice requirement shall not apply.
 - b. The Response Team may seek the advice of legal counsel or others to assist it in performing its functions.
 - c. The Response Team shall gather statements or other information from the individuals involved in the alleged exploitation or harassment and from others who may have pertinent information, such as qualified professional consultants, and present such information to the church council or an appropriate subcommittee thereof.
 - d. The church council, or an appropriate subcommittee thereof, shall make determinations and take actions appropriate to resolve the matter. If a finding is made that sexual exploitation or harassment has occurred, and that the appropriate body of the church is called upon to take action accordingly; such action may include one or more of the following:
 - i. a formal reprimand, with defined expectations for changed behavior;
 - ii. recommending or requiring psychological or psychiatric assessment, counseling and/or treatment;
 - iii. probationary standing, with the terms of the probation clearly defined;

- iv. dismissal from employment or authorized volunteer position, affiliation with, or membership in, the church.
- v. finding that sexual exploitation or harassment did not occur.
- e. A written summary of the church council proceedings in such cases will be maintained.
- f. The person(s) toward whom the inappropriate behavior is directed need not be the complainant. Moreover, neither consent nor acquiescence will excuse or exonerate inappropriate behavior. At any time the church may initiate or proceed with the formal complaint process.
- g. In determining whether alleged conduct constitutes sexual harassment or exploitation, consideration shall be given to the record of the alleged incident(s) as a whole and to the totality of the circumstances, including the context in which the alleged incident(s) occurred.

2. Complainant Protection

Any person bringing a sexual harassment or exploitation complaint or assisting in investigating such a complaint will not be adversely affected in terms and conditions of employment or church membership or affiliation, or otherwise discriminated against or discharged.

If the complainant or respondent is not satisfied with the disposition of the matter by the church council, he or she has the right to appeal to the moderator who shall refer the matter to the conference minister. The subject of any such appeal to the conference minister shall be limited solely to whether the procedures of this policy were followed. The matter will not be reconsidered on the merits, and the decision of the conference minister will be the final resolution of the matter. If the conference minister determines that the procedures of this policy were not followed, it will refer the matter back to the church council to complete the processing of the complaint in accordance with these procedures.

3. Child Abuse

Apart from any legal requirements Open Table: A Community of Faith will make a report to the appropriate authorities, including but not limited to the Alabama Department of Human Resources, if at any time Open Table has reasonable cause to believe that a minor may be an abused or neglected child. Any employee of Open Table who becomes aware of the facts or circumstances that child abuse or neglect has occurred or that there exists a substantial risk that child abuse or neglect may occur in the reasonably foreseeable future shall immediately report the matter to the called minister and moderator so Open Table may take appropriate action in a timely manner, or may call the Child Advocacy Center at 251-432-1101.

4. Clergy

Apart from any disposition of the matter by Open Table, all allegations of behavior which call into question the fitness for ministry of any authorized minister will promptly be forwarded to the association where the minister currently has standing.

The Southeast Conference of the United Church of Christ may be contacted at: 1-800-807-1993/404-607-1993 or by emailing the conference minister, June Boutwell at jboutwell@secucc.org.

5. Disclaimer

It is understood the above policy cannot be enforced upon our host church or its members.

Revisions initiated by a policy review team (Demetrius Semien, Justin Litaker, Emilia Gonzalez, Rhoda Vanderhart) and confirmed by the council with congregational input.

Adopted at Annual Meeting, November 22, 2015

Exhibit A
Open Table: A Community of Faith
Authorized Volunteer
Application and Disclosure Form

Name: Last	First	Middle
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Address: Street	City/State	Zipcode
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Daytime Phone	Evening Phone	Email
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References: One reference should be related to you and the other references should not be related to you.

Name

Address	City	State	Zipcode
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Telephone	Email
------------------	--------------

Name

Address	City	State	Zipcode
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Telephone	Email
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Name

Address	City	State	Zipcode
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Telephone	Email
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I have been a member of this church since _____
I have been a friend of this church since _____

I have never been convicted of, nor pled guilty or no contest to, a crime. (Exclude convictions that have been sealed, expunged or legally eradicated, misdemeanor convictions for which probation was completed and the case was dismissed, or offenses about which inquiry is not permissible in this state)

True Not True

If not true, please briefly describe the nature of the crime(s), the date and place of conviction and the legal disposition of the case. The church will not deny a position to any applicant solely because the person has been convicted of a crime. The church, however, may consider the nature, date and circumstances of the offense, as well as whether the offense is relevant to the duties of the position applied for.

Is there any fact or circumstance involving you or your background that would call into question your being entrusted with the responsibilities of the position for which you are applying?

Yes No

If yes, please provide a brief explanation.

The covenants between persons seeking authorized volunteer positions in the church require honesty, integrity, and truthfulness for the health of the church. To that end, I attest that the information set forth in this application is true and

complete. I understand that any misrepresentation or omission may be grounds for rejection of consideration for, or termination of, the position I am seeking to fill. I acknowledge that it is my duty in a timely fashion to amend the responses and information I have provided if I come to know that the response or information was incorrect when given or, though accurate when given, the response or information is no longer accurate.

Beginning such relationships with an open exchange of relevant information builds the foundation for a continuing and healthy covenant between volunteers and the church they seek to serve. To that end, I authorize Open Table: A Community of Faith and/or its agents to make inquiries regarding my character and qualifications, including all statements I have set forth above. I also authorize all entities, persons, former employers, supervisors, courts, law enforcement, and other public agencies to respond to inquiries concerning me, to supply verification of the statements I have made, and to comment on and state opinions regarding my background, character, and qualifications. To encourage such persons and entities to speak openly and responsibly, I hereby release them from all liability arising from their responses, comments, and statements.

Open Table: A Community of Faith's authorized volunteer recruitment process involves the sharing of information regarding applicants with those persons in a position to recruit, secure, and supervise both the position I am seeking to fill and program I am seeking to participate in. To that end, I authorize Open Table: A Community of Faith and its agents to circulate, distribute, and otherwise share information gathered in connection with this application to such persons for these purposes. I understand Open Table: A Community of Faith will share with me information it has gathered about me, if I request it to do so.

I acknowledge my receipt and understanding of the Open Table: A Community of Faith's Safe Church Policy.

(PRINT NAME & SIGN)

DATE

(PRINT NAME & SIGNATURE OF PARENT OR GUARDIAN FOR APPLICANTS UNDER 18)

DATE

- Sex Offender Registry (www.nsopr.gov) review performed on _____
- Personal interview conducted by staff on _____
- Reference inquiries completed on _____

Exhibit B
Open Table: A Community of Faith
Employment/Authorized Children and Youth Volunteer
Application and Disclosure Form

NAME: LAST	FIRST	MIDDLE
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ADDRESS: STREET	CITY/STATE	ZIPCODE
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DAYTIME PHONE	EVENING PHONE	EMAIL
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References: One reference should be related to you and the other references should not be related to you.

NAME

ADDRESS	CITY	STATE	ZIPCODE
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TELEPHONE	EMAIL
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NAME

ADDRESS	CITY	STATE	ZIPCODE
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TELEPHONE	EMAIL
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NAME

ADDRESS	CITY	STATE	ZIPCODE
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TELEPHONE	EMAIL
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I have been a member of this church since _____
I have been a friend of this church since _____

I have never been convicted of, nor pled guilty or no contest to, a crime. (Exclude convictions that have been sealed, expunged or legally eradicated, misdemeanor convictions for which probation was completed and the case was dismissed, or offenses about which inquiry is not permissible in this state)

True Not True

If not true, please briefly describe the nature of the crime(s), the date and place of conviction and the legal disposition of the case. The church will not deny a position to any applicant solely because the person has been convicted of a crime. The church, however, may consider the nature, date and circumstances of the offense, as well as whether the offense is relevant to the duties of the position applied for.

No civil lawsuit alleging actual or attempted sexual discrimination, harassment, exploitation, or misconduct; physical abuse; child abuse; or financial misconduct has ever resulted in a judgment being entered against me, been settled out of court, or been dismissed because the statute of limitations has expired.

True Not True

If not true, give a short explanation of the lawsuit. (Please indicate the date, nature, and place of the incident leading to the lawsuit; where the lawsuit was filed; and the precise disposition of the lawsuit.)

I have never terminated my employment, professional credentials, or service in a volunteer position or had my employment, professional credentials, or authorization to hold a volunteer position terminated for reasons relating to allegations of actual or attempted sexual discrimination, harassment, exploitation, or misconduct; physical abuse; child abuse; or financial misconduct.

True Not True

If not true, give a short explanation. (Please indicate the date of termination; name, address, and telephone number of employer or volunteer supervisor; and nature of the incident(s) leading to your termination.)

Do you have a valid drivers' license?

Yes No

With respect to my driving record, I have not had my license suspended or revoked within the last five years due to reckless driving or driving while intoxicated and/or under the influence of a controlled substance.

True Not True

Is there any fact or circumstance involving you or your background that would call into question your being entrusted with the responsibilities of the position for which you are applying?

Yes No

If yes, please provide a brief explanation.

The covenants between persons seeking authorized volunteer positions in the church require honesty, integrity, and truthfulness for the health of the church. To that end, I attest that the information set forth in this application is true and complete. I understand that any misrepresentation or omission may be grounds for rejection of consideration for, or termination of, the position I am seeking to fill. I acknowledge that it is my duty in a timely fashion to amend the responses and information I have provided if I come to know that the response or information was incorrect when given or, though accurate when given, the response or information is no longer accurate.

Beginning such relationships with an open exchange of relevant information builds the foundation for a continuing and healthy covenant between volunteers and the church they seek to serve. To that end, I authorize Open Table: A Community of Faith and/or its agents to make inquiries regarding my character and qualifications, including all statements I have set forth above. I also authorize all entities, persons, former employers, supervisors, courts, law enforcement, and other public agencies to respond to inquiries concerning me, to supply verification of the statements I have made, and to comment on and state opinions regarding my background, character, and qualifications. To encourage such persons and entities to speak openly and responsibly, I hereby release them from all liability arising from their responses, comments, and statements.

Open Table: A Community of Faith's authorized volunteer and employee recruitment process involves the sharing of information regarding applicants with those persons in a position to recruit, secure, and supervise both the position I am seeking to fill and program I am seeking to participate in. To that end, I authorize Open Table: A Community of Faith and its agents to circulate, distribute, and otherwise share information gathered in connection with this application to such persons for these purposes. I understand that Open Table: A Community of Faith will share with me information it has gathered about me, if I request it to do so.

I acknowledge my receipt and understanding of the (name of Local Church) Safe Church Policy.

(PRINT NAME & SIGN)

DATE

(PRINT NAME & SIGNATURE OF PARENT OR GUARDIAN FOR APPLICANTS UNDER 18) DATE

- Sex Offender Registry (www.nsopr.gov) review performed on _____
- Personal interview conducted by staff on _____
- Reference inquiries completed on _____
- Church membership for 6 mos. or association for 1 year confirmed on _____
- Safe church awareness training and policy orientation performed on _____

Additionally, if considered for employment:

- Criminal History Verification (Oxford Document Management) together with Fair Credit Reporting Act notices, completed on _____

REQUIREMENTS FOR THE PARTICIPATION OF REGISTERED SEX OFFENDERS

In accordance with our commitment to extending extravagant welcome and hospitality to everyone, we hereby affirm that we welcome registered sex offenders who wish to join our faith community. However, we also acknowledge that this core value of extravagant welcome and hospitality implies an obligation to provide a safe place for everyone concerned, which in turn requires due diligence and conscientious risk management. Therefore, our welcome of registered sex offenders will be contingent upon the offender's willingness to enter with us into a Covenant Agreement, a detailed template for which is provided below (see Exhibit C.) Accordingly, when it becomes known that a registered sex offender has begun to become active at Open Table, the pastor and a church leader shall meet privately with the offender. The situation will be discussed in confidence and the need for a covenant agreement will be explained to the person. Said Covenant Agreement will define appropriate limits on the offender's attendance and participation in church activities, and will be adjusted as needed to reflect the circumstances of the particular offender in question, taking into account such variables as the severity of his/her crime and the assessment by a qualified professional as to the degree of risk involved.

We acknowledge that the presence of a registered sex offender in our congregation may pose emotional challenges for some congregants, particularly those who have been victims of sex abuse in the past or had close associations with victims. We recognize the possibility that such persons may experience feelings of anxiety in a place where they have formerly felt safe, and we pledge to fully address these feelings with sensitivity and compassion, and to offer a variety of services when needed for support and healing.

EXHIBIT C A TEMPLATE

OPEN TABLE: A COMMUNITY OF FAITH COVENANT AGREEMENT FOR REGISTERED SEX OFFENDERS

This Covenant Agreement is executed between Open Table UCC (referred to below as "we", "the congregation" and "clergy") and _____, (referred to below as "you" and "your").

Open Table is an open and affirming congregation, and as such affirms the dignity and worth of all persons. We are committed to being an inclusive community of faith that is open to all who desire such a community for spiritual support. However, based on your background, we have concerns about your contact with the children and youth in our congregation. The following guidelines are designed to reduce the risk, both to you and to them, of an incident or accusation. We sincerely welcome you to our congregation, but your participation must be subject to certain limitations in order to ensure everyone's safety, and also to ensure that you will not be subject to future accusations.

Within the following guidelines, the congregation welcomes your participation in our worship services, discussion hours, book studies, meetings, adult education, and all adult social events. However, you are to avoid all contact with children and youth on church property or congregation-sponsored events. This includes the following:

- Speaking with children.
- Entering any designated children's and youth areas.
- Volunteering or agreeing to lead, chaperone or participate in events for children and youth, including (but not limited to) religious education classes, stories or talks for worship, youth group events, activities during intergenerational events, and driving or otherwise transporting children and/or youth.

In addition, you must agree to:

- Remain in the presence of a designated escort at all times. You must meet that person before coming onto church property (or before arriving at any church-sponsored event), remain with him/her at all times, and depart with him/her.
- Politely and immediately excuse yourself from any situation in which a child or youth in the congregation approaches you, either at church or in a community place.
- Avoid being in the church or any church-owned building or church-rented space at any time without a designated escort present with you at all times.
- Avoid asking for, seeking access to, or removing from the church any materials, files, directories, etc. listing members and friends of the church.
- Fully disclose to the pastor and at least one other designated church leader the nature and circumstances of the crime of which you have been convicted.
- Allow full and open disclosure to the congregation-at-large (in a manner to be decided upon by you, the pastor and at least one other designated church leader) of the nature and circumstances of your offense.

As a part of this agreement, there will be three (3) members of this congregation, all of them approved by the clergy, who have a very thorough knowledge of your history and who are willing to serve as your designated escorts. You will be welcome on church property and at church-sponsored events but must be accompanied at all times by one of the designated escorts named below:

To assist with your integration into the congregation and to help you maximize your experience with the church, you will meet on a bi-monthly basis with the designated escorts and a member of the clergy, either together or separately, to discuss matters of mutual interest and concern. These meetings will also serve as reviews of the implementation of this agreement.

The initial implementation of this agreement will be based upon a review by the clergy of the most current supporting documents as follows:

- A statement from the court as to the nature of the conviction.
- Documentation that you are undergoing treatment by a qualified therapist.
- A report from a certified treatment provider indicating that you are not at too high a risk for violence or recidivism.

Any change in the above must be reported immediately to a member of the clergy.

Reasons for excluding a person from all congregational activities include, but are not limited to:

- Refusal to allow the clergy to contact the treatment provider and parole officer.
- Refusal to go for a risk assessment with a qualified therapist.
- Report by a treatment provider that the individual is at too high a risk for violence or recidivism.
- Refusal to sign a Covenant Agreement.
- Refusal to comply with the requirements of the Covenant Agreement.

This agreement will remain in effect until/unless:

- You fail to honor the terms of the agreement, thus nullifying it.
- It is superseded by any policies and procedures put in place by the church's Safe Church Committee. (The Safe Church Committee in consultation with the clergy is the body responsible for providing you with guidelines, support and counsel for your participation in the life of the congregation.)
- You, the clergy, and the Safe Church Committee mutually agree to change the terms of this agreement.
- Your treatment person, the courts, or your probation officer significantly change their recommendations.

I have reviewed the terms of the above Covenant Agreement and agree to abide by its provisions. Failure to honor its terms will result in my being denied access to church property and all church events.

Signature

Date

Petitioner Name

Address

Clergy

Signature

Date

Name

Church Official Title

Designated Witness for the Church:

Signature

Date

Name

Church Official Title

OPEN TABLE UNITED CHURCH OF CHRIST

151 S. Ann St., Mobile, AL 36606