



all SOULS
anglican church

Procedure for Reporting Concerns of Abuse or Misconduct

In the Diocese of Pittsburgh

Approved August 8, 2024

Section A: Purpose and Vision

This Procedure for Reporting Concerns of Abuse or Misconduct (hereinafter, "Policy") is intended (i) to provide a means of reporting concerns or allegations of misconduct (including inappropriate or unprofessional behavior) by All Souls ministry leaders, volunteers, employees or clergy to All Souls' leadership ("Report"), and (ii) to outline the steps to be anticipated in response to a Report. Such Reports will be received and responded to in a caring, prompt, and (to the extent possible) confidential manner.

We have taken these steps not only because we care about the healthy flourishing of our church, but because it is our calling as Christians to love one another. As our Mission Statement says, we are a Christian community grounded in God's love and we follow the way of Jesus as we care for each other. Sometimes such care requires holding each other accountable and providing for avenues of correction. We do this humbly with the awareness that all of us have fallen short of the glory of God, but also with an awareness that caring for the vulnerable is a fundamental calling of every Christian believer.

All Soul's policies are subject to any Diocesan policy on the same subject. This Policy is intended to supplement, but not replace or supersede, the *Policies Regarding The Prevention of Sexual Misconduct and Child Abuse by Clergy, Employees and Volunteers in the Anglican Diocese of Pittsburgh and the Investigation and Prosecution of Allegations and Incidents*, as the same may be amended from time to time (the "Diocesan Policy"), a current copy of which is attached hereto as Appendix B. To the extent the Diocesan Policy is inconsistent with this Policy, the Diocesan Policy controls.

The first section of this document addresses receiving Reports of concerning behavior; the second section addresses responding to those Reports. Our hope is that every attendee at All Souls will be familiar with this Policy. We also ask for God's grace for our beloved Parish, and for all of us as we care for each other.

Section B: Receiving Reports of Concerning Behavior

"Concerning Behavior" is any conduct or behavior by any All Souls' clergy, employee, ministry leader or volunteer which raises concerns to any person making a report as to possible wrongdoing (criminal or otherwise), or potential physical, emotional or spiritual harm to another person related to the Concerning Behavior reported. While we encourage direct contact or dialogue to address concerns if possible, we recognize that such direct communication may prove unsuccessful and is not always appropriate to the situation or safe for the Reporting Party, or may be otherwise overly uncomfortable, fear-inducing, or traumatic for the Reporting Party. In such cases, All Souls seeks to provide a process for bringing concerns to the attention of All Souls leadership where such concerns may be considered and addressed in an appropriate manner.

For definitions of additional types of behavior that fall within the category of “Concerning Behavior” including sexual abuse, misconduct, and harassment, refer to page 9 and following of the Diocesan Policy (Appendix B).

B.1 Transparency and Accessibility of Accountability Structure The names and contact information of Wardens and Vestry members will be easily accessible to the entire Parish for transparency and ease of contact. The All Souls Ministry Leaders List will be accessible on All Souls’ website. Ultimately, every ministry leader, clergy, and volunteer is accountable to the Rector, who has a mutually accountable relationship with the Wardens and Vestry, and is under the ultimate authority of the Bishop of Pittsburgh.

This policy applies to all existing ministry leaders and volunteers as well as any new ministry leaders or volunteers prior to beginning service. This policy will be made available for ease of reference to all attendees.

B.2 Reports of Behavior Subject to Mandated Reporting Requirements.

Any information received by a ministry leader, volunteer, employee or clergy of All Souls, in conjunction with their service to All Souls, which gives rise to concerns of abuse or other Concerning Behavior potentially subject to mandated reporting under any law of the State of Illinois shall be reported to the Illinois Department of Children and Family Services (“DCFS”) or other prescribed agency if the individual is a “Mandated Reporter” as defined by applicable law, but in all events shall be conveyed to the Rector or other Mandated Reporter affiliated with All Souls, who shall make such Reports concerning the information received as required by law. This required reporting is not intended to substitute for other pastoral care which is otherwise appropriate.

B.3 Reports of Concerning Behavior by Anyone Other Than the Rector

Reports or information regarding Concerning Behavior that includes, but is not limited to unprofessional behavior, misconduct, abuse or harassment on the part of All Souls employees, clergy, volunteers, or ministry leaders (“Reports”) from any source shall be given to the Rector and Wardens to address in a timely manner. Reports involving matters subject to report by a Mandated Reporter shall be promptly directed by the Rector to DCFS or other designated agency as provided above. Those receiving the Reports will endeavor to protect the privacy of the Reporting Party or any person involved with the subject matter of the Report as appropriate.

All Souls will create and maintain a reasonably accessible mode of communication to receive and facilitate response to Reports (“Report Line”). The Report Line will be monitored by the Rector, the Wardens, and a “Designated Support Person” (“DSP”, described below), all of whom shall be clearly identified as recipients of any Report (“Designated Recipients”). If any Designated Recipient is either a subject of the Report or if the Reporting Party requests that

such Report not be given to any Designated Recipient, the Report should be submitted outside the Report Line, (such as through an un-involved Vestry member, the Chancellor, or a clergy member other than the Rector), and initially provided only to those Designated Recipients who are not a subject of the Report, or requested to be omitted by the Reporting Party. If any disciplinary, legal action or other adverse consequence is contemplated based on a Report or as otherwise required by law, the substance of the Report shall be provided to (i) the person whose conduct is a subject of the Report, and (ii) may be provided to any "Designated Recipient" whom the Reporting Party has previously requested be denied access.

The designated mode of communication will be posted on All Souls' website or otherwise published in an easy-to-access location.

The Designated Support Person (DSP) will serve as a support to the Reporting Party and/or to the person on whose behalf a Report was made. The DSP will assist as a point of communication and a guide to understand any proceedings resulting from the Report. (See qualifications of DSP in Appendix A).

A person submitting any Report via email or otherwise shall receive an initial response from one or more Designated Recipients acknowledging receipt of the Report and ascertaining whether there are any immediate needs or issues related to the Report, and, as appropriate, advising that the Rector (or designee) and the DSP will reach out shortly to further address the Report.

The Rector will set up a meeting with the Reporting Party with the DSP present to hear any further concerns and to explain the next steps. After meeting with the Reporting Party, the Rector will respond as outlined in Section C.

B.4 Reports Received Regarding the Rector

In the event of a Report involving misconduct or allegations of wrongdoing concerning the Rector, all steps in response to the Report otherwise the responsibility of the Rector shall be taken by the Wardens in consultation with the DSP (so as to mitigate harm to the involved party while fulfilling their obligations to All Souls) and the Bishop of the Anglican Diocese of Pittsburgh or the Bishop's designee.

All Souls will create and maintain a second online designated mode of communication for the purpose of receiving and responding to Reports concerning the Rector.

The Senior Warden, Junior Warden, and DSP will confer and inform the Bishop. They will refrain from discussing the Report other than with appropriate All Souls and Diocesan representatives and legal authorities. The Senior Warden will set up a meeting with the Reporting Party and the DSP to hear any further concerns and to explain next steps. After meeting with the Reporting Party, the Senior Warden will respond as outlined in Section C. Any responsibility of the Rector outlined in Section C will be the responsibility of the Senior Warden in the event that the Rector is the subject of the Report.

B.5 Reports Received in the Course of Ministry Duties

If information regarding potential abuse or Concerning Behavior is disclosed to clergy, vestry, employees, ministry leaders, or volunteers of All Souls during the course of their interactions with Parishioners or other participants in All Souls functions, such information shall be treated as a "Report" and the person receiving such Report or information regarding Concerning Behavior must notify the Rector of such Report or information, regardless of their judgment as to the extent or severity of the misconduct. The Rector will notify the Wardens and the DSP that a Report has been received. The Rector and DSP will set up a meeting with the person subjected to the alleged misconduct to inform him/her that a Report has been received and to explain next steps, as appropriate. If the Report involves a minor, the child's parents or guardians will be notified and must be present for said meeting, consistent with any direction or guidance from DCFS or other responsible agency in the event the Report is subject to Mandated Reporting. The Rector will then respond to the Report as outlined in Section C. If the Report received in the course of ministry duties involves the Rector, all responsibilities of the Rector outlined in this section will be the responsibility of the Senior Warden in consultation with the Bishop.

Section C: Responding to Reports

C.1 Reports or Observations of Concerning Behavior Not Subject to Mandated Reporting

It is the Rector's responsibility to address Concerning Behavior related to clergy, ministry leaders, and volunteers as outlined in this section. It is the responsibility of the Wardens, in consultation with the Bishop, to address any Concerning Behavior related to the Rector as outlined below.

In all cases where the subject matter of a Report is not subject to Mandated Reporting laws but nevertheless Concerning Behavior, the Rector or Wardens, as applicable, shall:

1. Arrange a supervisory meeting with the person with reportedly Concerning Behavior.
2. Discuss the events and document the conversation.
3. Determine whether the Report is of alleged conduct or behavior detrimental to the ministry of All Souls in general, or the spiritual, physical or emotional wellbeing of the individual subject of the Report, or is reflective of some deficiency in the suitability of the individual in question for the positions in which they serve All Souls.

After assessment as set forth above, the Rector or Wardens shall:

1. Set up corrective steps if appropriate, and follow up in quarterly and annual reviews as needed.

2. If the behavior involves non-ordained ministry leaders or volunteers, the Rector will determine how to proceed and may involve the Bishop or chancellor as needed.
3. If applicable, offer support to the reporting or affected party in reconciling with the subject of the Report.

C.2 Reports of Abuse or Harassment

For allegations of abuse or harassment or other Concerning Behavior that do not involve the Rector, the Rector will take the following actions, as appropriate. If the alleged abuse or harassment involves the Rector, the Wardens will take these actions in consultation with the Bishop. The Rector and/or Wardens will work with the DSP in taking these actions so that the DSP can provide appropriate support to the Reporting Party.

1. **In the case of alleged abuse of a minor, notify the guardians.** If it has not already been done, the Rector or designee should contact the minor's parents or guardians. The Rector or designee will offer the family support from the church and the DSP will refer the family to support services outside the church as appropriate. Contact with the parents or guardian shall not be in lieu of Mandated Reporting.
2. **Notify Local Authorities.** (See Appendix C) The Rector will ensure that a Report is made to the Department of Child and Family Services (DCFS) in the event that the Report involves abuse of a minor. If the Report involves abuse of an adult, the Rector and the DSP will encourage the Reporting Party to file a report with the police department. The DSP will refer the subject of the reported abuse to advocate services which can provide more extensive support throughout the legal reporting and investigative process. The Rector, Wardens, DSP, and chancellor (consistent with applicable rules of professional responsibility) will cooperate in any investigations conducted by DCFS or law enforcement.
3. **Notify the Diocese.** The Rector will immediately notify the Bishop or his designee. The Diocese will follow its procedures for abuse and misconduct.
4. **Notify the Church Chancellor.** The Rector will immediately notify the All Souls' Chancellor.
5. **Suspension of Accused from Church Activities.** If the alleged abuser is employed by or volunteering with the church, the Rector should immediately suspend him/her from the role in which the accusation of abuse or harassment arose. If the allegation includes abuse or harassment, the accused shall not be permitted to attend any church activities or functions pending the outcome of the investigation. If the accused is a paid staff member, he/she will continue to be paid throughout the course of the investigation. In all cases alleging abuse or harassment, upon investigation, the Rector and/or Wardens in consultation with the Vestry and the Diocese will determine whether the accused's employment will continue.

6. **Notify Insurance Providers.** The Church will notify its liability insurance carrier in accordance with the terms of the policy.
7. **Keep a Record.** The outcome of any internal or external investigation will be documented and maintained within All Soul's records.
8. **Create a Plan for the Spiritual and Pastoral Care of the Reporting Party.** The Rector or Wardens, as applicable, will arrange for appropriate pastoral care (without obligation to accept) for persons alleging abuse or harassment, regardless of any determination regarding the validity of, or legal (moral or spiritual) liability or pastoral responsibility for, such allegations, including, as determined appropriate, contribution toward counseling or other mental health care expenses.
9. **Create a Plan for the Spiritual and Pastoral Care of the Person Being Accused.** For any person suspended from church activities during the course of investigation, the Rector will arrange for pastoral care to occur outside the context of any church service or activity, which will be subject to acceptance by the recipient.

C.3 Confidentiality

The Rector, Wardens, Vestry and DSP will maintain appropriate confidentiality of any allegations following the legal guidance of the Parish and Diocesan chancellors.

C.4 Communicating to the Parish

In cases where the person accused of misconduct or subject of a Report is suspended from church activities, or any other circumstances in which lack of communication to the Parish might reasonably expose attendees to harm or the accused to unwarranted speculation, the Rector, Wardens, and Chancellor will craft communication to the Parish, accurately and with appropriate detail (without speculation) stating the basis of such suspension, promulgating it by whatever channels are appropriate to the situation. Such communication will include only such details about the reported conduct or allegations necessary to identify the nature of alleged misconduct, (e.g., "alleged criminal conduct" or "alleged sexual assault" or "alleged improper communication"), and will, as much as possible, preserve the privacy of all parties, divulging only the information needed to maintain safety of parishioners and avoiding unwarranted speculation as to physical or criminal danger. Following the completion of any Diocesan or other reported investigation, All Souls leadership will communicate the overall results to the Parish in an appropriate summary manner.

Appendix A: Designated Support Person

The role of the Designated Support Person (DSP) is to serve as a support to the Reporting Party (as used here, "Reporting Party" includes other people involved with the events subject of the Report), throughout the entire reporting process. The DSP is not a victim's/survivor's advocate and does not perform the duties of a victim's/survivor's advocate as understood within the context of the law enforcement or mental health fields, nor will they provide professional counseling or other services to an involved person. Rather, the DSP is a member of the Parish who is familiar with the church's reporting procedures who can explain that process to the Reporting Party, provide the Reporting Party with moral support throughout the process, and who can refer the Reporting Party to other mental health and legal support services as desired. The DSP is a support resource only, and is not authorized to act or make representations on behalf of All Souls.

Qualifications

- Must be an adult Member of All Souls.
- Must have training or experience working with trauma survivors and be knowledgeable about trauma-informed care and/or crisis work.
- Must be a lay person and not currently a clergy or other staff member of All Souls, a Warden or Vestry member or a spouse of clergy or staff, Wardens, or Vestry member.
 - Preferably a person in the mental health, social work, or related professions.
- Helpful if the individual has training in forensic psychology or is trained specifically for trauma work with children or others.

Responsibilities

- Will receive any Reports, except as provided in this policy.
- In conjunction with Wardens and Rector, will respond to the initial Report and determine how to respond to the Report as outlined in this policy. DSP will explain his/her role to the Reporting Party and explain the steps of the reporting process.
- Work with the Reporting Party to manage their privacy and confidentiality as the Reporting Party desires, including the possible necessity of disclosure during the course of proceedings which follow.
- In the event a verbal Report is received in the course of ministry duties, the Rector or designee will notify the DSP immediately. The DSP will introduce him/herself and the role to the Reporting Party (and the family if the Reporting Party is a minor). The DSP will be present when the Rector and/or Wardens speak with a Reporting Party or other

involved person and will assist the Reporting Party or involved person to make a report to police or other authorities as appropriate, and will accompany the Reporting Party to make the report if requested. The DSP will also make the Reporting Party or involved person aware of victim's advocate services available to him/her outside the church. This may include a victim's advocate from YWCA or other agency if appropriate.

- The DSP will remain in contact with the Rector or designee throughout the steps outlined in section C so as to be aware of actions taken as well as the plan for pastoral care of the Reporting Party. The DSP will also remain in regular contact with the Reporting Party to inform him/her of those actions taken and to provide referrals as needs may arise.
- Work with representatives of the church throughout the reporting process to ensure that their manner and approach is trauma-informed and follows best practice for interacting with survivors of abuse so as to avoid re-traumatization.

Appendix B: Diocesan Child Abuse and Sexual Misconduct Policy

POLICIES REGARDING

THE PREVENTION
of
SEXUAL MISCONDUCT AND CHILD ABUSE
by
CLERGY, EMPLOYEES AND VOLUNTEERS
in the
ANGLICAN DIOCESE OF PITTSBURGH

and the

INVESTIGATION AND PROSECUTION
of
ALLEGATIONS AND INCIDENTS



Approved by
The Bishop and Standing Committee

April 23, 2015

(Updated 1-17-2020)

THEOLOGICAL STATEMENT

Christians believe that human beings are created in the image of God, that we are called to be stewards of creation and that God values sexuality as good, blessed and purposeful; sexuality is understood to be a gift to be celebrated, held within the bond of love and covenant of heterosexual marriage. Sexuality is central to our humanity; it carries our longing to reach out to others and to be in relationship. Our God-given nature invites us to the responsible fulfillment of our sexuality. This understanding of sexuality calls for equal respect for all men, women and children as persons made in God's image and for everyone's right to sexual and bodily integrity.

Have always therefore printed in your remembrance, how great a treasure is committed to your charge. For they are the sheep of Christ, which He bought with his death, and for whom he shed his blood. The Church and the congregation whom you must serve, is his Spouse and his Body. -- The 1549 Book of Common Prayer; ACNA Texts for Common Prayer (2013)

Cranmer's words from the Ordinal are a forcible reminder of the serious responsibility laid upon those set apart for ordination. Ordained leaders are entrusted with power in the lives of the faithful and carry a deep trust relationship with them. Because bishops, priests and deacons are regarded by the faithful and the world as examples of what a Christian life should be, any moral offense is doubly hurtful. It betrays not only the trust committed to them by the Church to nurture and care for every member but also the trust placed in the ordained by those members. Any abuse of that power and violation of that trust in a sexual relationship destroys the spiritual integrity of the ordained and great harm is done to the community of faith.

Such a betrayal is a gross injury to the one abused and a violation of faithfulness to Christ. Because we are also called into a baptismal covenant that commits us to "seek and serve Christ in all persons, loving your neighbor as yourself," and to "strive for justice and peace among all people and respect the dignity of every human being," (1979 Book of Common Prayer) it is imperative that we work to make the Church a safe place for all persons; where care givers, teachers, leaders, both paid and volunteer, ordained and lay, minister appropriately to the needs and concerns of the world. Those who work and minister in Christ's name must model God's trustworthiness. For any Christian, ordained or lay, to betray that trust by sexually abusing a child or harassing or exploiting an adult, is to deny Christian identity.

Although infrequent it has become clear that some members of the clergy have engaged in inappropriate sexual behavior, hurting the persons and congregations

committed to their care. Church authorities have often denied the behavior or dealt with it secretly in an effort to protect the church. Members of the clergy were sent on to another congregation or diocese, the victims neglected and blamed and congregations ignored. These responses fell far short of the standards of justice and love required by our Holy God.

This attitude has changed, partly because of the increased awareness in American society of the problems of sexual abuse and harassment. Several states have enacted legislation making sexual misconduct by certain professionals, including members of the clergy, grounds for criminal or civil action. The Church has begun to confront the reality of inappropriate sexual misconduct by members of the clergy, lay employees and volunteers; dioceses have developed policies for response.

APPLICABILITY

The provisions of Section I of this manual dealing with the prevention of sexual misconduct and child abuse are applicable to all members of the clergy canonically resident, licensed or serving in the Diocese of Pittsburgh, and to all lay employees and volunteers affiliated with any activities and programs of the Diocese of Pittsburgh, including any committee, commission or similar body.

This manual is also provided as a resource to the congregations in the Diocese of Pittsburgh. We believe that the policies set forth in Section I of this manual represent an appropriate standard of care, and we urge each congregation to adopt them as their own (Appendix A).

Insurance companies report a disturbing increase in claims alleging sexual misconduct against members of the clergy and secular mental health practitioners.

A congregation's adoption of written standards of conduct may be required by insurers as a condition of coverage. Strong warranty language in some policies requires careful compliance on the part of insured entities. Failure to comply with policy standards could result in denial of insurance coverage in the event of a claim. This manual is not intended as a substitute for understanding the conditions of your particular congregation's insurance coverage. You have an obligation to yourself, your staff, your congregation and the diocese to assure that the conditions to your insurance coverage are met. Read your policy and call the diocesan Director of Administration and Finance if you have any questions. The diocese assumes no responsibility for a congregation's non-compliance with their insurance carrier's policy.

The provisions of Section II of this manual dealing with the investigation and prosecution of allegations and incidents apply to all allegations and incidents arising within the diocese or the congregations.

SECTION I: PREVENTION OF SEXUAL MISCONDUCT AND CHILD ABUSE

POLICY STATEMENT

Authority: The Bishop's office in cooperation with the Standing Committee is responsible for setting clear diocesan policies regarding sexual misconduct and child abuse, and diocesan leaders are responsible for knowing and abiding by such policies.

Sexual Misconduct and Child Abuse Prohibited: The Bishop and the Diocese of Pittsburgh strictly prohibit sexual misconduct and child abuse by any member of the clergy, aspirant, postulant, candidate or seminarian sponsored by or working in this diocese, and by any lay employee, staff person or volunteer working in any capacity for the Diocese of Pittsburgh, or any diocesan related institution. The Bishop and the Diocese of Pittsburgh require compliance with child abuse reporting requirements of the secular jurisdictions to which clergy, staff, and volunteers are subject.

PENNSYLVANIA LAW

As of January 1, 2015, Pennsylvania significantly broadened the scope of its child abuse statutes. One of the most significant changes is to require that those individuals identified as Mandatory Reporters must make a report when in the course of employment or volunteering, he or she comes to have "reasonable cause" to suspect that a child is victim of child abuse. The necessary suspicion need not be based on first-hand knowledge and the Mandatory Reporter need not be able to definitively identify the perpetrator of the abuse. Reports must be made directly by the person who suspects that abuse has occurred. It is no longer sufficient to report solely to a supervisor. Mandatory Reporters are protected from criminal and civil liability if the report was made in good faith. (The statute assumes that a report is made in good faith.) Penalties for willful failure to report range from a second degree misdemeanor to a second degree felony, depending on the severity of the abuse, whether the reporter had direct knowledge of it, and whether the failure is a first or subsequent offense.

IMPLEMENTATION OF POLICY

Protection of Children: The Diocese of Pittsburgh strictly prohibits interaction with children and youth under the age of 18 at any church sponsored or church related activity or program on or off church property by anyone with a civil or criminal record of child abuse or other sexual crimes, anyone who has admitted prior abuse, or anyone known to have a paraphiliac diagnosis (as defined below).

Sexual Abuse Training: All members of the clergy canonically resident, licensed or serving in the diocese, all employees of the diocese or diocesan related institutions, and adult volunteers who regularly supervise youth activities of the diocese or diocesan related institutions are required to complete the diocesan sponsored "Sexual

Abuse Awareness Training” program administered by Ministry Safe or equivalent training in compliance with their insurance carrier’s requirements. Contact the Rev. Donald Bushyager at bushyager@pitanglican.org for information.

Note: The Ministry Safe training program is available for use by congregations.

Comprehensive Background Checks: The diocese will conduct background checks as follows: of all individuals applying in the diocese as a Postulant for Holy Orders and may be conducted again prior to ordination to the Diaconate at the discretion of the bishop; of all members of the clergy seeking canonical residence or license in the diocese prior to the acceptance of Letters Dimissory or issuance of a License to Officiate; of all employees, lay or clergy, of the diocese prior to employment. Background checks include the following:

Oxford Document Management Company (ODM) or another equivalent agency will conduct a background check that will include:

- (1) Inquiries of all bishops having past or present canonical authority over the individual, all schools attended by the individual during the past five years, and all employers of the individual during the past five years. If the individual has had one employer for over five years, then inquiries will be made of the two most recent employers. In the case of clergy, “employer” shall be the senior wardens of congregations served during the past five years.
- (2) Credit Bureau Record Check
- (3) Motor Vehicle Record Check
- (4) Sexual Misconduct/Criminal Record Check

ODM or an equivalent agency will not divulge, furnish or make accessible to any person or use in any other way, any confidential information other than as specifically set forth by written instruction of the diocese. ODM retains and stores all records under lock and key for a minimum period of five years, unless instructed otherwise by the diocese.

Anglican Church in North America canons direct that clergy background checks be renewed every five years.

State Required Clearance: All clergy, lay employees and all volunteers (age 16 and over) who will have contact with children as part of their ministry will be required to comply with the regulations of the Commonwealth of Pennsylvania or the state in which they reside or perform ministry to include obtaining and keeping current (resubmission required every 3 years in Pennsylvania) all clearances stipulated. For Pennsylvania this includes:

- (1) Pennsylvania Child Abuse History Clearance if applicant lives in Pennsylvania.
- (2) Pennsylvania State Police Criminal Record Check if applicant lives in Pennsylvania.
- (3) If the individual has not resided in the Commonwealth for the past 10 years a Federal Criminal History (F.B.I.) Background Check (with submission of fingerprints).

Pastoral Counseling and Spiritual Direction: The Diocese of Pittsburgh requires that members of the clergy and other pastoral care givers either (i) have ongoing professional supervision or (ii) refer an individual to professional counseling after meeting for six sessions. *Fees or donations for pastoral care are prohibited.* Any person charging fees for counseling outside the scope of church employment must possess appropriate professional credentials and *proof of separate professional liability insurance*, including coverage for sexual misconduct, in force at all times. Persons offering regular formal spiritual direction to others shall submit that ministry to peer or supervisory review with a spiritual advisor approved by the bishop.

Interpretation: For purposes of this manual, unless the context requires a different interpretation, a reference to “the bishop” shall be deemed to include the ecclesiastical entity authorized to act in the absence of the bishop, and a reference to “the rector” shall be deemed to include the person in charge of a congregation where such person has a title other than “rector” (such as vicar, deacon, or lay pastor). Throughout this manual, the phrase “the complainant” shall be interpreted to include the words “the alleged victim, if not the complainant.”

DOCUMENTING COMPLIANCE

The bishop will be required to notify all members of the clergy canonically resident, licensed and serving in the diocese, employees of the diocese, Postulants for Holy Orders, volunteers for the diocese who regularly supervise youth activities and lay members of diocesan leadership groups, including boards of any diocesan agency or institution of the contents of this manual. The manual will be reviewed annually by the Standing Committee and, if changes are made, a revised copy will be provided to each of the listed parties with a signed receipt required (Appendix B).

It will be the responsibility of the rector of each congregation to ensure that all clergy, volunteers who regularly supervise youth activities, vestry members and employees (full or part-time) affiliated with any activities and programs of the congregation are made aware of congregation’s policies and that those who are required to complete approved training do so. Appendix B may be used as an example of acknowledgment of receipt of congregation policies and procedures. The diocese assumes no responsibility for a congregation’s non-compliance with its insurance carrier’s policy

on acknowledgment of receipt of a congregation's policies and procedures or insurance carrier training requirements.

SECTION II: INVESTIGATION AND PROSECUTION OF ALLEGATIONS AND INCIDENTS

GUIDING PRINCIPLES

- ◆ That any allegation of sexual exploitation or child abuse must and will be taken seriously. If the allegation involves behavior directed toward a minor, it shall be reported to the relevant law enforcement authorities in conformity with applicable law.
- ◆ That a person can be wrongly accused of sexual misconduct or child abuse. Nevertheless, in the event of a credible accusation, the person so accused may be suspended without prejudice until such time as the allegations of sexual misconduct or child abuse are resolved (see *Responding to Allegations and Complaints* below).
- ◆ That the bishop cannot be the only one who actually assesses or evaluates the substance of allegations. An approach which involves legal, mental health and pastoral components is desirable; a uniform procedure ensures that all cases will be treated with compassion and justice. The protection of the complainant and the complainant's family will be of paramount concern.
- ◆ That the bishop holds both pastoral and disciplinary responsibilities; the bishop's pastoral concern is directed to alleged offenders as well as the alleged victims and the congregations involved.
- ◆ That the bishop should refrain from placing conversations regarding allegations within a sacramental framework (confession) but is well-advised to show concern for privacy of all individuals concerned.
- ◆ That the bishop may refer cases for further investigation under relevant canonical procedures when deemed appropriate.
- ◆ That, with limited exceptions occurring in a Privileged Relationship (as defined below), anyone subject to this Policy who learns of sexual misconduct or child abuse (i) by anyone subject to this Policy or (ii) against anyone intended to be protected by this Policy has a responsibility to report the information to appropriate ecclesiastical authorities promptly. Reporting to secular authorities is also required by law in certain cases described below.
- ◆ That leaders who learn of sexual misconduct of colleagues, even if the information is gained in a counseling setting, have an ethical responsibility to follow up on this information by reporting the information to appropriate ecclesiastical authorities. Reporting to secular authorities is also required by law in certain cases described below.

DEFINITIONS

Advocates are persons appointed by the bishop to assist the complainants and alleged victims in understanding and participating in the disciplinary processes of the Church, to obtain assistance to formulate and submit an appropriate charge and in obtaining assistance in spiritual matters. Advocates are not to serve as legal advisors or pastors.

Child Abuse means any intentional, knowing or reckless act or failure to act, that results in a child's serious physical or emotional harm, sexual abuse, exploitation or death, or any act or failure to act that presents a risk of serious harm to a child. *Child abuse is a criminal offense and must be reported to child protective services.*

Consultants are person(s) appointed by the bishop to consult with and advise the member of the clergy accused of sexual misconduct and his or her legal advisors at reasonable times prior to the issuance of a Presentment. The consultant shall explain the rights of the member of the clergy and the alternatives.

"Dating" Relationships are relationships excluded from the definition of Sexual Exploitation. These would include relationships in which two parties are publicly engaged, intending a Christian marriage or when two persons are exploring a relationship which may lead to a Christian marriage. In such situations, the relationship is to be conducted with the knowledge of the rector and the bishop and with the spiritual guidance of at least two pastoral care givers within the diocese.

Mandatory Reporter means clergy, staff, and volunteers who "regularly accept responsibility" for a child. This would include a volunteer who teaches weekly Sunday school.

Paraphiliac Behavior includes:

- ◆ Pedophilia: a sexual disorder which includes recurrent intense sexual urges and/or sexual fantasies involving sexual activity with a prepubescent child or children (generally age 13 or younger), the person has acted on these urges, or is markedly distressed by them, and the person is at least 16 years old and at least five years older than the child who is the subject of the urges and/or fantasies.
- ◆ Hebephilia: a sexual disorder in which a male offender prefers adolescent females and has acted on these urges, or is markedly distressed by them.

- ◆ Ephebophilia: a sexual disorder in which a male offender prefers young males and has acted on these urges or is markedly distressed by them.
- ◆ Exhibitionism: a sexual disorder which includes recurrent intense sexual urges and/or sexually arousing fantasies involving the exposure of one's genitals to an unsuspecting stranger, and the person has acted on these urges, or is markedly distressed by them.
- ◆ Voyeurism: a sexual disorder which includes recurrent, intense sexual urges and/or sexually arousing fantasies involving the act of observing unsuspecting people, usually strangers, who are either naked, or in the process of disrobing, or engaged in sexual activity, and the person has acted on these urges, or is markedly distressed by them.

Pastoral Relationship means a relationship between a member of the clergy, employee or volunteer and any person to whom such member of the clergy, employee or volunteer provides formal counseling, pastoral care, spiritual direction or spiritual guidance or from whom such member of the clergy, employee or volunteer has received a confession or confidential or privileged information.

Privileged Relationship means a relationship between a member of the clergy and a person in which communications regarding past actions are made by the person to the member of the clergy with the expectation that such communications are secret and confidential (as in confession). See diocesan publication "Suggested Guidelines: Pastoral Counseling & Rite of Reconciliation" for further discussion. See also Canon XXX of the Constitution and Canons of the Anglican Diocese of Pittsburgh.

Response Team is drawn from psychologists, counselors, attorneys, and members of the clergy or other persons appointed by the Bishop of the Diocese of Pittsburgh to provide pastoral, emotional and spiritual support to congregations in crisis.

Sexual Abuse refers to sexual involvement or contact by one person with another who does not, or is unable to, consent. *Sexual abuse of a minor or of a person who is deemed legally incapable of consent is a criminal offense and must be reported to law enforcement or child protective services, with the very limited exception of information received in a Privileged Relationship.*

Sexual Misconduct refers to:

- ◆ Sexual abuse or sexual molestation of any person, including but not limited to, any sexual involvement or sexual contact with a person who is a minor or who is legally incompetent.

- ◆ Sexual harassment (unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other unwelcome verbal or physical conduct or communication of a sexual nature) in a situation where there is an employment, mentor or colleague relationship between the persons involved, including but not limited to, sexually oriented humor or language, questions or comments about sexual behavior or preference unrelated to employment qualifications, undesired physical contact, inappropriate comments about clothing or physical appearance, or repeated requests for social engagements.
- ◆ Sexual coercion, including the use of physical or emotional power to gain sexual gratification.
- ◆ Sexual exploitation, including but not limited to, the development of or the attempt to develop a sexual relationship between a member of the clergy, employee or volunteer affiliated with the Diocese of Pittsburgh and a person with whom he/she has a pastoral relationship, whether or not there is apparent consent from the individual. Sexual exploitation includes activity during the course of a pastoral relationship such as sexual involvement, or sexually demeaning comments. *The apparent consent of a possible victim to the sexual or romantic relationship seldom determines whether there has been sexual exploitation. The imbalance of power between the church worker and the person in a pastoral relationship may undermine the validity of such consent. The fact that sexual activity is initiated by someone other than the church worker does not relieve that worker of responsibility, nor does it make sexual activity under those circumstances acceptable.*

RESPONDING TO ALLEGATIONS AND COMPLAINTS

A. NOTIFICATION

All allegations of sexual misconduct or child abuse by a member of the clergy, lay employee or volunteer of the Diocese of Pittsburgh or any agency of the diocese will be reported immediately to the bishop. All allegations of sexual misconduct or child abuse by a member of the clergy, lay employee or volunteer of a congregation will be reported immediately to the rector of the congregation who will promptly inform the bishop.

A Mandatory Reporter who has “reasonable cause” to suspect that a child is victim of child abuse will immediately report at

www.compass.state.pa.us/cwis/public/home
or by calling 1-800-932-0313.

Reporting by phone will require a written report within 48 hours. The Mandatory Reporter will also report suspected child abuse to the Bishop of the Diocese of Pittsburgh and the rector or clergy in charge of the applicable congregation.

In the event of a complaint alleging abuse of a minor or incapacitated adult not required to be directly reported by the previous paragraph, the bishop will contact the appropriate law enforcement officials and comply with the reporting and notification requirements as contained in the diocesan, parish or other liability policies for insurance claims.

B. RESPONSE

Upon receiving a complaint of sexual misconduct or child abuse, the bishop or rector receiving the complaint will personally assure the complainant that the church is concerned and that the complaint will be investigated promptly and thoroughly.

If the alleged offender is a lay employee or volunteer of the diocese, employment or volunteer activities may be suspended by the bishop until such time as the allegations of sexual misconduct or child abuse are resolved. This leave is without prejudice, i.e. does not imply guilt or innocence of the person under investigation and payment of benefits to the employee may continue at the discretion of the bishop.

If the alleged offender is a lay employee or volunteer of an agency related to the diocese or a congregation, employment or volunteer activities may be suspended by the employer or person responsible until such time as the allegations of sexual misconduct or child abuse are resolved. This leave is without prejudice. The employer or person responsible will notify the bishop of the suspension.

Any member of the clergy who believes himself or herself to be under imputation of sexual misconduct or child abuse may request the bishop to begin an investigation. The bishop is required to see that the requested investigation is done.

The bishop or anyone who may subsequently be involved in the process *will not at any time* following the first receipt of the complaint hear the sacramental confession of *any* of the persons involved.

Appendix A

CERTIFICATE OF COMPLIANCE

I hereby certify that the congregation of _____ has obtained and will maintain sexual misconduct insurance coverage.

I hereby certify that, in connection with such insurance coverage, the congregation:

_____ has adopted the Diocese of Pittsburgh Policies Regarding Prevention of Sexual Misconduct and Child Abuse, or

_____ has adopted equivalent policies and procedures that comply with the conditions of the congregation's sexual misconduct insurance coverage (said policies are attached).

I hereby certify that all clergy, volunteers who regularly supervise youth activities, and employees (full or part-time) affiliated with any activities and programs of the congregation who are required to complete diocesan approved training have done so.

Rector

Date

Senior Warden

Date

Return this form to:

**Anglican Diocese of Pittsburgh
ATTN: Director of Administration and Finance
907 Middle Street
Pittsburgh, PA 15212**

Appendix B

Acknowledgment of Receipt of Policies

Clergy, Lay Employees, Volunteers and Aspirants *

I hereby acknowledge that I have received a copy of the **Diocese of Pittsburgh's Policies Regarding Prevention of Sexual Misconduct and Child Abuse and the Investigation and Prosecution of Allegations and Incidents of Sexual Misconduct** (the "Policies") adopted by the Bishop and Standing Committee, April 2015, and that I understand its content.

Please check **one** of the following: Clergy Lay

Signature

Date

Print Name

Position

Congregation

City

***Please check one of the following:**

- I certify that I have completed the required diocesan approved training required in this manual.
- I haven't completed the required diocesan approved training but will complete the training within six months of my employment.

* This receipt must be signed by all clergy canonically resident, licensed or serving in this diocese, by all employees of the diocese, by Postulants for Holy Orders, volunteers for the diocese who regularly supervise youth activities, and lay members of diocesan leadership groups. If the Policies are adopted by a congregation, this receipt must be signed by clergy, volunteers who regularly supervise youth activities, and employees (full or part-time) affiliated with any activities and programs of the congregation who are required to complete diocesan approved training.

Return this form to:

**Anglican Diocese of Pittsburgh
ATTN: Director of Administration and Finance
907 Middle Street
Pittsburgh, PA 15212**

Appendix C
**Pennsylvania Department of Public Welfare Office of Children,
Youth and Families**
Headquarters

P.O. Box 2675
Harrisburg, PA 17105-2675
(717)787-3984
CHILDLINE 1-800-932-0313

Western Regional Office:

Office of Children, Youth and Families
701 State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
412-565-2339
FAX 412-565-7808

County Children and Youth Agencies:

ALLEGHENY COUNTY

Administrative Office:

Children and Youth Agency
933 Penn Avenue
Pittsburgh, PA 15222
412-350-5701

Northern Office:

1972 Clayton Avenue
Pittsburgh, PA 15214
412-323-6100

ARMSTRONG COUNTY

Children and Youth Agency
310 South Jefferson Street
Kittanning, PA 16201
724-548-3466

BEAVER COUNTY

Children and Youth Agency
Stonepoint Landing, Suite 201
500 Market Street
Bridgewater, PA 15009
724-775-4510

BUTLER COUNTY

Children and Youth Agency
Court House Annex-Fourth Floor
P.O. Box 1208
Butler, PA 16003-1208

CAMBRIA COUNTY

Children and Youth Agency
Central Park Complex, Suite 400
110 Franklin Street
Johnstown, PA 15901-1831
814-539-7454

CENTRE COUNTY

Children and Youth Agency
Willowbank Office Bldg.
Bellefonte, PA - 16823
814-355-6755

DAUPHIN COUNTY

Children and Youth Agency
1001 North 6th Street
Harrisburg, PA - 17102
717-780-7200

FAYETTE COUNTY

Children and Youth Agency
130 Old New Salem Road
Uniontown, PA 15401
724-430-1283

GREENE COUNTY

Children and Youth Agency
95 East High Street, Room 103
Waynesburg, PA 15370
724-852-1171 X217

INDIANA COUNTY

Children and Youth Agency
Court House, Third Floor
Indiana, PA 15701
724-465-3895

MERCER COUNTY

Children and Youth Agency
8425 Sharon Mercer Road
Mercer, PA 16137-1207
724-662-2703

SOMERSET COUNTY

Children and Youth Agency
212 East Main Street
Somerset, PA 15501
814-443-3618

WASHINGTON COUNTY

Children and Youth Agency
502 Court House Square
Washington, PA 15301
724-228-6884

WESTMORELAND COUNTY

Children and Youth Agency
2 North Main Street, Suite 303
Greensburg, PA 15601
724-830-3300

Appendix C: Mandated Reporter Tip Sheet



Reporter Tip!

Tips for Mandated Reporters

- On July 1, 1986, a law was passed requiring all Mandated Reporters to sign a statement on a DCFS form certifying that they understand their mandated reporting requirements. (<http://www.state.il.us/DCFS/docs/cants22.pdf>) This law is called the Abused and Neglected Child Reporting Act (ANCRA).

It is a LEGAL requirement that this signed form be in your personnel file.

- You will fulfill your legal obligation as a Mandated Reporter when you call the DCFS Hotline:

1-800-25ABUSE
1-800-252-2873
1-217-524-2606
1-800-358-5117 (TTY)

If the report is a criminal matter, and it is outside of DCFS's jurisdiction, the Hotline will ask you to notify the police.

- While an "*alleged perpetrator*" is the person who either directly causes or allows child abuse or neglect to occur, there are different definitions of this term.

For DCFS purposes, this includes any individual residing in the child's home, any person responsible for the child's welfare, or anyone who came to know the child through a position of trust, such as mother, father, teacher, counselor, or coach to name a few. If the perpetrator does not fit within one of the above categories, the incident may be a crime but it is not classified as "child abuse."

For criminal matters a perpetrator could be anybody.

- Sometimes a child will seek out a trusted adult to tell about the abuse or neglect. When a child tells you about abuse or neglect, CALL THE HOTLINE at 1-800-25-ABUSE!

- ➡ If a child in any higher-risk population tells you he or she is being abused, help protect the child by calling the Hotline at 1-800-25-ABUSE!

- ➡ Extensive interviews of a child about an abuse incident can traumatize the child and have a negative impact on the investigation, if not done appropriately.

After the report is made, a trained professional interviewer will conduct an interview of the child. Multiple interviews of a child can be traumatizing and should be avoided at all costs.

- ➡ As a Mandated Reporter, you have specific rights to:
 - ▶ The Hotline worker's full name
 - ▶ To speak to the Hotline worker's supervisor if you do not agree with the Hotline worker's decision
 - ▶ To request a review of an investigation that has been unfounded if there are concerns regarding the adequacy of the investigation
 - ▶ To receive information about the findings and actions taken by the Department during the investigation, including actions taken to ensure a child's safety

- ➡ As a Mandated Reporter, if you make a good faith report to the Hotline, you are entitled to immunity from legal liability. That means you cannot be successfully sued by the parent or the alleged perpetrator, even if your report is not "indicated." The law presumes you reported in good faith. To successfully sue you, the parent or perpetrator would have to prove that you willfully lied.

- ➡ When in doubt, MAKE A CHILD ABUSE REPORT and let DCFS do its job by investigating!