

## SECTION 3.0 SAFE AND CIVIL CHURCH POLICY

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#### 3.1 STATEMENT OF POLICY

Among the goals of the First Unitarian Church of Providence (the “Church”) is the creation of a safe environment in which members of the Church can both explore and experience spiritual growth, as well as freely express their individual views and opinions. As Unitarian Universalists, we value the “inherent worth and dignity of every person.”

In order to fulfill our goals, it is important that the Church establish and reinforce behavioral norms on Church premises and at Church sponsored events, and that the Church identify and address actions, verbal or otherwise, that actually or potentially harm, degrade, intimidate, or violate the safety of members of the Church or visitors to Church premises and events.

Accordingly, the Church hereby establishes this “Safe and Civil Church” policy and procedures (“Policy”) in order to:

- Guide the activities that take place in our Church life; and
- Provide for a procedure to deal with conduct that leads to complaints, or which otherwise require that they be formally addressed by the Church.

This policy is provided for the benefit of, and is applicable to, all persons associated with the Church or are present on Church premises, or are social invitees of the Church or members thereof, and is intended to promote a “Safe and Civil Church” for every person whether a member, guest, employee or minister of the Church, or otherwise.

Nothing in this policy shall affect either the right of the Church to terminate as a member any person whose actions are inimical to the interests of the Church, as provided by Article V, Section B of the Church Bylaws, or the rights of a called minister to due process as provided in Article XIV, Section A of the Church Bylaws.

Additionally, the Church will endeavor to assure that the physical condition of the Church building(s) will allow for the safety of all persons, and the Church will institute reasonable safety procedures throughout the building(s).

#### 3.2 SAFE AND CIVIL CHURCH PROCEDURES

Our Policy addresses “Abuse” in a broad context, and “Sexual Misconduct” as a form of Abuse.

##### 3.2.1 Definitions

Where used in this Policy, the following terms shall have the meanings set forth below:

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1. “Abuse” means:
  - a. 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 Rhode Island, or any intentional or reckless act which inappropriately or unfairly takes advantage of a person under the age of eighteen.
2. “Sexual Misconduct” means any:
  - a. Abuse which is sexual in nature, including but not limited to any sexual involvement or sexual contact by any adult with a person who is under the age of eighteen or who is legally incompetent;
  - b. Harassment, intimidation, or other inappropriate behavior of a sexual or prurient nature that takes place in an employment, mentor, counselor, 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
  - c. Sexual exploitation, including but not limited to, the development of or the attempt to develop a sexual relationship between ministers, counselors, youth leaders, Church religious education leaders, etc., with a person with whom they have a caretaking or confidential role, whether or not there is apparent consent.
3. “Disruptive Behavior” means any:
  - a. Disruptive behaviors are words or actions that impact the emotional or physical safety of any child, youth or adult or interfere with Church programs, business or activities. These words or behaviors may be offensive and possibly drive existing members and visitors away; or disruptive, interfering with Church activities; or dangerous or threatening to persons or property.

### **3.2.1 Creation of the “Right Relations Advisory Committee”**

The “Right Relations Advisory Committee” (“RRAC”) is hereby created. The RRAC shall consist of the called Minister of the Church and the Church President, and another member of the Church. This third person should where possible be a former officer of the church, and will normally serve a three-year term: the position will be filled in the same manner as other elected positions in the church, through vote of the church body. This third member shall be the Chair of the Committee. The identities of the members of the RRAC shall be made public to the members of the Church by all communications channels, including in the Church’s website. The RRAC shall respond to allegations of Abuse and Sexual Misconduct in accordance with this Policy.

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### 3.2.2 Religious Education Program (Spiritual Pathways) Policies and Procedures

Safety is the top priority in our community of children, youth, and adults. The Director of Religious Education (“DRE”) and the Religious Education Committee are committed to establishing Church best practices: they conduct annual evacuation drills with volunteer teachers, have instituted a code of ethics, background checks, and safety education for volunteer teachers and staff. UUA-identified safe-congregation and right-relations issues are a focus of concern for the DRE.

Arrival and Departure: It is required that parents remain on church property at all times when their children or youth participate in any church programs. Otherwise, special arrangements must be made ahead of time with the Director of Religious Education. Guidelines for each age group for drop off and pick-up on Sunday mornings are communicated with parents at registration and posted in all classrooms.

Guests: Guests of registered students are welcome, but must submit a guest slip to teachers before visiting.

Health Issues: In order to promote and maintain a healthy environment for our multigenerational community, people with a fever, active cough/cold symptoms, or any sign of infectious disease should remain at home. Basic first aid is provided for accidents. Parents are informed of any injury or illness. *There is a NO NUTS policy in all classrooms.* A Bathroom Policy for Assisting Young Children is posted in age-appropriate rooms.

Special Needs: The Church welcomes all children and youth, including those with special needs. The R.E. program makes every effort to accommodate people with special needs in our classes. It is important for all parents to share the strengths and weaknesses of their children with our volunteer teachers so that various learning styles can be honored. Parents of children with special needs should discuss arrangements for accommodations with the DRE. Please contact the DRE with your ideas about better serving the needs of the Church.

Childcare for Church Events: A goal is to have childcare available for most adult events. Information for the sponsoring committee, staff or Church leader regarding safety issues of sign-in, space, caregiver expectations, compensation and procedural support is presented to all those requesting childcare and is available in the church office, along with a list of caregivers.

Conduct: We recognize that people come to the Church with a variety of emotional, cognitive, medical, and social issues impacting their lives and involvement in our community. In this spirit, we recognize that people of all ages may present challenging behavior that could be disruptive to the community or pose a risk to the safety and security of themselves or others. We promote respectful and civil behavior among all participants in our programs. People of all ages are expected to behave in a safe and respectful manner toward others at all times. Behavioral guidelines and promises are

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explained, posted, and promoted in all classrooms and maintained at all R.E. events. Volunteer teachers, staff, and leaders are expected to communicate conduct expectations and consequences. Teachers and group leaders are asked to inform the DRE or Minister when they are concerned about a person's behavior or emotional state in the classroom and seek assistance immediately if the behavior is deemed to pose a safety risk to anyone. A series of steps and consequences that include discretion and confidentiality have been established in the comprehensive policy. Parents are expected to disclose knowledge of any circumstances that may impact their child's ability to conform to behavioral guidelines. We seek to provide volunteer teachers with appropriate training experiences and guidelines. The DRE and Minister abide by their professional codes of practice. All teachers and staff must sign and uphold the First Unitarian Church of Providence Code of Ethics and have an annual RI background check.

For the further protection of children and youth who attend the Church, those congregants or visitors with a history of confirmed Abuse or Sexual Misconduct may be subject to permanent or temporary restrictions as determined by the RRAC. Such restrictions may include, but are not limited to, being accompanied by an approved chaperone at all times while on Church premises, or being barred from Church premises and attendance at Church-sponsored events.

### 3.2 PROCEDURES REGARDING INCIDENTS INVOLVING ADULTS

Any called Minister, Church employee, or member who receives a report of Abuse or Sexual Misconduct toward an adult, or who believes an adult has been the subject of Abuse or Sexual Misconduct, either on Church property or at any Church-sponsored event, should immediately report the matter to any member of the RRAC. 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 of Abuse, Sexual Misconduct, Disruptive Behavior has been received, the RRAC shall convene to review the report and be advised of all available information concerning the incident(s), including the names of the complainant and the accused party. The RRAC shall then establish an investigative plan to gather all relevant facts and determine an appropriate response to both the complainant and the accused party. Should the RRAC determine that any of its members should not participate in the process for any reason, such person shall be excused.

The RRAC may consider the following in determining an appropriate response:

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

Disruptive: How much interference with Church functions is occurring?

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

While the RRAC will, to the extent reasonably possible, preserve the confidentiality of individuals and the information it gathers, and release the same only on a need-to-know basis, the investigation of such an accusation should normally include a discussion with

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the accused party and speaking with individuals with knowledge of the circumstances of the complaint. Reasonable care shall be taken by the RRAC to preserve confidentiality of all persons connected to the investigation. Following the investigation, the RRAC shall present its findings to the affected parties. Such findings shall be in writing if requested by any party.

At the conclusion of the investigation, the RRAC shall notify the Prudential Committee that a report of Abuse, Sexual Misconduct or Disruptive Behavior was received and investigated, and of the Committee's conclusion and recommended level of action, which may include no action, a warning, suspension, expulsion, and/or exclusion from the Church premises or Church sponsored events. In the event the RRAC recommends to the Prudential Committee that any action be taken with respect to the report, the Prudential Committee will be provided with such information necessary to consider such action. The Prudential Committee will first meet in executive session to review and discuss the findings of the RRAC, to vote to approve the Committee's finding in full or approve a less severe penalty, and to determine the scope of communication to individuals on a need-to-know basis to facilitate enforcement. The Prudential Committee will then make a final determination regarding the recommendations of the RRAC.

The accused party shall be given written notice of the Prudential Committee's decision of the matter and provided an opportunity to be heard, either in person or in writing, as the Prudential Committee shall deem appropriate. There is no appeal process. In the event the offending party is a member of the congregation, the RRAC recommends termination and the Prudential Committee approves that recommendation then in such event, the requirements of termination of members shall be followed per Article V of the Bylaws.

In the event the person or persons accused of Abuse, Sexual Misconduct or Disruptive Behavior is an employee of the Church, then in such event, the Policy and Procedures Manual of the Church shall govern the discipline, suspension or termination of the employee.

As an alternative to a specific recommendation regarding a complaint, the RRAC may recommend that the Prudential Committee adopt revised policies and procedures of general application. In that event, the identification of individuals may not be required. The final decision regarding the identification of individuals involved in a particular case, however, shall lie with the Prudential Committee.

Unless otherwise noted, all RRAC materials, including written findings/recommendations must be stored in a locked file in the Minister's office.

### **3.3 PROCEDURES REGARDING INCIDENTS INVOLVING CHILDREN AND YOUTH**

The following additional procedures apply in the case of reported incidents involving children and youth (persons under eighteen years of age.)

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Any Church member, friend, guest, teacher, youth advisor, chaperones or staff member of the Church 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 Prudential Committee, the Minister, the DRE or the RRAC.

When considering whether an event is reportable, it is Church 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, in keeping with Rhode Island State law: Title 40, Section 40-11-3.

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

- a. 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 guardians(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 RRAC, such disclosure would endanger the health or welfare of the child/youth;
- b. The RRAC, at the expense of the Church, may retain/obtain counsel regarding the Church's obligations and options in consultation with and approval of the Executive Committee of the Church;
- c. The matter shall be reported to the Rhode Island Division of Children, Youth and Families (DCYF), or law enforcement, in accordance with RIGL 40-11-3, which provides:

Any person who has reasonable cause to know or suspect that any child has been abused or neglected as defined in section 40-11-2 or has been a victim of sexual abuse by another child shall, within 24 hours, transfer that information to the department of children, youth and families or its agent who shall cause the report to be investigated immediately. The law is at

<http://webserver.rilin.state.ri.us/Statutes/TITLE40/40-11/INDEX.HTM>

During the pendency of an investigation, or if abusive behavior is substantiated following an investigation by the RRAC, the alleged offender may not continue to have responsibilities for children and youth in Church-related activities, except as set forth in this Policy.

- a. If a matter is referred to DCYF, the alleged offender must report the results of DCYF's investigation to the RRAC immediately upon receipt. The alleged offender will not be eligible for lifting of restrictions until such results are reported;

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- b. If abusive behavior is suspected or substantiated, the perpetrator must not have any unsupervised contact with children or youth within the Church or in Church-related activities;
- c. 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 the Church, and (C) if the investigation involves allegations of abusive or neglectful behavior, or if the RRAC otherwise requires, to sign and comply fully with a written agreement that has been approved by the Prudential Committee, governing the alleged offender's contact with children and youth. The offender's failure to comply with any of these requirements shall result in the offender being barred from Church premises and from all Church events, activities and programs; and
- d. If Abuse by the alleged offender is substantiated by DCYF, but the Prudential Committee nevertheless agrees to permit continued attendance and participation at Church, the alleged offender will also be required to sign and comply fully with a written agreement that has been approved by the Prudential Committee, 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 Prudential Committee to require their temporary exclusion from the Church, and from Church premises and events.
- e. If a Member is to be excluded temporarily from the Church for any period of time, the reasons shall be stated in writing, as well as any possible conditions for future return.

### **3.4 PROCEDURES IN THOSE CASES WHERE A MEMBER OF THE CHURCH, OR AN INDIVIDUAL WHO ATTENDS CHURCH EVENTS WITH A MEMBER, HAS A KNOWN RECORD OF SEXUAL MISCONDUCT AND/OR CRIMINAL RECORD INVOLVING ABUSE OF ANY KIND**

Because we “affirm the inherent worth and dignity of every person,” the Church does not believe any person should be automatically excluded from membership in the Church, or attendance at Church events, solely because of their prior actions. At the same time, the Church 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 may be limited in ways to ensure the safety of all, and in particular children and youth.

Accordingly, prior to attending or participating, the RRAC will create a covenant with the individual to sign that will place appropriate restrictions on their access, including denial of access at certain events and places.

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

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Any such agreement will be kept in a locked file by the Minister. Such information will be revealed to others on a need-to-know basis.

### **3.5 PROCEDURES IN THE EVENT OF DISRUPTIVE BEHAVIOR**

Any Church member, friend, guest, teacher, youth advisor, chaperones or staff member of the Church may report an incident believed to potentially involve a Disruptive Behavior by a member, friend, youth advisor, chaperone, teacher, staff member or guest to a member of the Prudential Committee, the RRAC or the Minister.

Reporting: The Church follows all applicable state laws and reporting mandates. In some situations, immediate action is warranted and should be taken. It is appropriate to call the police to remove any person exhibiting threatening or violent behavior. This policy should not restrict the rights of any individual on the premises who feels threatened, to call the police on her or his own behalf. Should any Church member, friend, guest, teacher, youth advisor, chaperones or staff members of the Church experience what she or he perceives as Disruptive Behavior, that person is urged to draw the disruptive person aside and explain how she or he finds specific behaviors unacceptable or uncomfortable.

When considering whether an event is reportable, it is Church policy that anyone who has concerns is strongly encouraged to report them. The RRAC will handle all reports of Disruptive Behavior.

### **3.6 OTHER MATTERS**

All materials regarding an unsubstantiated complaint shall be destroyed three (3) years following the conclusion of the investigation unless the RRAC designates that they be maintained for an additional period of time.

Any complaint that involves the Minister, Prudential Committee member, or employee of the Church shall be reported to the Church's insurance agent or broker for a determination whether to place the Church's liability insurance carrier on notice of a possible claim or suit.