

RESPONSE PLAN FOR SEXUAL ABUSE AGAINST A MINOR AT CHURCH

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|--|----|
| Introduction | 2 |
| Hearing | 2 |
| Reporting | 2 |
| Pastoring | 2 |
| Emergency Response Team | 2 |
| Important Notes | 3 |
| Adult to Minor Abuse Report | 4 |
| Minor to Minor Abuse Report | 8 |
| Conclusion | 9 |
| SEXUAL ABUSE ALLEGATION REPORT FORM (meeting with alleged victim or parents) | 10 |
| SEXUAL ABUSE ALLEGATION REPORT FORM (meeting with alleged perpetrator) | 11 |

Introduction

We at The Church at Clayton Crossings want to do everything possible to protect the children who are entrusted to our care. We view the children who attend our church as a sacred and precious trust given to us by their parents.

When it comes to protecting children from sexual abuse, this protection begins with excellent preventative policies. These preventative policies are contained in other documents and will not be repeated here.

This document is meant to delineate our response plan if it is reported that any form of sexual abuse against a minor occurs while that child is at church or a church-related activity.

This response plan is intended to cover the “initial stages” of response and not the totality of care needed. “Initial stages” are defined as: (a) hearing, (b) reporting, and (c) pastoring.

Hearing

The parents and/or minor reporting abuse have been heard in a loving and sympathetic manner.

Reporting

Necessary reports have been made to the Department of Social Services, (DSS), Child Protective Services (CPS), or other legal authority in the county where the minor resides. (CPS is most commonly a division of DSS.)

The purpose of this policy is to ensure that any case of potential child abuse is properly reported AND that appropriate pastoral care can be provided to the family affected. If the legal process would be impeded by pastoral care efforts, the church will postpone pastoral care efforts outlined below until our efforts would no longer interfere with needed legal process.

Pastoring

- The minor reporting abuse and parent(s) have been connected with the needed resources for their personal care.
- The person accused of abuse has been heard in a caring, respectful, and thorough manner.
- The church elders have the information necessary to oversee (a) the care for the victim and the victim’s family, as well as (b) discipline and care for the perpetrator, and (c) the general care of the congregation.

In addition to having a written policy for the report of sexual abuse, The Church at Clayton Crossings will also have a “Sexual Abuse Response Team” (SART) who is aware of the plan and prepared to enact the plan, if and when needed.

Emergency Response Team

The SART will consist of three people and must consist of both male and female members. The SART will be comprised of individuals who have specific areas of expertise that will strategically benefit the response process:

- One person with a counseling or social work background

- One person with a medical background
- One person with a early childhood education background

The SART will inform the church elders, the Family Ministries Pastor(s), and the Pastor of Counseling as defined in the response plan below throughout the process in order to ensure quality pastoral care is provided.

The SART will be responsible for:

1. Speaking with the person to whom the abuse was initially disclosed and to the parents to ensure that necessary report to CPS was made.
2. Advising the family of the minor of medical and counseling resources that may be beneficial.
3. Communicating with the church elders what they need to know to effectively provide pastoral care, discipline, and modifications to church policies.

The elders will:

1. Meet with the accused perpetrator of abuse and hear his/her version of what did and did not happen.
Again, if the legal process would be impeded by these pastoral care efforts, the church will postpone this step until it would no longer interfere with needed legal procedures.
2. Communicate to the alleged perpetrator the expectations of him/her from the church until the matter is resolved. A written agreement documenting such expectations will be signed by the alleged perpetrator, or the refusal to sign will be documented.

This response plan will address two contingencies for which sexual abuse can be reported:

1. Sexual abuse by an adult against a minor (represents approx. 60% of sexual abuse reports in a church context)
2. Sexual abuse by a minor against a minor (represents approx. 40% of sexual abuse reports in a church context)

Important Notes

Any forms completed as part of this process are strictly confidential, unless otherwise required by a legal process and are held as, and treated as such by those involved. Any minor under the age of 18 will be referred to by their initials when in writing (Sally May would be referred to as S.M. after the first reference).

It is also important to know that abuse is abuse regardless of the gender pairing of the two (or more) individuals involved. Therefore, all allegations should be treated the same, and should be investigated to the fullest extent required under this policy.

During the initial stages of the response as described herein, it is the role of the church to ensure that all mandated reports of abuse are made and to fully comply with any criminal investigation that ensues. This is not the church "pressing charges" or "declaring someone guilty," but merely honoring the expectations of the governing authorities (Romans 13:1-6) as it pertains to abuse/neglect of a minor.

Adult to Minor Abuse Report

Response in First 24-48 Hours: Caring for the Victim & Family

Once an accusation of sexual abuse has been reported to a staff member or volunteer, this information should then be communicated to the Family Ministries Pastor(s), who should contact the family of the minor (if they were not the initial reporting persons or the alleged perpetrator) to offer initial emotional support and to inform them of the process of care (as defined below).

If the allegation is against the Family Ministries Pastor, then the accusation should be reported to the Pastor of Counseling who would fulfill the same functions.

In the communication, the parents should be told:

1. The names and background of the SART members
 - Name, nurse
 - Name, elementary school principal
 - Name, social worker
2. That the SART is comprised of people with professional background in working with crises and/or children, have received training by our church to respond to this kind of situation, and have volunteered because of their love for children.
3. That the SART are not paid by the church so that there is no reason to think they would have a conflict of interest that would lead them to mishandle this situation.

When a report is made of any potential sexual abuse, the statement from the box below should be provided to the person giving the report. This statement should be included in the policy section of any ministry manual related to children or youth and any FAQ manual at the information desks around the church.

How to respond if someone reports an allegation of sexual abuse against a minor:

Reply: "Thank you for having the courage and integrity to come forward with this information. We also have a response team of non-church staff professionals who will help you ensure that the appropriate legal authorities will be notified. A member of this team will contact you and ask that you put what you have seen and/or heard in writing so we can take the proper pastoral care steps that are needed in addition to legal reports. You have done a good thing that allows us to ensure that the children in our care are safe and protected. Thank you."

Action Step: Record the name, phone number, mailing address, and e-mail address of the person giving the report. Send this information directly to the Family Ministries Pastor (email address) and Pastor of Counseling (email address). It is the responsibility of these pastors to inform the response team and initiate the response protocols of the church.

The Pastor of Counseling should then contact a member of the SART to inform them of the accusation, provide what background he knows (including a list of all classes and children's events at which the accused perpetrator has served as leader), and to provide them with the contact information of the minor's family.

The contacted SART member should contact the remaining two members of the SART to alert them to the situation and coordinate their availability. A member of the SART should then contact the person to whom the disclosure of abuse was made and the family of the minor. When calling the parents, it is important for the SART to remember:

The parents are experiencing a crisis and are neither prepared nor trained to know what to do next. This conversation should also be seen as ministering to the parent(s) who rightfully feels angry, hurt, afraid, and let down by his/her church.

Introduce yourself and then begin by stating that your primary purpose is to ensure the safety of their child and any other children who may have been involved. In order to do this you are asking for the opportunity to:

- Learn if a report has already been made to DSS; if not, to help them make any needed report.
- Provide knowledge, support and experience by way of the SART expertise as a way to care for the child and family during this time.
- Provide a list of resources that would benefit the family during this time.

REPORT IF: The accusation is potentially viable; meaning the accusation is of an action that qualifies as sexual abuse and it could be true.

DO NOT REPORT ONLY IF: (1) The allegation violates the laws of physics (i.e., the accused was in Australia not in the church as alleged). (2) The reports turn out not to be sexual abuse (i.e., "My friend made fun of me in the bathroom when I wet my pants.")

Immediately after this conversation, the interviewing SART member should document what was shared using the attached form.

If a CPS report has not already been made, then the SART team member(s) should call CPS with the parent and/or person to whom the initial disclosure was made. This allows (a) all relevant information to be given to CPS at that moment, and (b) ensures that parents and the person to whom the disclosure was made know as much as possible about what will happen next.

These notes should be debriefed with the Pastor of Counseling in a joint meeting with at least one directional elder within 48 hours. The notes will be kept on file at the church. The purpose of this meeting is to ensure the elders can effectively fulfill their responsibilities towards the accused perpetrator and review the preventative policies of the church.

The purpose of this first 24-48 hour response is to assure the child and family that their church cares and takes these matters seriously. If a child has been harmed we want them to receive care quickly and for the necessary legal steps to be taken promptly. How a church responds in a crisis like this will go a long way towards determining whether these individuals will feel safe in and trust a church again.

If the SART is unable to meet with the reporting family in the time specified or if at any point the child or parents become uncooperative with the SART and there is not clear evidence that the allegation was physically impossible, then a report will be filed based upon information gathered to that point.

Elders and SART members involved in this process should read chapter nine “What About the Spouse & Family” (pages 93- 112) from Restoring the Fallen: A Team Approach to Caring, Confronting & Reconciling by Earl and Sandy Wilson, Paul and Virginia Friesen, and Larry and Nancy Paulson. This chapter does an excellent job of talking through key points of caring for the spouse and family after a major moral failure. While the book is written in response to the disruption caused by the adultery of a parent, it does a good job of describing how to care for a family in a time of crisis.

Response Hours 48–96

(Unless Advised to Contrary by DSS or Law Enforcement): Caring for the Alleged Perpetrator

The reporting of a sexual abuse accusation is first a legal matter and second an ecclesiastical matter. For this reason, a legal report may be filed without first talking to the alleged perpetrator. Even if the alleged perpetrator denies the action took place, it is not the role of the church to determine what happened before honoring the laws of the state of North Carolina which clearly state that:

“Any person or institution who has cause to suspect that any juvenile is abused, neglected, or dependent... shall report the case of that juvenile to the director of the Department of Social Services in the county where the juvenile resides or is found (NCGS 7B-301).”

The church, even if the information is disclosed in pastoral counseling, is not exempt under pastor-parishioner privilege from this expectation in the state of North Carolina.

While reporting allegations of abuse is not an ecclesiastical matter, pastoring for the alleged perpetrator is. Therefore, after the SART has interviewed the victim, assessed if there is reason to consider the allegation potentially viable, reported to DSS (if needed), and summarized the allegation to the elders, the elders will visit the alleged perpetrator.

This visit may be delayed if DSS or law enforcement believes that this involvement would interfere with their processes.

The elders responsible for making this visit will contact the CPS worker over the case, whose name and contact information will be recorded in the SART notes, before making this visit.

The purpose of this visit is to:

1. Inform the alleged perpetrator of the allegation that has been made.
2. Allow for a time of confession (if guilty and willing to admit it).
3. Inform the alleged perpetrator of the legal steps that have been taken.
4. Inform the alleged perpetrator of the restrictions that will be placed upon him/her by the church until the matter reaches its legal conclusion. Have the alleged perpetrator sign the agreed upon plan (see attached document).
 - a. No involvement or physical presence in the children or youth ministries or areas will be allowed.
 - b. Asked to attend a different campus from the alleged victim and be supervised while present.
 - c. No attempt should be made to: (1) determine who the alleged victim is or (2) contact that minor/family.
5. Begin the process of pastoral care.

- a. If confession is made, provide the name of a counselor who will be recognized as an expert during the legal process and is trained to work with perpetrators of sexual abuse against a child. This counseling should not be done by a Summit staff member or counselor affiliated with the church in order to prevent a conflict of interest.
- b. If confession is not made but his/her response is civil, then maintain support during the legal process. If the legal process concludes that the allegation was unsubstantiated, then consulting with the Pastor of Counseling for the best source of counseling for the trauma of the process should be advisable.
- c. If confession is not made and his/her response is uncivil, then reiterate that the restrictions are expected to be followed and that the church wants to be supportive during this time.

During this time, the church will contact its insurance provider to inform of the current liability risk and an outside attorney in order to receive specific advisement about liability concerns specific to the details of the current situation.

Aftercare Responsibilities:

There are three areas that should be assessed and/or defined.

First, determine whether there were other victims who have not reported their abuse. On average, a child molester will have 50-100 victims before getting caught. The process of determining if there are other victims will begin from examining the list of volunteer roles by the alleged perpetrator and any names provided while interviewing the victim.

If specific names are given by the victim, then the SART should call the parents of that child and ask to meet about an important matter. This interview should be similar to the one conducted with the parents of the initial victim described above. The plan to implement this step (before) and the information garnered from these conversations (after) should be shared with the CPS worker over the case.

In the classes taught by the alleged perpetrator (if he/she was a teacher), the SART (with at least one directional elder present) should have a meeting with the parents in the class to give overview of what happened without mentioning names, give helpful ideas of how to talk to their child, and explaining the response plan of the church.

The SART (as substitute teachers) should also teach a lesson in each class affected on "Good Church Leaders" describing what is right and acceptable for a church leader to do. In this the SART should give examples of the kind of activities described by the alleged victim (i.e., shouldn't take you the bathroom alone). As a part of this class, the SART may play a game led by one SART member, allowing the other two SART members to interview the children individually about their experience with church leaders.

Second, determine what to say to the church body. The elders should decide what needed to be communicated to the church body at large or segments of the church body. This information should be communicated to involved staff, victim's family, and alleged perpetrator's family before anything is communicated with the full congregation.

It should be expected that some awareness will leak into the congregation. Therefore, a statement should be prepared and made available to any involved staff even if it is decided that no statement is made to the

entire church body. The spirit of this communication is that the congregation should hear only truth while showing evidence of caring for the victim, the alleged perpetrator, and the congregation members (many who will have their own abuse histories).

Third, prepare a statement if these events become part of the public media. An individual should be designated by the elders to speak on behalf of the church to the media. All staff should be advised to direct any media enquiry to the designated person.

This statement should include the following key points.

- We value children and have extensive preventative child protection policies.
- There are times when moral evil evades the best policies and this grieves us greatly.
- No attempt has been made to hide or cover up what has happened. We are cooperating fully with the legal process, but want to protect the privacy of those involved.
- We applaud the courage of anyone, especially a child, who speaks out about abuse.
- We are seeking to love and serve the families affected at this time and would invite everyone to pray for those involved in this process.

Response in First 24-48 Hours: Caring for the Victim & Family

Minor to Minor Abuse Report

The response plan in the first 24 hours is the same as in the case of adult to minor abuse.

Response Hours 48-96:

Caring for the Alleged Perpetrator

In the case of minor to minor sexual abuse it should be assumed that the perpetrator may also be a victim of sexual abuse. This will influence the tone and follow up of this meeting. Due to the nature of this conversation, the parents may be defensive and less cooperative in an effort to protect their child from legal consequences and possibly to protect the adult abuser (if known) involved in the situation.

The SART, preferably the social worker team member, will first place a phone call to the minor / accused perpetrator's parents and inform them of the accusation that has been made (but not the name of the victim) and request to meet with the parents. If the parents refuse this meeting, the parents should be informed that regardless of their choice a report will be (likely already has been) made to DSS.

If another adult has abused their child then their child would likely enter the investigation process as a victim. It should also be emphasized to the parents that the purpose of the SART is to ensure the safety of all the children at The Summit Church and that uncooperativeness likely places many children at risk.

Assuming the parents are willing to participate in this meeting, the purpose of the conversation should be: (a) to discern if their child has experienced any sexual abuse or exposure to sexualized material, (b) to determine if there are settings where their child may have experimented with other children who need care, and (c) advise the parents wise next steps for them to take.

The SART should be careful not to make promises they cannot keep (i.e., “If you are honest with us, you will not get in any trouble.”), but rather make honest statements, (i.e., “We are here to find out what happened so that we can get everyone the help that they need. If you are honest with us, then this process will be much easier on everyone.”).

The SART interviewing member should again take notes on these conversations. If names are given that are not involved with Summit (i.e., abuse that occurred at the YMCA, school, a camp setting, etc...), then those names should be reported to DSS or law enforcement as well.

At the end of this meeting, the SART should provide the family with the same information they provided after the meeting with the victim’s family.

If a DSS report will be filed and what to expect from that.

Recommend any follow up that would assist the process and recovery.

That the alleged perpetrator (child and family) will no longer be allowed to participate in any children or youth ministries and will be asked to attend with supervision a different campus from the victim (at least until this matter is resolved).

Provide a recommendation for child and/or family counseling appropriate for the situation. This counseling would not be provided by a Summit staff member or counselor affiliated with the church in order to prevent a conflict of interest.

Aftercare Responsibilities:

The aftercare responsibilities are the same as in the case of adult to minor abuse, with the exception that the class lesson would be on “Good Church Friends.”

Conclusion

The allegation of sexual abuse creates a difficult and intense time of ministry. Often the web of those affected can extend through several families. Our goal in this policy is to lovingly care for those who have experienced abuse, help them break the silence that compounds the damage of this experience, and point them towards the best available resources to begin healing from this experience.

We want to cooperate with DSS and any other legal authorities fully in this process and, thereby, allow them to fulfill the role which God has ordained for them. In doing so, the church also minimizes our liability concerns.

We also want to love those who have committed sexual abuse against a minor enough to confront them on this practice. The recidivism rate of this activity is exceedingly high. If we did nothing, more and more children would be hurt.

Ultimately, we want to be prepared to model the Gospel well by confronting sin and comforting suffering in the face of one of the more traumatic experiences in our culture that is endured by some of the weakest and most innocent members of our society.

SEXUAL ABUSE ALLEGATION REPORT FORM
(Meeting with Alleged Victim or Parents)

Name of the Child: _____

Name of the Parents: _____

Address: _____ City, State, Zip: _____

Home Phone Number: _____

Work Phone Number: _____

Cell Phone Number: _____

If parents are separated or divorced, what is contact information for parent not attending The Church at Clayton Crossings:

Person to whom Outcry was made: _____

Date outcry was made: ___/___/___

* * * Have the person the outcry was made to write a summary and attach to this document.

Person to whom Outcry was made reported to: _____

Date report was made: ___/___/___

Date SART Team was notified: ___/___/___

Date SART attempted to contact family: ___/___/___

Date SART member met with family: ___/___/___

Outcome from meeting with family:

Recommendations to family:

Will DSS or law enforcement be called? Yes No

If yes, date they were called: ___/___/___

Name of the person spoken with _____, and report number given

If parents contacted DSS, or law enforcement give the date, their report number and name of the person they spoke with.

SEXUAL ABUSE ALLEGATION REPORT FORM
(Meeting with Alleged Perpetrator)

Name of Alleged Perpetrator:

Address: _____ City, State, Zip:

_____ Home Phone

Number: _____ Work

Phone Number: _____

Cell Phone Number:

Meeting Date: ____ / ____ / ____

Time Meeting Began: _____ Time Meeting Ended: _____

Meeting Place:

People Present:

Explanation of what has been learned without victim's name (summarize key points made):

Response from Abuser:

* * * If willing, have them write their version and attach

Expectations/Restrictions on Alleged Abuser:

1. No involvement or physical presence in the children or youth ministries or areas will be allowed.
2. Asked to attend a different campus from the alleged victim and to have supervision when present.
3. No attempt should be made to: (1) determine who the alleged victim is or (2) contact that minor/family.

Other:

Recommendations/Follow-up Aftercare Plan:

I (print name) _____ understand and agree to cooperate with the investigation and restrictions as outlined above.

Signature: _____

Date: _____

If the alleged perpetrator is unwilling to cooperate with the investigation or restrictions outlined above, the elders conducting this interview should indicate this refusal by checking the box below and signing the spaces below.

- Individual refused to comply with process

Elder Name: _____

Elder Signature: _____

Elder Name: _____

Elder Signature: _____

Elder Name: _____

Elder Signature: _____

Elder Name: _____

Elder Signature: _____

Name

Phone Address Website

Name

Phone Address Website

Name

Phone Address Website

Counseling Resources

What to expect when a allegation is reported to DSS or CPS:

While the process changes from time to time, generally speaking, the following is likely to occur after an allegation is reported:

Child Protective Services (CPS) will access if the report meets the statutory criteria for child abuse or neglect.

Then, CPS will investigate to ascertain if the allegation can be substantiated. This involves interviewing the child if he/she is old enough to respond to questions, even if he/she had already been interviewed by another first responder. CPS will also contact the family and others who may have additional information about the incident.

CPS classifies its findings in one of two categories — substantiated or unsubstantiated. A substantiated finding means that there is sufficient evidence to prove that an incident of abuse or neglect occurred.

While gathering information, CPS may order a CME (Child Medical Examination) report to gather more evidence. The CME provider will conduct a forensic evaluation including: a physical medical examination of the child, an interview with the child, and an interview with a non-offending adult (typically a parent). These interviews may be video-taped in effort to keep the child from having to testify in court, should the abuse be substantiated. The findings are relayed to CPS.

A finding of unsubstantiated means that there is insufficient evidence to conclude that a child was abused or neglected, but it does not always mean that maltreatment did not occur.

North Carolina has a third category—inconclusive, unable to determine, or unfounded.

The CPS assessment will evaluate not only past events, but future safety. They will seek to determine if the child is safe in the home (or the setting in which the abuse occurred) and, if not, what the least intrusive interventions are to ensure the child's safety.

Finally, CPS determines if there is a risk of maltreatment occurring in the future. If a risk of abuse or neglect exists, CPS must offer or provide services to reduce the risk.