

Oberlin Unitarian Universalist Fellowship

Safety Policies and Procedures

(January 2012)

As a community of faith, the Oberlin Unitarian Universalist Fellowship (herein known as OUUF) is committed to creating and maintaining programs, facilities and a community in which members, friends, staff and volunteers can learn and work together in an atmosphere free from all forms of abuse, discrimination, harassment, exploitation or intimidation. It is the intention of OUUF to take action in an attempt to prevent and correct behavior that is contrary to this policy.

It is the policy of OUUF to encourage all of its ministers, be they volunteer or professional, to nurture safety within ministerial relationships by attending to their own personal mental health and education; by maintaining appropriate boundaries; and by referring those in need to supportive and helpful resources. It is important that all ministers are adequately prepared and educated for the ministry in which they work and understand the ways in which their use or misuse of authority may impact others.

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Definitions:

Authorized ministers are defined as "persons who hold ordained ministerial standing or have been commissioned."

Ministers to the fellowship are defined as "persons accepted by the Fellowship to carry out its mission," as well as authorized ministers.

A ministry relationship is defined as "a relationship between one who carries out the mission of the fellowship and the one being served by that ministry."

I. Requirements for Lifespan Faith Development Staff for Children and Youth

OUUF is committed to providing a safe and healthy environment in which young people can learn about and experience UU history and values. In order to promote this, the Fellowship hereby establishes the following requirements that fall within the purview of Lifespan Faith Development for any person who has not reached his or her 18th birthday or the age of majority as defined by state law. It is the policy of the Fellowship to provide adequate supervision and safeguards for minors.

I-A. In Lifespan Faith Development situations in which all participants are not readily visible to each other, no fewer than two unrelated adults shall be present with children. Youth may assist an adult in supervising activities; however, such assistance does not alter the requirement that at least two adults shall be present. For the purpose of this policy, persons aged 18 or over shall be deemed adults. Supervision shall increase in proportion to the risk of the activity.

I-B. For all activities that take place away from the Fellowship and for any overnight activities, a written consent and a medical release form completed by one parent or guardian of each minor is required. Both forms are appended hereto as Attachment 2.

I-C. The staff and all applicants for paid or volunteer positions shall complete and submit the application/disclosure form appended hereto as Attachment 1.

I-D. All applicants for paid or volunteer positions shall be interviewed in person to assess the suitability of their character and qualifications for the position they seek.

I-E. All volunteers shall have been members of the Fellowship for at least six months or, if they are not members, shall have been associated regularly and frequently with the Fellowship for at least six months. New members who have been Friends of the Fellowship for six months need not fulfill an additional six-month requirement.

I-F. All applicants for paid positions shall undergo a background check, including but not necessarily limited to inquiries of references and criminal history verification. The result of each background check shall be reviewed by the Lifespan Faith Development committee and secured with other personnel files.

I-G. Once the "Safety Policies and Procedures" document is adopted, the Director of Lifespan Faith Development shall provide awareness training and policy orientation to all participants.

II. Suspected Abuse and Neglect

Definitions:

Suspicion of Abuse: Report of or evidence of any marks upon the body that cannot be explained; or an explanation for such marks that is suspect; or a report of physical or sexual violations.

Suspicion of Neglect: Report of or evidence of the lack of supervision for a child under 10 years of age; or a person unable to care for him/herself; or the lack of basic needs being met by a responsible adult.

II-A. Child Abuse and/or Neglect

1. Apart from any legal requirements, OUUF shall transmit a report to appropriate authorities including but not limited to the Lorain County Children Services, if at any time OUUF representatives have reasonable cause to believe that a minor may be abused or neglected.

2. A person who becomes aware of facts or circumstances indicating that child abuse or neglect may have occurred or may occur in the reasonable foreseeable future shall immediately report the matter to the Director of Lifespan Faith Development so that OUUF can take appropriate action in a timely manner.

3. The current Lorain County hotline for Child Abuse is 440-329-2121; or call a referral specialist at 440-329-5340.

- a. Two adults must be present to document suspicions of abuse or neglect.
- b. Director of Lifespan Faith Development must be contacted immediately, prior to a formal report.
- c. Together these three adults will decide whether to make the call.
- d. The Director of Lifespan Faith Development will make the call if required.
- e. A report will be made to the Lifespan Faith Development Committee within 48 hours of the incident.

f. The Director of Lifespan Faith Development will follow the directions given by the referral specialist of the Lorain County hotline.

II-B. Suspicions of Elder Abuse and/or Neglect

1. Apart from any legal requirements, OUUF shall transmit a report to appropriate authorities including but not limited to the Lorain County Department of Senior and Adult Services, Adult Protective Services, if at any time OUUF representatives have reasonable cause to believe that a dependent adult may be abused or neglected.

2. A person who becomes aware of facts or circumstances indicating that elder abuse or neglect may have occurred or may occur in the reasonable foreseeable future shall immediately report the matter to the Minister or (if there is no Minister) the Commissioned Lay Leader(s) (CLL) so that OUUF can take appropriate action in a timely manner.

3. The current Lorain County Adult Protective Services hotline for Elder Abuse is 440-284-4465; or call a referral specialist at 440-329-5340.

a. Two adults must be present to document the evidence of the suspected abuse or neglect.

b. The Minister or the CLL(s) must be contacted immediately, prior to a formal report.

c. Together these three adults will decide whether to make the call.

d. The Minister or the CLL(s) will make the call if required.

e. A report will be made to the Committee on Ministry within 48 hours of incident.

f. The Minister or the CLL(s) will follow the directions given by the referral specialist of the Lorain County hotline.

II-C. It is the intention of this policy that the point person be someone with pastoral care knowledge and/or experience. It is presumed that this will be a minister, DLFD and/or CLL. Should the fellowship not have these people, than an appropriate person will be identified in a timely manner by the Board and/or Committee on Ministry.

III. Disruptive Behaviors

This policy shall guide us in actively and promptly addressing situations in which individuals' behaviors threaten the emotional and/or physical security of our members and friends. The privacy/anonymity of the allegedly offensive individual will be maintained at all times, except in cases which he/she poses a threat to others.

The following areas are considered:

Dangerous: Is the individual the source of a threat or perceived threat to persons or property, including himself or herself?

Disruptive: How much interference with church functioning is occurring?

Offensive: How likely is it that prospective or existing members will be driven away?

Questions to consider:

Causes: Why is this disruption occurring? Is it a conflict between the individual and others in this fellowship? Is it due to a possible medical or mental health condition?

History: What is the frequency and degree of disruption caused in the past?

Probability of Change: How likely is it that the problem behavior will diminish in the future?

III-A. When a person's disruptive behavior requires an immediate response, it will be undertaken by the Committee on Ministry (COM) and/or the leader of the activity. This may include asking the offending person or persons to leave or suspending the activity until it can safely be resumed. If further assistance is required, the Police Department may be called.

1. Any time such actions are required and the COM is not present, the COM and Chair of the Board of Trustees must be notified as soon as is practicable.
2. A face-to-face meeting will be convened by the COM with the offending party or parties to detail what steps must be taken before he/she/ze/they may return to the activities involved .
3. A follow-up letter or document will be sent by the COM to cover the action plan.

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III-B. For ongoing situations and those not requiring an immediate response, the process begins with the person who witnesses the disruptive behavior writing and signing an explanation of the disruptive behavior and its impact to the COM. When appropriate and whenever possible, the COM will inform the offending person that a complaint has been filed and is being investigated.

III-C. The COM will respond to situations as they arise, using their own judgment, without defining acceptable behavior in advance.

1. People and situations will be dealt with individually.
2. Stereotypes or stereotyping will be avoided.
3. The COM will collect any additional information required to obtain a complete picture of the situation and research any applicable laws.
4. When the COM considers such information essential to performing its task, the Board shall authorize funds to pay the costs for a professional background check, to provide such facts as the correct identity of the person in question and records of past criminal activity involving threats, harassment or actual harm to other persons or property. Unitarian Universalists have a long history of public engagement with issues of individual freedom and social justice. Therefore, acts of conscience or civil disobedience which may have resulted in criminal charges or convictions will receive distinct consideration and careful attention under this policy.

III-D. The COM will respond on a case-by-case basis. Mediation is a possibility. The following levels of response are options.

1. No action: It may be determined that the complaint is not warranted, and the COM will explain and discuss this with the person who filed the complaint.
2. Warning: The COM shall meet with the offending individual to communicate the concern and expectations for future behavior.
3. Suspension: The COM recommends that the offending individual should be excluded from OUUF and/or specific activities for a limited period of time, with the reasons and the conditions of return made clear in writing.
4. Expulsion: The COM recommends that the offending individual should be expelled from membership in OUUF. If expulsion is approved by a 2/3 majority vote of the Board of Trustees,

the COM will write a letter to the individual explaining the reasons, the individual's rights and possible recourse. Trustees directly involved with a case shall not sit in review of it.

III-E. Appeals: The offending individual may appeal the decision to a Special Fellowship Meeting.

1. Adult members equal to 30% of the OUUF membership must be present in order to have a quorum for this meeting. Proxy votes are not permitted.
2. The Chair of the Board of Trustees or someone he or she designates will facilitate. Trustees directly involved with a case shall not sit in review of it.
3. The facilitator shall be the final authority on all procedural matters or disputes during such meeting.
4. The facilitator will open the meeting by stating to those present that:
 - a. This appeal is a serious matter;
 - b. A vote should be based solely upon what is learned during this meeting;
 - c. All dialog and discussion must be conducted respectfully.
5. The offending individual then shall have up to 10 minutes to make a presentation regarding why the offending individual should not be expelled from OUUF. No one is permitted to interrupt or disrupt this presentation.
6. The COM then shall have up to 10 minutes to make a presentation regarding why the offending individual should not be re-admitted to OUUF. No one is permitted to interrupt or disrupt this presentation.
7. The offending individual then shall have up to 5 minutes to respond to what was said by the COM and to summarize again why he/she/ze should not be expelled.
8. The members present then shall have up to 15 minutes to ask factual questions of either the offending individual or the COM. Speeches, arguments and debate shall not occur during this 15 minute period. The facilitator has the right to ask a person who is debating or arguing to either stop doing so or ask a specific factual question.
9. The offending member shall be excused from the meeting. The members present then shall have up to 20 minutes to debate, discuss and argue the sole issue before this Special Fellowship Meeting.
10. Those present can decide by a voice vote to extend any time frame listed in these rules.
11. At the end of the debate, there shall be a secret ballot vote on one discrete issue: should the expulsion of this individual be reversed?
12. The expulsion of the offending individual shall remain unless 2/3 plus one vote is "yes".
13. It shall not be permissible to change the substance or content of the one discrete issue that is to be voted upon.
14. The facilitator of this meeting will send a formal letter within 3 days of the meeting to notify the offending individual of the congregational decision.

IV. Sexual Exploitation and Sexual Harassment

Sexual Exploitation and/or Sexual Harassment by any person are unethical behaviors and shall not be tolerated.

IV-A. Sexual Exploitation is defined as "sexual activity or contact (not limited to sexual intercourse) in which any person takes advantage of the vulnerability of another person.

IV-B. Sexual Harassment is defined as "repeated or coercive sexual advances toward another person contrary to his or her wishes". It includes behavior directed at another person with the affect of intimidating, humiliating or embarrassing that person or subjecting him or her to public discrimination.

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1. Unwelcome sexual advances; requests for sexual favors; and other verbal or physical conduct of a sexual nature constitute Sexual Harassment when:

- a. Submission to such conduct is made either explicitly or implicitly a condition or circumstance of instruction, employment or participation in any fellowship activity;
- b. Submission to, or rejection of, such conduct by a person is used as a basis for evaluation in making personnel or fellowship related decisions; and
- c. Such conduct has the purpose or effect of unreasonable interference with a person's performance or participation in fellowship activities or of creating an intimidating, hostile or offensive environment.

2. Prohibited Sexual Harassment includes unsolicited and unwelcome contact that has sexual overtones particularly:

- a. Written contact, such as sexually suggestive or obscene letters, notes, e-mails messages or invitations;
- b. Verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes about gender- specific traits, or sexual propositions;
- c. Physical contact, such as intentional touching, pinching, brushing against another person's body, impeding or blocking a person's movement, assault, coercing sexual intercourse; and
- d. Visual contact, such as leering or staring at another person's body, gesturing or displaying sexually suggestive objects or pictures, cartoon, posters or magazines.

3. Sexual Harassment also includes continuing to express sexual interest after being informed directly that the interest is unwelcome and/or using sexual behavior to control, influence or affect the career, salary, work, learning or worship environment of another.

IV-C. Procedure for Handling Complaints

1. Several approaches may be taken in addressing an incident of alleged Sexual Exploitation or Sexual Harassment:

- a. The complainant may attempt to resolve the matter directly with the person who is accused of Sexual Exploitation or Sexual Harassment.

b. The complainant may report the incident to the COM or Director of Lifespan Faith Development in an effort to resolve the matter informally.

c. The COM may elect formal proceeding.

2. The group evaluating the potential offense will include the COM and the Director of Lifespan Faith Development if there is a minor involved.

3. The person(s) toward whom the inappropriate behavior is directed need not be the complainant. Moreover, neither consent nor acquiescence shall excuse or exonerate inappropriate behavior. At any time, the Fellowship may initiate or proceed with the formal complaint process specified in this document.

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4. In determining whether alleged conduct constitutes Sexual Exploitations or Sexual Harassment, consideration shall be given to the record of the alleged incident(s) as a whole and to the totality of the circumstances, including the context in which the alleged incident(s) occurred.

5. No person who files a complaint of Sexual Exploitation or Sexual Harassment or who assists in the investigation of such a complaint shall be adversely affected in terms and condition of employment or Fellowship membership, or affiliation, or shall be otherwise discriminated against or discharged.

6. A written summary of the COM proceedings shall be maintained in all cases.

7. Formal proceedings shall comprise the following steps and action:

a. The COM shall gather statements and/or other information from the complainant, the accused, and any other persons involved in the alleged Sexual Exploitation or Sexual Harassment and from others who may have pertinent information. The team shall present such information to a select Panel of Trustees, to include the Chair or Vice Chair and two other trustees not the Chair or Vice Chair, except that no Trustee involved in the case as complainant or accused shall have any role in this process or the ones set forth in Section 8 below.

b. The Panel shall make determinations and take actions appropriate to resolve the matter.

8. Resolution of the complaints shall take one of two forms:

a. If the Panel finds that Sexual Exploitation or Sexual Harassment **did not** take place, the COM may seek advice of legal counsel or others to advise it in performing its functions; or

b. If the Panel finds that Sexual Exploitation or Sexual Harassment **did** take place, one or more of the following actions will be taken:

i. A formal reprimand, with defined expectations for changed behavior;

ii. An offer to refer for psychological or psychiatric assessment, counseling, and/or treatment;

iii. Probationary standing, with terms of the probation clearly defined; and/or

iv. For paid personnel, dismissal from employment; for volunteers, dismissal by loss of affiliation with, or membership in, the Fellowship.

v. If either the complainant or the accused is not satisfied with the Panel's disposition of a matter of Sexual Exploitation or Sexual Harassment, he/she/ze has the right to appeal to the full Board of Trustees. The Trustee who chaired the Panel shall not chair the full Board for this purpose. The subject of such appeal shall be limited to whether the procedures specified in this policy were followed. The matter shall not be reconsidered on its merits. If the Board determined that the procedures or policy were not followed, it shall refer the matter back to either the COM or to a new Panel of Trustees, depending on where the departure from procedures occurred, to complete the processing of the complaint in accordance with the procedures.

OOUF Board of Trustees voted to adopt this policy on March 20, 2011, with implementation date of January 2012.

Application/Disclosure Form for Paid and Volunteer Staff Who Work with Children and Youth (Attachment 1)

Name _____

Address _____

Day Telephone _____ Cell _____ E-mail _____

For Paid Position Only

I am applying for the position of _____

For Volunteers Only

I have been a member of the Fellowship since _____

I am not a member but have been a friend of the Fellowship since _____

Contact information for a reference who is related to you:

Name

Address

Day Telephone

Cell E-mail

Contact information for two references who are NOT related to you:

Name _____

Address _____

Day telephone _____ Cell _____ E-mail _____

Name

Address

Day telephone

Cell E-mail

I have never been convicted of, or pled guilty or no contest to, a crime other than minor misdemeanor. NOTE: Exclude convictions of offenses about which enquiry is not permissible in Ohio.

_____ True

_____ Not True

If not, briefly describe the nature of the crime(s), the dates and place of your conviction, and the legal disposition of the case. The Fellowship will not deny you a position solely because you have been convicted of a crime. The Fellowship, however, may consider the nature, date, and circumstances of your offense, as well as whether the offense is relevant to the duties of the position for which you are applying:

Is there any fact or circumstance involving you or your background that would call into question your being entrusted with the responsibilities of the position for which you are applying?

_____ YES

_____ NO

If yes, please provide a brief explanation:

I understand that, for the health of the Fellowship, covenants with applications for paid or volunteer positions require honesty, integrity, and truthfulness. I therefore attest that the information set forth in this application/disclosure form is true and complete. I understand that any misrepresentation or omission may be grounds for rejection of consideration for, or termination of, my application.

I acknowledge that it is my duty to amend, in a timely fashion, any responses I have provided if I learn that the information in them is incorrect when given or, though accurate when given, is no longer accurate.

I hereby authorize the Fellowship and/or its agents to make inquiries regarding my character and qualifications, including all statements I have set forth above.

I also authorize all entities, persons, former employers, supervisors, courts, and law enforcement and other public agencies to respond to inquiries by the Fellowship concerning me, to supply verification of the statements I have made, and to comment on and state opinions regarding my background, character, and qualifications.

I encourage such persons and entities to respond openly and responsibly to inquiries by the Fellowship. I hereby release them from all liability arising from their comments and statements.

The Fellowship's process for recruiting volunteers involves the sharing of information regarding applicants with any and all persons in a position to recruit, secure, and/or supervise employees in the position to be filled. To that end, I hereby authorize the Fellowship and/or its agents to circulate, distribute, and otherwise share information gathered in connection with my completed application/disclosure form to such persons for these purposes. I understand that the Fellowship will share with me information it has gathered about me if I request it to do so.

I acknowledge receipt of the Fellowship's Safety Policies and Procedures and attest that I have read them and do understand them.

Sign your name Date

Print your name

If you are under 18, the permission of your parent or guardian is required.

Signature of parent or guardian Date

Print name

For Fellowship Office Use Only

Personal interview conducted by: _____

Reference inquiries completed by: _____

Background check completed (if applies) : _____

Sex Offender review (if applies): _____

Membership/Friend for 6 month checked by: _____

Fellowship Safety Awareness Policy training by: _____

Parent's or Guardian's Consent and Authorization to Treat Minor (Attachment 2)

I hereby grant permission as a parent or guardian for any representative of OUUF to seek emergency medical treatment for my minor child and declare that the information provided on this form is complete and accurate.

Parent or guardian signature Date

Parent or guardian signature Relationship to minor

Minor's name Date of birth Gender

Minor's address: Street City State Zip code

Minor's telephone numbers: Cell Work Home

Telephone numbers of parent or guardian: Cell Work Home

If neither a parent nor a guardian can be reached, contact:

Name Relationship to minor Telephone No.

Name Relationship to minor Telephone No.

Minor's Family Information

Insurance company Policy number

Physician's Name Telephone number

Physician's address: Street City State Zip code

Minor's Medical Information

Current Medications:

Know medical conditions to be aware of:

Allergic to:

Date of most recent tetanus shot; _____