

PPC Sexual Misconduct/Child Protection Policy

The primary document of resource for this policy, its ethical basis, theological rationale, and defined terms is *Presbyterian Church (U.S.A.) Sexual Misconduct Policy and Its Procedures*. The document may be obtained through the denominational website, Salem Presbytery, or a hard copy which is kept on file by the church in the Treasurer's Office.

Sexual misconduct incorporates a range of behaviors including rape, sexual assault (which includes any kind of nonconsensual sexual contact), sexual harassment, intimate partner violence, stalking, voyeurism, and any other conduct of a sexual nature that is non-consensual, or has the purpose or effect of threatening, intimidating, or coercing a person.

Prevention:

- Building
 - Classroom and office doors with windows may be shut when children or youth are in the room but doors without windows should be left at least partly open when activities are being held in the room.
- Screening
 - Volunteers and staff will be screened using a background check as outlined in the "Two-Deep Coverage" section of this policy.
- Two-Deep Coverage
 - All children's or youth activities or events will be staffed by two individuals: one screened and trained adult and another individual (adult, youth, or a child who is mature enough and old enough to be helpful) who does not need to be screened or trained except off-site children's or youth activities would be staffed by two screened and trained adults.
 - The church nursery will be staffed by two individuals: one screened and trained adult (volunteer or paid employee) and another individual (adult, youth or a child who is mature enough and old enough to be helpful) who does not need to be screened or trained.
- Training
 - Sexual abuse prevention training will be required as outlined in the "Two-Deep Coverage" section of this policy and will be required for Session members (because Session has the responsibility for carrying out the sexual misconduct policy)
 - Recommended curriculum for training use: *Darkness to Light: Stewards of Children (D2L)* (2 hrs. long). After the training, specific information about the PPC policy and state mandated reporter laws and a faith based connection to the training will be shared with the trainees.
 - Completion of training is required within 30 days of beginning employment or the volunteer position.
 - Training must be renewed every 3 years.
- Parent permission forms for all off-site activities
 - Use parent permission forms that include emergency contact information for all off-site children's and youth activities.

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- Evaluation of prevention measures
 - The policy will be evaluated by the Christian Education committee annually no later than October of each year.

Abuse Reporting:

- In the state of NC, **ALL** persons are mandatory reporters.
 - North Carolina state mandatory reporter statute: § 7B-301. Duty to report abuse, neglect, dependency, or death due to maltreatment.: Any person or institution who has cause to suspect that any juvenile is abused, neglected, or dependent, as defined by G.S. 7B-101, or has died as the result of maltreatment, shall report the case of that juvenile to the director of the department of social services [Chatham County office (919) 542-2759] in the county where the juvenile resides or is found. The report may be made orally, by telephone, or in writing. The report shall include information as is known to the person making it including the name and address of the juvenile; the name and address of the juvenile's parent, guardian, or caretaker; the age of the juvenile; the names and ages of other juveniles in the home; the present whereabouts of the juvenile if not at the home address; the nature and extent of any injury or condition resulting from abuse, neglect, or dependency; and any other information which the person making the report believes might be helpful in establishing the need for protective services or court intervention. If the report is made orally or by telephone, the person making the report shall give the person's name, address, and telephone number. Refusal of the person making the report to give a name shall not preclude the department's assessment of the alleged abuse, neglect, dependency, or death as a result of maltreatment.

Upon receipt of any report of sexual abuse of the juvenile in a child care facility, the director shall notify the State Bureau of Investigation within 24 hours or on the next workday. If sexual abuse in a child care facility is not alleged in the initial report, but during the course of the assessment there is reason to suspect that sexual abuse has occurred, the director shall immediately notify the State Bureau of Investigation. Upon notification that sexual abuse may have occurred in a child care facility, the State Bureau of Investigation may form a task force to investigate the report.

Addition to statute 7B-301 (December 2013) Any person or institution who knowingly or wantonly fails to report the case of a juvenile as required by subsection (a) of this section, or who knowingly or wantonly prevents another person from making a report as required by subsection (a) of this section, is guilty of a Class 1 misdemeanor.

- North Carolina state privilege exemption statute: § 7B-310. Privileges not grounds for failing to report or for excluding evidence.

No privilege shall be grounds for any person or institution failing to report that a juvenile may have been abused, neglected, or dependent, even if the knowledge or suspicion is acquired in an official professional capacity, except when the knowledge or suspicion is gained by an attorney from that attorney's client during representation only in the abuse, neglect, or dependency case. No privilege, except the attorney-client privilege, shall be grounds for excluding evidence of abuse, neglect, or dependency in any judicial proceeding (civil, criminal, or juvenile) in which a juvenile's abuse, neglect, or dependency is in issue nor in any judicial proceeding resulting from a report submitted

under this Article, both as this privilege relates to the competency of the witness and to the exclusion of confidential communications.

* Abused juveniles defined as “any juvenile less than 18 years of age” (NC statute 7B-101)

When any person has cause to suspect that a juvenile has been abused on PPC property or at any PPC event that person is required to report it to the Chatham County Department of Social Services (DSS).

When and if that person reports the incident to a PPC official, the person will be advised of the statutory requirement of his/her duty to report to the DSS, without giving advice.

The PPC will report the incident to the DSS when it has cause to suspect abuse even if the reporting person does not.

All paid staff and authorized volunteer leaders must report incidents of juvenile abuse related to children’s or youth activities at Pittsboro Presbyterian to the Clerk of the Session, apart from their separate reporting to the DSS.

Local law enforcement will be contacted by DSS if deemed appropriate or necessary.

Pastoral care shall be offered to all involved.

DSS will investigate as needed. The church will support the work of investigation when asked to do so.

Categories of reports:

The initial call to DSS will be the same no matter who is included in the reporting. When the report includes a member of the church or staff (child or adult) while engaged in a church event, Session should consider consulting a legal counsel. When the reporting includes an ordained member of staff, Salem Presbytery should be notified as soon as possible. Salem Presbytery standing policy at the time of contact shall then be put in place, guided by presbytery in consultation with the church’s Session.