

**UNITARIAN UNIVERSALIST CHURCH OF BIRMINGHAM (UUCB)
SAFE CONGREGATION POLICY**

Adopted by the UUCB Board of Trustees (the “Board”) November 19, 2015

I. DEFINITIONS

A. Unitarian Universalist Association (UUA)

The UUA defines child abuse as “an act committed by a parent, caregiver, or person in a position of trust that harms or threatens to harm a child’s well-being or physical or mental health.”

According to the UUA, there are four categories of child abuse:

Physical Abuse: Deliberately inflicting bodily harm to a child. Instances of child abuse include violent assault with hands, feet, a knife, or other implement, or burns, fractures, and bruises resulting from being beaten, shaken, or thrown.

Sexual Abuse: Engaging in sexualized behavior, verbal or physical, with a child; using a child for the sexual gratification of an adult or other child. Any time a child is used for the sexual stimulation of another person, abuse has occurred. The child is powerless either to consent or resist such sexual acts. Sexual abuse can include fondling, sexual intercourse, forced participation in sexual acts, incest, and exploitation for the purpose of pornography or prostitution. Child sexual abuse is illegal regardless of whether the child “consents” or not. Consent is not an issue. The offender bears the entire responsibility for the abuse whatever form it takes.

Child sexual abuse may be physically violent or non-violent. All child sexual abuse is an exploitation of a child’s vulnerability and powerlessness in which the abuser is fully responsible for the actions. Child sexual abuse includes behaviors that involve touching and non-touching aspects.

Types of abuse that involve touching include:

- Sexual fondling
- Oral, genital, and/or anal penetration
- Intercourse
- Forcible rape

Types of abuse that do not include touching include:

- Verbal comments such as statements intended to seduce children
- Pornographic videos
- Obscene phone calls
- Exhibitionism

Emotional Abuse: Emotional abuse may be very difficult to identify and document. Emotional abuse deeply affects a child’s self-esteem by subjecting a child to verbal assault or emotional cruelty. It can include close confinement, inadequate nurturing, extreme discipline, or deliberately permitting destructive behaviors such as drug or alcohol abuse.

Neglect: Children have basic physical, nutritional, and environmental needs that must be supplied. Withholding of food, clothing, medication, and proper living quarters, as well as abandonment are all acts of neglect. Neglect can include physical, emotional, or educational neglect through such actions as inadequate supervision, health hazards in the home, refusing to seek treatment for illnesses, providing inadequate nurturing, and deliberately permitting chronic truancy.

B. THE ALABAMA CODE

The Code of Alabama, Title 26, Infants and Incompetents, Chapter 14, Reporting of Child Abuse or Neglect, Section 26-14-1 defines abuse as “harm or threatened harm to a child’s health or welfare,” with “child” defined as a person under the age of 18 years. The Code elaborates that “[h]arm or threatened harm to a child’s health or welfare can occur through nonaccidental physical or mental injury, sexual abuse or attempted sexual abuse, or sexual exploitation or attempted sexual exploitation. ‘Sexual abuse’ includes the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct or any simulation of the conduct for the purpose of producing any visual depiction of the conduct; or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children as those acts are defined by Alabama law. ‘Sexual exploitation’ includes allowing, permitting, or encouraging a child to engage in prostitution and allowing, permitting, encouraging, or engaging in the obscene or pornographic filming, or depicting of a child for commercial purposes.”

Neglect is defined in the same section, Alabama Code Section 26-14-1, as “negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing, or shelter.”

Alabama Code Section 26-14-3 and Section 26-14-4 set forth both mandatory and permissive reporting requirements, and Section 26-14-5 addresses the content of reports.

The Code of Alabama, Title 13A, Criminal Code, Chapter 6, Offenses Involving Danger to the Person, Article 4, Sexual Offenses defines rape, sodomy, and sexual abuse in the first and second degree, sexual misconduct, sexual torture, indecent exposure, enticing a child to enter into a place for immoral purpose, sexual abuse of a child less than 12 years old, and lack of consent. A person less than 16 years old is deemed incapable of consent pursuant to Alabama Code Section 13A-6-70.

In no way does this policy exclude or preclude adherence to Alabama state law.

II. SAFE CONGREGATION COMMITTEE AND RESPONSE TEAM

A. Safe Congregation Committee

The Board of Trustees, in collaboration with the Director of Religious Education (DRE) and the Minister, will identify a Safe Congregation Committee of five to seven people who could be called upon to serve on a Response Team, as discussed below.

In selecting the members of the Safe Congregations Committee, professional or volunteer experience or other special training in working with children and/or child abuse issues will be considered. In addition, existing knowledge about available community resources with respect to child abuse, treatment for sex offenders, and support groups for survivors will be considered. Moreover, existing knowledge about Alabama state law reporting requirements with respect to child abuse will be considered. Furthermore, familiarity with UUA Safe Congregation materials and resources will be considered. All potential members of the Safe Congregations Committee will be expected to carefully review and understand this policy and the procedures set forth in this policy.

The DRE and church administrator will keep an up-to-date list of the names and contact information for all members of the Safe Congregation Committee.

B. Safe Congregation Committee Responsibilities

The Safe Congregation Committee will have the following responsibilities:

- The Committee will receive allegations of possible child abuse and implement the procedures set forth in this policy on an expedited basis.
- The Committee will meet with sex offenders to develop a Limited Access Agreement, as discussed below, for participation in church activities.
- The Committee will evaluate applications for anyone being considered for work with the children or youth of UUCB to the extent deemed necessary by the DRE, the Spiritual and Ethical Enrichment Committee (SEEC), and/or the Board.
- The Committee will be a resource for the Board, SEEC, and members of the congregation who have questions or concerns about this policy and the procedures set forth in this policy.
- The Committee will be aware of community resources with respect child abuse, treatment for sex offenders, and support groups for survivors.
- The Committee will be aware of Alabama state law reporting requirements with respect to child abuse.
- The Committee will be aware of UUA Safe Congregation materials and resources.
- The Committee will support and help the DRE in facilitating annual training and developing training materials for anyone working with the children or youth of UUCB on issues, policies, and procedures relevant to child abuse. In addition, the Committee will support and help the DRE in facilitating the screening and selection process for workers/volunteers as set forth in Section V.C. Furthermore, the Committee will support

and help the DRE in developing congregation-wide training material as deemed necessary and appropriate.

- The Committee will submit an annual report to the congregation.
- The Committee will review this policy and implementing procedures annually and recommend changes.

C. Response Team

In response to a specific allegation of child abuse, a Response Team will be assembled by the Safe Congregation Committee and will meet on an expedited basis. The Response Team will consist of individuals who are not involved in the incident and will include selected individuals from the Safe Congregation Committee, the Minister, the DRE, and the Board President. If the allegation involves a staff person, that staff person will be removed from the Response Team, and the Board will be notified immediately.

The Response Team does not have the legal authority or expertise to determine guilt or innocence. It is designed instead to protect the congregation, to ensure compliance with Alabama state law on reporting child abuse, and to ensure that the alleged victim and accused are treated with dignity and respect. All allegations of child abuse will be taken seriously.

D. Response Team Responsibilities

The Response Team will have the following responsibilities:

- The Team will immediately ensure that the parents/legal guardians of the alleged victim have been notified of the allegation and informed of the procedures that will be implemented pursuant to this policy.
- The Team will ensure compliance with Alabama state law. A copy of relevant Alabama state law on child abuse will be kept in the Child Abuse Policy Notebook (maintained in the DRE's office) and will be referenced when an allegation is made. The Team designee (and all mandatory reporters) will make an appropriate and timely report as required to the Alabama Department of Human Resources (DHR) and/or law enforcement. The current phone numbers for the Jefferson County DHR (Child Abuse Hotline and After Hours) and City of Birmingham Police will be posted in the DRE's office at all times.
- The Team will make a timely decision about whom to inform about the allegation other than the parents/legal guardians of the alleged victim, such as staff members, congregation members, individuals working with the children and youth of UUCB, classmates of the alleged victim, and/or the accused. The decision will be made based upon the individual circumstances in consultation with legal counsel and law enforcement officials as appropriate as well as the parents/guardians of the alleged victim. Since these matters are sensitive, the Team will emphasize that it is important that all persons involved, including the alleged victim and the accused, maintain the level of confidentiality recommended by the Team.
- The Team will ensure that all Team members understand that only the person or persons designated by the Team may comment on any allegation or incident to the congregation, the press, or the public. Likewise, the Team will ensure that all Team members

understand that only the person or persons specifically authorized by the Team may contact any parties involved in the allegation or incident.

- The Team will take reasonable and timely actions to ensure the safety of the children and youth of UUCB based upon the nature of the allegation and other relevant factors.
- In order to protect the children and youth of UUCB from potential risk and to protect the accused from further suspicion, the Team will make a decision about removing the accused from interacting with the children and youth of UUCB in the Religious Education (RE) program or other programs. A decision will be made and action taken in a timely manner based on the potential risk to the children and youth of UUCB, the nature of the allegation, and other relevant factors. Actions other than removal from interacting with the children and youth of UUCB will be given full consideration; however, if a report is made to DHR or law enforcement, or if deemed appropriate by the Team, removal will be mandatory, and the accused will be required to sign and abide by a Limited Access Agreement.
- The Team will take appropriate action to ensure that both the alleged victim and the accused are treated with dignity and respect, keeping in mind that the protection of individuals from false or mistaken allegations due to misunderstandings or misinterpretations of events is also an important goal of this policy.
- The Team will call upon or make referrals to whatever community or professional resources they deem appropriate, both within and outside the congregation.
- The Team will ensure that the church's insurance carrier is notified if necessary.
- If any action is taken or recommended by the Team, the Board and UUA Congregational Life Consultant/Southern Regional Lead will be notified of the nature of the allegation, that a Response Team was convened, whether a report was or will be made to DHR and/or law enforcement, and the action taken or recommended. The Board President (or Response Team designee) will report to the full Board in a closed meeting at the earliest appropriate time.

III. ADDITIONAL RESPONSIBILITIES OF THE MINISTER, THE BOARD, AND THE DRE

The Minister (unless involved in the allegation or incident), in consultation with the Board, will make the final determination of any additional consequences appropriate for violation of this policy, including, but not limited to, termination of a staff person and any additional action in the case of a volunteer beyond that for which the Response Team is authorized.

The Board President or his/her Board member designee shall inform the following of any determination of serious violations by the professional staff of this policy:

- The UUA Congregational Life Consultant/Southern Regional Lead of the Southern Region.
- The UUA Director of Ministries and Faith Development.
- The UUA Ministerial Fellowship Committee, Religious Education Credentialing Committee, or comparable credentialing group.
- The appropriate professional organizations.

The DRE, with the help and support of the Safe Congregations Committee, will facilitate annual training and develop training materials for anyone working with the children or youth of UUCB on issues, policies, and procedures relevant to child abuse. In addition, with the help and support of the Safe Congregations Committee, the DRE will facilitate the screening and selection process for workers/volunteers as set forth in Section V.C. Furthermore, with the help and support of the Safe Congregations Committee, the DRE will develop congregation-wide training material as deemed necessary and appropriate. A copy of relevant Alabama state law on child abuse will be kept in the Child Abuse Policy Notebook, which will be maintained in the DRE's office. The current phone numbers for the Jefferson County DHR (Child Abuse Hotline and After Hours) and City of Birmingham Police will be posted in the DRE's office at all times. The DRE will maintain a record of children and youth attending scheduled RE programs/childcare and workers/volunteers present.

IV. REPORTING WITHIN THE CHURCH

Anyone who has concerns about inappropriate behavior or suspected child abuse (physical, sexual, or emotional) by RE teachers, childcare workers, regular or occasional volunteers, staff members, or other adults or youth in the congregation, will report their concerns immediately to the Minister, DRE, and/or Board President, who will then refer the situation to the Safe Congregation Committee. Even if the alleged abuse by or to a member/friend/participant of the congregation occurred outside of UUCB grounds and programs, it may have an impact of the health and safety of the congregation and therefore should be handled as set forth in this policy.

V. PREVENTION

A. Physical Space

Classrooms and other spaces used for RE programming for children and youth of UUCB or childcare will be equipped with windows in the doors that allow for monitoring from the hallway. If such door is not available, the door will be kept at least partially open during use.

B. Church Members, Friends, and Participants

Individuals who have been convicted of, are under current investigation or indictment for, or have ever engaged in any act of sexual misconduct involving a child or of child abuse are precluded from participation in the RE program and other children and youth activities at UUCB.

This policy requires any member or friend (adult or minor) who has been convicted of, is under current investigation or indictment for, or has ever engaged in any act of sexual misconduct involving a child or of child abuse to make him or herself known to the Minister, the DRE, and/or the Board President. Other members or friends of the congregation who become aware of such information should report this to the Minister, the DRE, and/or the Board President, who will then refer the situation to the Safe Congregation Committee.

All individuals who have been convicted of, are under current investigation or indictment for, or have ever engaged in any act of sexual misconduct involving a child or of child abuse will be

required to sign and abide by a Limited Access Agreement. An individual in violation of his or her Limited Access Agreement will be asked to vacate the church premises by the Minister, the DRE, a member of the Safe Congregations Committee, or the Board President. If the person further refuses, the local law enforcement will be called for assistance.

C. Selection of Workers/Volunteers From Within the UUCB Community

No person from within the UUCB community shall be eligible to be considered for work with the children and youth of UUCB on a regular volunteer or employed basis unless they meet the following qualifications:

- Have been a member or friend of UUCB for at least six months, or have provided references from another UU congregation that include a minister or DRE.
- Be an adult of at least 18 years old. An exception can be made for youth 10 or older, subject to the approval of the DRE and SEEC on a case-by-case basis.
- Complete the church screening and selection process, which shall include:
 - Completion of an application form.
 - Completion of a reference contact form.
 - Completion of forms consenting to a criminal background check and check of the Alabama Central Registry on Child Abuse and Neglect. This requirement is waived for workers younger than 18.
 - Attendance at training on child abuse and reporting protocols at UUCB.
 - Completion of the “Code of Ethics” form.
 - A personal interview with the DRE, Minister, and/or member of SEEC.
- Individuals who have been convicted of, are under current investigation or indictment for, or have ever engaged in any act of sexual misconduct involving a child or of child abuse are precluded from consideration for work, volunteer or employed, with children and youth at UUCB.
- Upon successful completion of the steps outlined above, and a positive result from reference checks and background checks, a person shall be deemed eligible to be appointed by SEEC to work with children and youth of UUCB.

D. Selection of Workers From Outside of the UUCB Community

UUCB may choose to employ individuals 21 years of age or older from outside the church community to work with children or youth of UUCB. Individuals from outside the church are not required to have been involved in the church, as a member or friend, for six months. They must, however, successfully complete the steps outlined above for the selection process of workers from within the UUCB Community. Again, individuals who have been convicted of, are under current investigation or indictment for, or have ever engaged in any act of sexual misconduct involving a child or of child abuse are precluded from consideration for work with children and youth of UUCB.

E. Occasional Volunteers

We appreciate the occasional volunteers that step forward to provide needed assistance when requested. Occasional volunteers are expected to have read, indicated understanding of, and signed the “Code of Ethics” on an annual basis.

F. Supervision and Expectations of Workers

At least two adults (or one adult 21 or over with a youth at least 16 years old) shall be present in each RE class, supervised gathering, or church program or event. It is preferable and desirable that these individuals are not related. Planned exceptions to this two-adult rule (for example, to transport children/youth from one location to another in a vehicle or meetings between a Coming of Age Mentor and Mentee) require written permission from parents/guardians.

The DRE or a designee will periodically observe volunteers and staff working with children and youth of UUCB in classrooms and at other church programs and events.

Staff, regular volunteers, and occasional volunteers are expected to read and sign the “Code of Ethics” annually. A background check shall be conducted periodically for all staff and regular volunteers interacting regularly with children and youth of UUCB. The recommended interval is every three years, but at least every five years.

All workers are expected to adhere to any procedures established by UUCB and SEEC to ensure the safety of children and youth of UUCB, including but not limited to attendance at required training sessions, completion of report and other required forms, and advance communication about and obtaining necessary approvals for field trips and overnight/after hours events.

G. Training and Support

Education and training about child abuse prevention is the responsibility of the entire congregation. To that end, UUCB will ensure adequate staffing and funding to carry out this policy and will endeavor to:

For children and youth of UUCB:

- Offer Our Whole Lives (OWL) programs at all levels at appropriate intervals.

For RE teachers and childcare staff, Board members, Ministers, all professional staff, and volunteers working with children and youth of UUCB:

- Offer annual training and written information designed to prevent child abuse, including this policy.

For the entire congregation:

- Provide information on child abuse, including workshops, adult RE and OWL classes, and/or written materials, including this policy.
- A copy of this policy and supplemental resources will be posted on the UUCB website and posted in one or more prominent locations in the church building.
- A copy of this policy will be included in all new member packets and new staff packets.

VI. RESPONSIBILITY OF SUPERVISION OF CHILDREN AND YOUTH OF UUCB

Parents and other legal guardians are fully responsible for their minor children/youth at all times except for periods of scheduled RE programs, including Sunday morning RE classes and nursery care, and any time a child is checked into childcare. During these designated times, UUCB assumes responsibility in place of parents, and a record will be made of children and youth attending scheduled RE programs/childcare and workers/volunteers present.

If during the time when those programs are being conducted, a child or youth for whatever reason is not a participant, they must be in the presence and care of a parent/guardian or other designated (by the parent/guardian) responsible adult. Likewise, adults who are not scheduled to participate as teachers or assistants in a religious education program, including Sunday morning RE classes and nursery care, may be asked to move to other areas of the church building not being used for children's programming.