



Safeguarding God's People

Policies Prohibiting Sexual Exploitation

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Why We Have These Policies

The final promise of our Baptismal Covenant asks us to “. . . strive for justice and peace among all people and respect the dignity of every human being.” Diocesan Safeguarding policies give life to that baptismal promise. The Episcopal Diocese of Texas is committed to maintaining an environment free of abuse, exploitation, and harassment in its churches, schools, and other organizations.

Application of These Policies

These policies apply to all congregations, schools and other organizations that operate under the authority of the Episcopal Diocese of Texas, with the exception of college ministries, which are covered by *Safeguarding God’s People: Policies Prohibiting Sexual Exploitation: College Ministries*.

Responsibility for Implementation

The heads of congregations, the heads of schools, executive directors, and any other person serving in these or equivalent roles in diocesan organizations are directly responsible to the bishop for the implementation and administration of the policies and procedures outlined in *Safeguarding God’s People: Policies Prohibiting Sexual Exploitation*.

The implementation and administration of these policies and procedures may be delegated to other staff members or volunteers, but the ultimate responsibility may not be delegated. Supervision of these administrative processes by the heads of congregations, schools, and other organizations is required to assure appropriate compliance and confidentiality.

The administrator of these policies must be certified in *Safeguarding God’s People* and must have a working knowledge of the policies and procedures in order to make appropriate decisions about their application in the local ministry setting. The administrator is to contact the Safeguarding Minister for clarification of the policies or guidance in applying them.

I. General Prohibition Against Sexual Misconduct

The Episcopal Diocese of Texas is committed to providing healthy, safe, and nurturing environments wherein, by God's grace, the full work of the Church can be carried out. **Sexual misconduct** on the part of any clergyperson, employee, or volunteer of any of its congregations, schools, or other organizations violates the mission of the church, **is prohibited, and will not be tolerated. All instances of sexual misconduct must be reported as set out in Section V of these policies.**

A. Definition of Sexual Misconduct

Sexual misconduct encompasses a range of behaviors used to obtain sexual gratification against another's will, at the expense of another, or outside of one's own marriage covenant. Sexual misconduct includes sexual exploitation, sexual harassment, and sexual abuse, which includes sexual abuse of a minor (under 18 years of age) as set forth more specifically in the diocesan *Policies for the Protection of Children and Youth from Abuse*.

B. Definition of Sexual Exploitation

Sexual exploitation is the development or attempt to develop a sexual relationship between a person in a ministerial position, lay or ordained, and an individual with whom he or she has a pastoral relationship. **Although all sexual misconduct is prohibited in the Episcopal Diocese of Texas, these policies specifically address sexual exploitation unless otherwise provided.**

C. Definition of Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature in which: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or relationship with the diocese; (2) submission to or rejection of such conduct by the individual is used as a basis for employment or other decisions affecting that person; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or abusive working environment. The policies against sexual harassment are set forth more specifically in the diocesan *Policies Prohibiting Sexual Harassment*.

II. Preventing Sexual Exploitation

A. Definition of a Pastoral Relationship

A pastoral relationship is defined as a relationship between a person in a duly appointed position, lay or ordained, whether employee or volunteer, and any individual who

1. participates in a congregation, school, or other diocesan organization in which the individual serves, **and**
2. is either supervised by the person or seeks ministry from the person.

If clarification is needed, contact the Safeguarding Minister. (Contact information is found in *Section V* of these policies). Persons with pastoral relationships as defined in this Section must be certified in Safeguarding God's People as set out in *Section III* of these policies.

B. Examples of Pastoral Relationships

In addition to clergy, other persons with pastoral relationships include, but are not limited to, the following:

- Heads of schools and assistant heads of schools
- Heads of diocesan entities/organizations
- Members of vestries, bishop's committees, and school boards
- Parish treasurer
- Lay Eucharistic Visitors, Stephen Ministers, Community of Hope visitors, hospital visitors/chaplains
- Lay vicars (pastoral leaders)
- Music ministers/choir directors
- Youth/children/adult formation directors
- Spiritual directors
- Life leadership/peer coaches
- Licensed Worship Leaders, lay preachers, and catechists
- Interns/seminarians
- Parish administrators, administrative assistants
- New member ministry directors, outreach coordinators
- Persons who do field work
- Leaders/facilitators of:
 - Bible Studies
 - Cursillo (serving on teams)
 - Extended Christian formation (e.g. EFM mentors; catechumenate sponsors)
 - Safeguarding ministries (Safeguarding Coordinators, SRAs)
 - Small group ministries (e.g. formation workshops)
 - Mission trips
 - ECW
 - Brotherhood of St. Andrew
 - Daughters of the King
 - Living Compass

Please note: All employees or volunteers who serve in staff positions must also be certified in Safeguarding God's People in the Workplace. This consists of a short video and acknowledgment form found online. [Harassment Prevention Training](#)

C. Examples of Inappropriate Conduct in Pastoral Relationships

1. Physical Contact

- **Any** form of unwanted affection
- Surprise or sudden touching
- Full frontal hugs, bear hugs, or lengthy embraces
- Touching bottoms, chests, or genital areas
- Lying down or sleeping beside another
- Massages
- Patting others on their thigh, knee, or leg
- Tickling or wrestling
- Touching or hugging from behind
- Kisses on the mouth
- Showing affection while in isolated areas

2. Verbal/Electronic Communications

- Comments/compliments that relate to a person's body or appearance, or that could be viewed as sexually suggestive
- Repeated nonessential communications, e-mails, or texts, especially those that contain personal disclosures or solicitations of an intimate relationship
- Providing personal access, such as a personal e-mail address or a cell phone number that is not generally available to others
- Possessing, using, sharing, or referring to any sexually oriented materials, such as magazines or videos, whether on or off the property of the church, school, or other organization
- Discussing sexual activities, including dreams and fantasies, or discussing the use of sexually oriented or explicit material
- Inappropriate interaction on social media (See [Social Media Policies](#))

3. Other Interactions

- Using pastoral relationship to meet one's own needs
- Giving gifts or money to favored individuals
- Receiving or requesting personal loans, substantial gifts, or money
- Frequent or private meetings after hours or away from church property
- Seeking excessive private time
- Unwillingness to cease otherwise appropriate physical conduct after learning it is unwelcome

D. Examples of Appropriate Physical Contact

Some forms of physical contact may be appropriate between those in pastoral relationships, **provided they are welcomed by the recipient**. Examples include:

- Brief hugs
- Handshakes
- Holding hands during prayer
- Pats on the shoulder or back
- Touching hands, arms, shoulders
- Holding hands when a person is ill or upset

If an individual in a pastoral relationship is unsure about whether any type of touching is appropriate, he or she should ask permission and wait for a response before making physical contact.

E. Further Restrictions on Pastoral Relationships

1. Dating:

Persons who have pastoral relationships are **prohibited from dating or becoming romantically involved with anyone with whom they have a pastoral relationship, so long as the pastoral relationship continues**. This prohibition specifically includes having sexual contact with any person in the pastoral relationship.

2. Appearance of Impropriety:

Persons who have pastoral relationships are required to maintain clear and appropriate boundaries and to **avoid even the appearance of impropriety**. Whenever possible, persons who have pastoral relationships should have one-on-one meetings with adults only during regularly scheduled hours, by appointment, on church premises, and in other appropriate professional settings when others are present in the building. When it is not possible, care should be taken to notify the appropriate person or persons of the time and place of the meeting.

3. Limitations on Counseling:

Texas law prohibits sexual exploitation between mental healthcare providers and those to whom they are providing those services. (*Chapter 81 of the Texas Civil Practice and Remedies Code*). Clergy are included within the definition of “mental health provider” unless the services that the clergy person provides covers only spiritual counseling. Therefore, it is important to follow these guidelines:

- a. Clergy and others in pastoral relationships should not go outside their areas of expertise and training, but instead should make a referral to a physician, psychologist, or other mental health professional for issues that involve those specialties. **No more than three sessions of spiritual counseling may precede the referral to a health professional.**
- b. Clergy who are licensed or credentialed as mental healthcare professionals, such as psychologists, marriage or family therapists, or substance abuse counselors, must

make it clear to those they are serving that they are not functioning as a mental healthcare provider when working on behalf of the church but **only as a spiritual advisor**.

- c. Clergy who are licensed and providing services as mental healthcare providers while also serving as spiritual advisors on behalf of the church should clearly separate those roles by maintaining **separate offices or locations**. They must clearly communicate to all concerned when they are acting as a mental healthcare provider, as opposed to a spiritual advisor or spiritual counselor.
- d. Clergy who are separately licensed or credentialed as mental healthcare providers must maintain in full force **separate professional insurance coverage** at all times for any work that they do outside of their church role as spiritual advisors. They must provide proof of insurance to the diocese on an annual basis. The insurance must include coverage for sexual misconduct, as defined in the policies, name the church employer or diocese as an additional insured, and meet coverage requirements of the Episcopal Diocese of Texas. For more information, contact [Human Resources](#) at the Houston Diocesan Center.

F. Monitoring and Supervising Pastoral Relationships

In addition to the other steps outlined above, the monitoring and supervising of persons who have pastoral relationships require the following:

1. List:

Maintain an **up-to-date list of persons** who have pastoral relationships.

2. Pre-approval:

Require that all **new activities that involve pastoral relationships be approved** by the head of the congregation, school, or organization before the activity is to begin. Requests to develop new activities or programs should be submitted in writing to the designated head.

3. Ministry Settings:

Places where ministry involving pastoral relationships occur must, whenever possible, be in **visible spaces with appropriate furnishings where casual monitoring by others is convenient**; such as in areas where other persons are visible or work nearby. The following considerations apply:

- a. If the ministry setting is not out in the open, there must be windows or open doors that are unobstructed by blinds, furniture, curtains, or posters so that the space is always subject to casual monitoring.
- b. The location should convey safety and comfort without the use of couches, loveseats, or other furniture that would encourage close seating. For example, chairs positioned at a 45-degree angle from each other create a good area for conversation.
- c. A sense of privacy can be maintained by arranging the furniture so that persons who provide pastoral care are always visible, but the visitor does not feel exposed.

- d. Artwork should be tasteful and not offensive.
- e. If the space has a private entrance, ensure that staff knows when it is being used for ministry involving pastoral relationships.

III. Code of Conduct

Persons with pastoral relationships must meet and comply with the following code of conduct:

- Agree never to engage in and to end immediately any sexual or inappropriate relationship with a person in a pastoral relationship
- Agree never to exploit sexually any person they serve or work with on behalf of the church, school, or organization
- Understand that the Episcopal Diocese of Texas will not tolerate the sexual exploitation of any adult
- Agree to comply with the policies defined in *Policies Prohibiting Sexual Exploitation*
- Immediately seek advice from the Safeguarding office if there are any questions or concerns about any of these policies or their expectations
- Agree to report immediately any inappropriate behavior, boundary violations, or policy violations observed
- Acknowledge their obligation and responsibility to prevent sexual exploitation of adults

IV. Safeguarding Certification Requirements

A. Requirements for Clergy and Persons Training for Ordained Ministry

1. Within **90 days** of hire or appointment in the Episcopal Diocese of Texas, all clergy in the diocese must be certified in
 - Safeguarding God's Children, and
 - Safeguarding God's People – Clergy (which includes training in both *Policies Prohibiting Sexual Exploitation* and *Policies Prohibiting Sexual Harassment*)

Persons training for ordained ministry are considered clergy for the purposes of these policies and must be certified within 90 days of beginning any field placement.

2. **Only training in the Safeguarding programs of the Episcopal Diocese of Texas meet these requirements. There are no exceptions.**

3. Clergy certifications and recertifications are managed through the Safeguarding Office of The Episcopal Diocese of Texas. Contact the Safeguarding Office at safeguarding@epicenter.org or 800.947.0580 to access training opportunities and verify certification.
4. In addition to these policies, clergy are required to know and comply with all directives as set forth in the current [Clergy Manual](#) of the Episcopal Diocese of Texas and in Title IV of the [Constitutions and Canons of the Episcopal Diocese of Texas](#) and of [The Episcopal Church](#).

B. Certification Requirements for Lay People

1. Persons who have pastoral relationships as defined in *Section II* of these policies must be **certified** in Safeguarding God's People: Prohibiting Sexual Exploitation **within 90 days** of the start of the pastoral relationship.
2. The **Safeguarding Record System (SRS)** of the Episcopal Diocese of Texas must be used to obtain and retain all required documentation for certification.
3. Except as provided in item 5 below, persons will be certified in Safeguarding only after the screening and training steps below have all been completed.
 - a. In the case of a volunteer, be **known for at least six months** to the leadership of the congregation, school or organization prior to appointment to the position creating the pastoral relationship.
 - b. **Individual interview.**
 - c. **Application in SRS** for either volunteer or paid positions.
 - d. Nationwide sex offender and criminal history **background check (in SRS)** in any state where the applicant has resided in the past ten years.
 - e. **Reference checks (in SRS)** with persons who are unrelated to the applicant. One reference must be outside the congregation, school, or organization.
 - f. **Safeguarding God's People: Prohibiting Sexual Exploitation** training led by a certified trainer in the Episcopal Diocese of Texas (no exceptions) and signature on Sign-out Sheet, acknowledging compliance with *Code of Conduct*.
4. All information gathered about an applicant must be carefully reviewed and evaluated. The Safeguarding Minister may be consulted if there is any uncertainty. **If a person's background check reveals an arrest or conviction for a sexual or violent offense, contact the Safeguarding Minister for consultation and guidance.**
5. Persons covered by a Training Only Agreement with the Episcopal Diocese of Texas, as described fully in *Section IV.C.3* in the diocesan [Policies for the Protection of Children and Youth from Abuse](#), may be certified after meeting the screening and training requirements set out in such agreement.

C. Recertification and Transfer of Location for Lay Persons

1. Lay persons who transfer within the Episcopal Diocese of Texas should contact the Safeguarding Office to update their certification to their new location.
2. Lay persons who are becoming **certified in Safeguarding God's People for the first time and persons new to the Episcopal Diocese of Texas must take in-person training**. The in-person training shall be administered by a diocesan-certified trainer using the Safeguarding Record System (SRS). **No other training program is accepted.**
3. Recertification must be **completed through SRS every five years**. This includes updating contact information, a new background check and training. **If SRS recertification begins before expiration of current certification, online training is an option for lay persons.**

V. Reporting

A. Sexual Misconduct

1. **Sexual abuse of a minor** must be reported as directed in the [*Policies for the Protection of Children and Youth*](#).
2. Subject to the remaining provisions of this section, **any person** who believes that he or she or someone else has been subjected to sexual exploitation or other sexual misconduct as a result of their involvement in a congregation, school, or diocesan organization should report promptly. All reports and complaints will be taken seriously and may be submitted to one of the people listed below, unless that person is the subject of the complaint.
 - the head of the congregation, school, or diocesan organization
 - a warden of a congregation
 - the Canon to the Ordinary (See *Section V.C.*)
 - the Safeguarding Minister (See *Section V.C.*)
3. **Lay persons who are required to be certified in Safeguarding God's People** are required to report sexual misconduct to one of the people listed above in item 2.
4. **Clergy, clergy in training, diocesan employees, and heads of congregations, school, and other diocesan organizations** are required to report all known or suspected sexual misconduct to the Canon to the Ordinary or the Safeguarding Minister. (See *Section V.C.*)
5. The **warden** of a congregation who receives a complaint **must inform the head of congregation** unless the head is involved in the complaint, in which case the warden must inform the Canon to the Ordinary or the Safeguarding Minister. (See *Section V.C.*)

B. Policy Violations

1. Policy violations that do not rise to the level of sexual misconduct, as defined in these policies, **must first be reported to the head of the congregation, school, or organization** (or to the person designated by the head to receive such reports on his or her behalf). If such a person is the subject of the complaint, the policy violation must be reported to the Canon to the Ordinary or the Safeguarding Minister. (See *Section V.C.*)
2. **If the policy violation continues after a report has been made to the head**, the person must also report such policy violations to the Canon to the Ordinary or the Safeguarding Minister.
3. The **head** of a congregation, school, or organization who has knowledge of a policy violation **must inform the Canon to the Ordinary or Safeguarding Minister**.

C. Diocesan Contact Information

The Canon to the Ordinary

The Rev. Canon Christine Faulstich
1225 Texas Ave.
Houston, TX 77002
cfaulstich@epicenter.org
1.713.520.6444 or 1.800.318.4452
Secure Fax: 1.713.521.2218

The Safeguarding Minister

The Rev. Canon Lisa Hines
510 Rathervue Pl.
Austin, TX 78705
lhines@epicenter.org
1.512.609.1876 or 1.800.947.0580
Secure Fax: 1.866.241.7050

D. Further Duty to Report

In addition to these policies, clergy are required to know and comply with all directives as set forth in the current [Clergy Manual](#) of the Episcopal Diocese of Texas and in Title IV of the [Constitutions and Canons of the Episcopal Diocese of Texas](#) and of [The Episcopal Church](#).

E. Methods for Reporting

Complaints of sexual exploitation or other sexual misconduct may be made by telephone, email, fax, letter or in person. (For assistance regarding what information to include in the report, see [Confidential Notice of Concern](#).)

F. Reporting Protection

No one who reports sexual misconduct or a violation of these policies will be retaliated against or adversely treated because he or she made a complaint.

G. Investigation and Enforcement

The diocese may suspend any individual who is the subject of a complaint of sexual misconduct during the pendency of the investigation. If the investigation substantiates that the complaint is valid, immediate corrective action designed to stop the misconduct and prevent its recurrence will be taken. Such corrective action may include discipline, up to and including discharge or dismissal of the offending person.

VI. Additional Policies for Creating Safe Environments

A. Harassment and Discrimination Policy

The Episcopal Diocese of Texas prohibits discrimination or harassment based on race, color, sex (including sexual orientation and sexual or gender identity), national origin, age, religion, or disability toward any person. To report discrimination or harassment based on any of these protected classes, please follow the guidelines for reporting sexual harassment in [Policies Prohibiting Sexual Harassment](#). All complaints will be promptly investigated, and if substantiated, corrective action designed to stop the harassment or discrimination will be taken.

B. Weapons Policy

The Episcopal Diocese of Texas does not permit any person, including clergy, staff, students, volunteers, and visitors, to carry a weapon in our churches, schools, or organizations. This prohibition applies even if the person is licensed to carry a concealed weapon under Texas law. Law enforcement officers are the only exception to this policy. There are three ways to legally give notice that the church is a gun free zone: (1) signs posted at entrances, (2) a printed card or other written communication and (3) oral communications. Notification details can be found here: [Gun Law and Policy](#). Personnel must report violations of this policy under the provisions of *Section V*.

C. Bullying

Bullying is manifested in various ways: abusive language, offensive name calling, acts or threats of physical abuse, vandalism, theft, or destruction of property. Bullying violates a person's sense of worth and his or her immeasurable value to God. Bullying of all forms, including homophobic bullying, inhibit a person's ability to feel safe in our congregations, schools, or other organizations. Therefore, bullying of any form will not be tolerated in entities of the Episcopal Diocese of Texas. Personnel must report incidents of bullying under the provisions of *Section V*.

D. Social Media

All digital communications must comply with the same Safeguarding policies as all other Episcopal Diocese of Texas entities. The following guidelines apply commonly accepted principles of healthy boundaries for social networking, communication, online forums, and gaming.

1. **Implement consistent privacy settings** that respect personal boundaries with all participants across all platforms.
 - a. Remember that privacy settings do not ensure confidentiality.
 - b. Each church/school/organization should develop and publish agreed upon privacy settings that staff and volunteers will use, and make that information available to parishioners, teachers, students, parents, and employees.
2. **Be accountable**
 - a. Adults (parents) should be aware of how leaders utilize social media platforms.
 - b. Communication should be with groups, in public areas rather than in private messages. This includes image sharing.
 - c. When personnel see electronic pastoral communications that raise questions or concerns or are of a potentially harmful nature, they should be saved and disclosed to the supervising head of the church, school, or organization and, as appropriate, to parents. (Examples: bullying, abuse, etc.)
 - d. Ministry presence on social media platforms should have more than one administrator.
3. **Social media is rarely appropriate for a sensitive matter** that requires pastoral care and attention. In those instances, a face-to-face meeting or phone call is preferable, as it allows for an assessment of tone and demeanor that can be helpful in evaluating the situation and determining both the urgency and appropriateness of a response.
4. **Frequently review your accessible content** and photos. Keep informed about new and emerging social media platforms.
5. **Online Groups** are required to follow the same Safeguarding policies as all other diocesan entities. In group communication platforms, leaders shall create covenants to govern group communication by addressing:
 - appropriate and inappropriate language and behavior; profane or derogatory language is forbidden
 - who may join and/or view group activity
 - content that may be posted/published on the site or page
 - how images will be taken and shared
 - consequences for breaking the covenant, which may include removal from group
 - mandatory reporting rules
6. **Any inappropriate material posted in online groups must be removed from the page** but should be saved by the administrator and reported to the ministry leader to be addressed or reported as necessary.

7. **When video chatting**, a leader should be mindful of appropriate attire and surroundings, as they are visible to the viewer. One-on-one video chatting should follow the same Safeguarding guidelines as when meeting with people face-to-face. Do not video chat behind closed doors.
8. **If posting photos of children online** or in any publication, obtain a photo release from parents. (This should be done annually for schools and programs). Do not provide personal or identifying information about the children or youth pictured.

Sample **Photo Release** wording to be added to school and program registration:

"I understand that photos or videos of my child and others may be taken during Sunday school and other church/school/organizational events. I consent to the use of my child's photo or likeness in promotional materials such as church/school/organizational website and other social media outlets. I understand that my child's identifying information will not be provided unless I give permission at a later time."

9. **Be aware that all communications sent digitally are not confidential** and potentially can be shared or reposted to other platforms or people without an individual's permission or knowledge.
10. **Use prudent judgment in the timing of your communications.** For example, consider work hours, school hours, meal times, vacations, and sleep schedules.
11. **Reporting:** Laws regarding mandated reporting of suspected child abuse or exploitation of children, youth, elders, and vulnerable adults apply in the virtual world just as they do in the physical world. Report suspected abuse to the Texas Department of Family and Protective Services: 800-252-5400. The rules of reporting found in *Section V of Policies for the Protection of Children and Youth* apply.