

# **CENTRAL UNITARIAN CHURCH OF PARAMUS, N.J.**

## **Policies and Procedures to Promote a Safe CUC and to Prevent Inappropriate Conduct on Church Property and at Church Events**

### **1. Introduction**

CUC is a welcoming congregation. We welcome all who believe their lives will be enhanced by joining our congregation, as well those who might enhance our own lives and worship experiences. In recent times, however, places of worship across all faith traditions have had to address the reality that inappropriate behavior can occur which is neither expected nor authorized. The following Policies and Procedures to Promote a Safe CUC are intended as guidelines for addressing inappropriate behavior by anyone, be it our minister, staff, members of the congregation, or visitors.

These Policies and Procedures also address the question of how to respond to individuals having a history of violent behavior who wish to become members of our community of faith. They have been designed with the twin imperatives of safety and welcome in mind. At the same time, they are intended to be flexible and implemented with a degree of commonsense.

Members of the congregation, staff and visitors are encouraged to direct any questions they may have regarding these Policies and Procedures to the President of the Board of Trustees or other appropriate person, such as the Minister or members of the Board of Trustees, as appropriate.

### **2. The Seven Unitarian Universalist Principles**

We begin these Policies and Procedures to Promote a Safe CUC by re-affirming the Seven Unitarian Universalist Principles. These UU principles remind us that we are a covenantal community of faith. We affirm:

- i. The inherent worth and dignity of every person;
- ii. Justice, equity and compassion in human relations;
- iii. Acceptance of one another and encouragement to spiritual growth in our congregations;
- iv. A free and responsible search for truth and meaning;

- v. The right of conscience and the use of the democratic process within our congregations and in the community at large;
- vi. The goal of world community peace, liberty, and justice for all;
- vii. Respect for the interdependent web of all existence of which we are a part.

### **3. Definitions**

While the definitions in these Policies and Procedures have been written with the goal of achieving certainty, behavior that constitutes “abuse,” “harassment” and “Misbehavior,” to name just a few examples, may sometimes fall into the “we know it when we see it” category, and are not possible to define with precision. For this reason, CUC reserves the right to take appropriate steps whenever the safety or welfare of an individual or our Congregation warrants that it do so.

In general, these Policies and Procedures address three types of behavior.

First, “Misbehavior” which generally means a lack of civility or other inappropriate behavior, and includes immoderate or disruptive behavior, conduct that is highly inconsiderate of others’ feelings, or displays of temper, and including written and electronic communications. Such behavior is inconsistent with our responsibility to respect the inherent worth and dignity of our fellow members, and to foster emotional and physical safety in our space.

Second, more extreme Misbehavior which rises to the level of “Abuse,” defined generally as any intentional or reckless act which causes, or creates a substantial risk of serious physical or emotional injury, or that constitutes a criminal offense under the laws of the State of New Jersey; or any intentional or reckless act which inappropriately or unfairly takes advantage of a person.

Third, “Sexual Harassment,” which means any:

- Abuse, as that term is defined above, and which is sexual in nature, including but not limited to any inappropriate sexual involvement or sexual contact; or
- Harassment, intimidation, or other inappropriate behavior of a sexual or prurient nature that takes place in an employment, mentor, therapist, teacher or similar relationship—
- harassment, intimidation, or other inappropriate behavior includes but is not limited to, undesired or inappropriate sexually oriented humor or language;
- unsolicited questions or comments about sexual behavior or preference;
- unsolicited or unwelcome physical contact or advances;

- undesired or inappropriate comments about clothing or physical appearance; and/or
- any communication which has the purpose or effect of creating an intimidating, hostile, or offensive environment; or
- Sexual exploitation, including but not limited to, the development of or the attempt to develop a sexual relationship between ministers, counselors, youth leaders, CUC religious education teachers, etc. with a person with whom they have a caretaking or confidential role, whether or not there is apparent consent.

**4. Safe CUC Committee & Response Team**

The Safe CUC Committee is hereby created.

The Safe CUC Committee shall consist of the Minister, and the President and Vice-President of the Board of Trustees. The President shall be the Chair *ex officio* of the Safe CUC Committee. In the absence of the President the Vice president shall chair the committee. In the event a complaint is made, it shall be referred by the President or Vice-President to the Safe CUC Committee, which will designate a Response Team to investigate the complaint. The Response Team will include at least two members of the Congregation at large. Insofar as is practical, the Safe CUC Committee, and any Response Team, shall include both male and female members. The identities of the members of the Safe CUC Committee shall be made public to the members of CUC by any appropriate means, including CUC’s website. The Response Team shall investigate complaints and report their findings to the Safe CUC Committee which shall report back to the Board of trustees with its recommendations. At the conclusion of each investigation, the Response Team shall be disbanded.

**5. Preventing Misbehavior, Abuse, and Sexual Harassment**

We acknowledge that preventing Misbehavior, Abuse, and Sexual Harassment in our religious communities and in CUC is a complex goal. Prevention education, training, careful hiring, and safety procedures are important steps toward creating a safe environment.

Education and training is critical to a safe congregational environment. Information, knowledge, and understanding support the development of healthy relationships based on self-esteem and respect for others. Greater understanding of the circumstances in which Misbehavior, Abuse, and Sexual Harassment might occur will help to avoid difficult situations. To this end the Director of Religious Education and the Religious Education Committee are responsible for:

(a) Offering age appropriate information about development and sexuality for our children, youth, and adults on a regular basis, including clarification and understanding of the complex aspects of sexuality, as well as focusing on sexual abuse prevention; and

(b) Keeping employees, advisors, and parents informed of this policy and reviewing it at least annually.

The Safe CUC Committee is also responsible for promoting congregational awareness about this policy.

## **6. Responding To Complaints of Abuse, Sexual Harassment, and Uncivil Actions**

There are several situations which may prompt a response regarding a complaint or concern about Misbehavior, Abuse, or Sexual Harassment including but not limited to:

- A child, youth or adult reports possible abuse by a CUC official, member or attendee;
- CUC official, member, friend, or attendee suspects that a child or youth is being abused;
- Child or youth reports possible abuse by a family member or other individual; or
- CUC officials learn that a CUC member, friend, or attendee (child, youth or adult) is under investigation for allegedly abusing others.

Because child abuse is addressed directly in New Jersey state law, such cases require that reporting laws be followed.

It is not the function of the Minister, or church officers to conduct an investigation into accusations of child abuse. Rather it is both New Jersey law and the policy of CUC to immediately report any situation in which any person has reasonable cause to suspect that a child has been, or is likely to be, abused or neglected.

Child Protection and Permanency, CP&P (formerly the Division of Youth and Family Services, DYFS), is New Jersey's child protection and child welfare agency within the Department of Children and Families. CP&P is responsible for investigating allegations of child abuse and neglect and, if necessary, arranging for the child's protection and the family's treatment. The Child Abuse Hotline (State Central Registry) receives all reports of child abuse and neglect 24-hours a day, 7-days a week. Reports requiring a field response are forwarded to the CP&P Local Office which investigates.

In addition, the Institutional Abuse Investigation Unit (IAIU) is a child protective service unit that investigates allegations of child abuse and neglect in out-of-home settings such as foster

homes, residential centers, schools, detention centers, etc. IAIU consists of a Central Administrative Office and four Regional Investigative Offices. The investigative staff responds to allegations of institutional child abuse/neglect in their assigned region.

A concerned caller does not need proof to report an allegation of child abuse and can make the report anonymously. Once a report is made to the appropriate authorities, CUC will rely on the decisions of those authorities as to the validity of the complaint. It is also CUC's responsibility under these guidelines to develop an appropriate plan of response to the allegations.

**7. The following additional procedures apply in the case of reported incidents Involving Children and Youth (persons under eighteen years of age)**

Any CUC member, teacher, youth advisor, chaperones or staff member of CUC having reasonable cause to believe that a child or youth has been subjected to Abuse shall have an obligation to report same immediately to a member of the Board of Trustees, the Minister, or the Safe CUC Committee. When considering whether an event is reportable, it is CUC policy that anyone who has concerns is strongly encouraged to report them. Any behavior that potentially harms a child's health, welfare or safety or potentially puts a child's health, welfare or safety at risk should be reported.

The Safe CUC Committee will handle all reports of Abuse or Sexual Harassment regarding a child or youth according to the same procedures as those applicable to complaints involving adults, except that:

- The identity of the individuals involved shall be maintained as strictly confidential, and shall not be made publicly available except as required by applicable law, provided, however, that the child or youth's parent(s) or other legal guardian(s), and any other persons to whom disclosure of the information would be appropriate in order to provide supervision or care of such child or youth, for example, their religious education teacher, shall be informed unless, in the reasonable opinion of the chairperson of the Safe CUC Committee, such disclosure would endanger the health or welfare of the child/youth;
- The matter shall be reported to CP&P, or law enforcement, in accordance with state law.
- During the pendency of an investigation, or if abusive behavior is substantiated

following an investigation, the alleged offender may not continue to have responsibilities for children and youth in CUC-related activities, except as set forth in this Policy.

- If a matter is referred to CP&P, the alleged offender must report the results of CP&P's investigation to the Safe CUC Committee immediately upon receipt. The alleged offender will not be eligible for lifting of restrictions until such results are reported;
- If abusive behavior is suspected or substantiated, the perpetrator must not have any unsupervised contact with children or youth within CUC or in CUC-related activities;
- During the pendency of an investigation, the alleged offender must agree (A) to forego unsupervised contact with children and youth, (B) not to function as a chaperone, mentor, advisor or teacher for children or youth events within CUC, and (C) if the investigation involves allegations of abusive or neglectful behavior, or if the Safe CUC Committee otherwise requires, to sign and comply fully with a written agreement that has been approved by the Board of Trustees, governing the alleged offender's contact with children and youth. The offender's failure or refusal strictly to comply with any of these requirements shall result in their being barred from CUC premises and from all CUC events, activities and programs; and
- If Abuse by the alleged offender is substantiated by CP&P, but the Board of Trustees nevertheless agrees to permit continued membership in CUC, the alleged offender will also be required to sign and comply fully with a written agreement that has been approved by the Board of Trustees, governing the alleged offender's contact with children and youth. The alleged offender's failure strictly to comply with the terms of such agreement shall be grounds for the Board of Trustees to require their temporary or permanent exclusion from CUC, and from CUC premises and functions.
- In all cases, the Minister will also notify the President of the Board and the appropriate UUA representative, and seek their advice and counsel. Additionally, the Minister will notify CUC's insurance company.

## **8. Procedures Regarding Incidents Involving Adults**

Any CUC employee, or member who receives a report of Abuse or Sexual Harassment toward an adult, or who believes an adult has been the subject of Abuse or Sexual Harassment,

either on CUC property or at any CUC sponsored event, should immediately report the matter to a member of the Board of Trustees, the Minister, or the Safe CUC Committee. The person reporting the incident should not disclose to any other person that they are making such report, including the person(s) who are the object of a complaint.

As soon as reasonably possible after a report has been received, the President shall be informed, and shall convene the Safe CUC Committee, which shall be advised of all available information concerning the incident(s), including the names of the complainant and the accused party. The Safe CUC Committee shall then establish an investigative plan to determine an appropriate response to both the complainant and the accused party. Should the Safe CUC Committee determine that any Committee member should not participate in the process for any reason, such person shall be excused.

While the Safe CUC Committee will, to the extent reasonably possible, preserve the confidentiality of the information it gathers, and release same only on a need-to-know basis, the investigation of such an accusation should normally include a discussion with the accused party and speaking with individuals with knowledge of the circumstances of the complaint. Reasonable care shall be taken by the Safe CUC Committee to preserve confidentiality for all persons connected to the investigation. Following the investigation, the Safe CUC Committee shall provide the affected parties with the Committee's conclusion. Such a conclusion shall be in writing if requested by any party, or if the Committee recommends any action that requires approval by the Board of Trustees.

At the conclusion of the process, the Safe CUC Committee shall notify the Board of Trustees that a report of Misbehavior was received and investigated, and of the Committee's conclusion. In the event the Committee recommends to the Board that any action be taken with respect to the report, the Board will be provided with such information necessary to consider such action. If, upon receipt of such information, the Board agrees with the Safe CUC Committee's recommendation, the accused party shall be given written notice of the Board consideration of the matter and provided an opportunity to be heard, either in person or in writing, as the Board shall deem appropriate. In the event that the Safe CUC Committee recommends that an individual be removed from the membership roll, the Board of Trustees must vote on the recommendation following such hearing. The removal of a person from the membership rolls by the Board of Trustees shall be by two-thirds vote of those present. In all

cases, the Board may recommend action less severe than removal from the membership roll, such as censure, by a majority vote of the Board.

As an alternative to a specific recommendation regarding the complaint, the Committee may recommend that the Board adopt revised policies and procedures of general application. In that event, the disclosure of confidential communication may not be required. The final decision regarding the issue of confidentiality, however, shall lie with the Board of Trustees.

## **9. Hiring**

All persons seeking paid employment at CUC, including (but not limited to) the Minister, the Director of Religious Education, the Church Administrator, Music Director, Choir Director, Youth Coordinator, will be expected to agree to be bound by a Code of Ethics as a condition of employment. They will be screened by the appropriate member of staff or member(s) of the Board of Trustees, as appropriate to the position. Such person(s) will contact the applicant's references, record the contact, and conduct both a criminal history record check plus a formal interview with the candidate.

The employment application and reference material will be confidential and will be available only as required by law and to those responsible for screening, hiring, or participating in the Safe CUC Committee.

## **10. Safety Procedures- Adult Volunteers**

Volunteers in the Religious Education programs at CUC must meet the following criteria:

- Prior to participating in the RE and Youth Group programs, all registered volunteers will agree to a background check, which will include two references. After the initial background check and review of references, a background check will be done every three years.
- The following will help CUC leaders avoid situations in which personal boundary issues might become a problem:
  - Regular consultations with the Director of Religious Education;
  - Ongoing training;
  - Parental permission whenever necessary;
  - Visible classroom activity;
  - Support for following the behavior guidelines of these Policies and Procedures

## **11. Working with Children and Youth**

It is ultimately the responsibility of the entire Congregation, not just those in leadership and teaching positions, to create and maintain an environment that supports the growth and welfare of children and youth. Those working with young people have a crucial and privileged role which carries significant power and influence. Whether acting as a youth advisor, chaperone, childcare worker, teacher, or in any other role, the volunteer has a special opportunity to interact with our young people in ways that are affirming.

While it is important that volunteers be capable of maintaining meaningful friendships with the young people with whom they work, they must exercise good judgment in using their influence with children and youth, and refrain from using young people to meet their own needs. Young people are in a vulnerable position when dealing with people older than themselves, and may find it difficult to speak out about inappropriate behavior of their leaders, teachers, and caregivers.

Teachers, helpers, or youth group leaders who have gained the trust of young people, are in a unique situation to observe behavior or be party to a conversation in which a possible abusive situation (either within or outside CUC) is disclosed. In this situation, it is the adult's responsibility to report any reasonable cause to suspect child abuse to legal authorities as required. The Minister or President shall then be notified.

No participating adult may consume alcohol or use any form of drug which can affect physical or mental performance shortly before or during the carrying out of his/her responsibilities.

## **12. Religious Education Classes/Programs**

All classes including the nursery must be taught by a minimum of a two adult person teaching team. This requirement applies to offsite CUC Religious Education activity as well as onsite classes. Teams should consist of at least one person who has been an active participant at CUC for at least one year, or after six months if they have had previous teaching experience in a UU Religious Education setting. Parents may serve as classroom aides and/ or visit classes at any time.

Teachers are subject to the approval of the Religious Education Committee. One individual may be briefly alone with a group when the other must leave, as dictated by commonsense and necessity, for such purposes as bathroom breaks and escorting individual

children away from the group.

**13. General Supervision Guidelines (Sunday Morning Programming)**

Parents are responsible for their children before the service begins and after the Religious Education program has ended. During services and classes, children must have a parent or another responsible adult on the premises unless prior arrangements have been made with the Director of Religious Education.

The Director of Religious Education, or designated supervisor, will normally do a walk-through of all Religious Education spaces to check in with teachers during classes.

Nursery through First Grade parents (or designee) must pick up their child(ren) from the Religious Education program at the end of the service. The Director of Religious Education or appropriate designee will locate parents (or designee) who fail to comply.

Children and youth whose parent(s) or guardian(s) do not complete all required registration materials may be denied permission to attend Religious Education activities.

**14. General Sleepover Guidelines**

Adults supervising youth sleepovers must be active participants at CUC for at least one year, or six months if they have had previous youth group experience in a UU setting before volunteering. Parents who are staying over with their own youth need not have been active participants.

There must always be a minimum of two adults present during sleeping hours regardless of the number of youth attending. Two adults must remain awake during these sleeping hours. During a sleepover at CUC, there should be a minimum ratio of one adult to eight youth with one additional adult required for each additional four youth.

During sleepovers at CUC, all outside doors will be locked against entry once the last youth has arrived, and will remain locked until parents arrive for pickup the following day.

The adult supervisors will be required to maintain a list of attendees and contact information of parents and guardians.

Youth will sleep only in areas equipped with a functioning smoke detector.

**15. Transportation To and From CUC Sanctioned Events**

(a) It is the responsibility of CUC Religious Education Program, or the parents/guardian, to provide safe transportation to and from CUC sanctioned events. The CUC Religious Education Program requires the following:

(b) When traveling to and from outings, conferences, meetings, and other CUC activities, a parent/guardian signed permission slip is required for each child/youth participating or being driven to an offsite activity.

(c) Drivers must be at least 25 years old, and have a current driver's license. Each driver must show proof of license, registration, and insurance coverage upon request, which will be copied and placed on file.

(d) Every person in the car will have a seatbelt and age appropriate seating arranged in reference to airbag safety rules.

(e) A minimum of two adults must accompany a group travelling offsite. Exceptions for exigent circumstances may only be made by the primary onsite adult leader.

(f) There will be a phone chain for parents of children on trips at the discretion of the Director of Religious Education for arriving at destination and when leaving to return to home site.

**16. Procedures in those cases where a member of the congregation, or an individual who attends congregational events with a member, has a known record of Sexual Harassment and/or criminal record involving abuse of any kind**

Because we “affirm the inherent worth and dignity of every person” CUC does not believe any person should be automatically excluded from membership in the congregation, or attending congregational events, solely because of their prior actions. At the same time, CUC seeks to ensure the well-being and safety of all of our participants, especially the most vulnerable, recognizing that recidivism is not unknown for individuals with a history of engaging in certain kinds of Abusive behavior. We therefore will welcome him or her in our space and at our events, but his/her participation will be limited in ways to ensure the safety of all, and in particular children and youth.

Accordingly, prior to attending or participating, the Safe CUC Committee will make efforts to determine whether the possibility of recidivism justifies taking steps to reduce the

potential for future Abusive episodes, including creating a covenant for the individual to sign that will place appropriate restrictions on their access, including denial of access at certain events and places.

Attached is a sample of a limited access agreement that may be required of such person as condition of participating in CUC activities. The existence of such agreement and the person's status shall be disclosed or not disclosed to members of the Congregation at large according to the circumstances. Those with a need to know will include the Religious Education teachers in the program and parents/guardians or other parties responsible for children and youth within the Congregation. Any such agreement will be reviewed by the Safe CUC Committee and will be kept in a locked file by the President. Such information will be revealed to others on a need-to-know basis. The Safe CUC Committee will be charged with monitoring ongoing compliance with the agreement.

Those selected individuals, including members, who decline to accept the Safe CUC Committee's conditions will be invited to leave congregational sites and events, and/or denied access to current or future events. Such refusal may justify a call to the local police for assistance.

#### **17. Procedures in the Event of Misbehavior**

Any CUC member, teacher, youth advisor, chaperones or staff member of CUC may report an incident believed to potentially involve an Misbehavior by a member or guest to a member of the Board of Trustees, the Minister, or the Safe CUC Committee.

When considering whether an event is reportable, it is CUC policy that anyone who has concerns is strongly encouraged to report them. The Safe CUC Committee will handle all reports of Misbehavior, in which case:

- The identity of the individuals involved shall be maintained as strictly confidential;
- If Misbehavior is substantiated, the Safe CUC Committee shall make a recommendation to the Board of Trustees regarding the appropriate action to be taken, which action may include excluding such person or member from CUC events or premises for any period of time, and any advisable conditions for their future return.
- The Board of Trustees shall accept the recommendation of the Safe CUC Committee unless a majority of the entire Board of Trustees (as distinct from a majority of the

members present at a meeting) votes to reject such recommendation.

- The Safe CUC Committee shall have discretion with respect to the future handling of the issues, including the enforcement of any recommended action, but may seek input from the Board of Trustees in appropriate cases, and shall seek input from the Board of Trustees if Misbehavior escalates to subsequent episodes of suspected Abuse by the individual or individuals involved.