



Hope Lutheran Church
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POLICY ON PREVENTION OF SEXUAL ABUSE AND MISCONDUCT

August 19, 2010

PURPOSE

The purpose of this policy statement is to provide a safe and harmonious environment for all members of Hope Lutheran Church.

The church is called to be a safe sanctuary for all; and we are also entrusted with the spiritual, educational, and moral development of all members, including our children and youth.

Hope Lutheran Church is concerned about all types of sexual abuse, harassment, and misconduct, regardless of whether or how it is characterized by law. All reported incidents of sexual misconduct will be investigated. Any suspected sexual misconduct will be reported to the appropriate governmental agency as required by state laws concerning reporting of child abuse. (See "Reporting Sexual Abuse," page 6.)

Hope Lutheran Church prohibits sexual misconduct on the part of its pastors, employees, volunteers, independent contractors, parishioners, guests, or any other persons. Hope Lutheran Church shall implement policies and procedures that empower victims to report these incidents while at the same time safeguarding the rights of the accused. Such incidences may result in disciplinary actions, including censure, dismissal, criminal charges, or other actions, as appropriate.

Hope Lutheran Church shall comply with the recommended investigation procedures as defined by the "Montana Synod Policy on Sexual Misconduct" ratified on February 23, 2007, concerning sexual misconduct by members of the clergy. A copy is on file in the Hope Lutheran Church office or available at www.montanasynod.org. Click on "Resources," "Sexual Misconduct," Sexual Misconduct Policy."

PREVENTION POLICIES AND PROCEDURES

Hope Lutheran Church has the discretion to prohibit persons that have been accused of or convicted of a sex-related or child abuse-related offense from participating in any capacity in Hope Lutheran Church programs involving children or youth.

Screening of Employees---

All future and current employees must complete a pre-employment application, stating any criminal or pending criminal charges or convictions against them.

All future and current employees must go through a standard screening procedure. Hope Lutheran Church reserves the right to verify information regarding background and history of activities with minors, as well as conduct a criminal background check by proper authorities and conduct a fair and discreet investigation of all alleged incidents of sexual misconduct.

All employees shall be informed of the rules in this policy and shall be required to sign and date a Receipt and Acknowledgement of Hope Lutheran Church Policy on Sexual Abuse and Misconduct.

Screening of Volunteers and Independent Contractors Working with Minors---

Volunteers and Independent contractors who work with minors may be required to fill out a questionnaire and may be required to undergo a background check.

EDUCATION AND TRAINING REQUIREMENTS

Church employees, volunteers and independent contractors will be informed of the Hope Lutheran Church Policy on Sexual Abuse and Misconduct. Copies will be posted on the church bulletin board, website and be available in the church office.

SUPERVISION OF CHILD AND YOUTH ACTIVITIES AND PROGRAMS

Supervision---

Youth should not care for children in the nursery without an adult present.

A minimum of two adults, preferably both genders if it is a mixed group, should be present with youth gatherings, on trips, or at other social events. For overnight retreats, it is recommended that at least two adults, preferably non-related and preferably both genders, accompany the group.

When camping, no minor is permitted to sleep alone in the tent of an adult other than his or her own parent or guardian. On other outings that require that an adult share the same room as a minor (e.g., ELCA national gatherings), the minors and parents or guardians shall be given prior written notice. The adult is not to occupy the same bed as a minor, with the exception of a parent or guardian. Whenever possible, males and females should sleep in separate rooms or areas at events and have separate access to bathroom facilities.

When private homes are used for overnight events, an employee(s) will make final approval of all adults involved as hosts, hostesses, and chaperones. At no time may only one child or youth dwell in one home.

One-on-one Consultation---

All rooms, where youth activities are held, shall have windows to the interior hallway.

One-on-one consultation between employees and minors will normally be done with two adults present. Situations that require personal conferences, mentoring, or counseling should normally be conducted in the church offices with at least one other approved leader present in the area (though not necessarily in an office.)

As a rule, the counseling should be as public as possible, without sacrificing effectiveness. Unplanned individual contact on outings (such as for counseling purposes) should normally be done in view of another adult or minor. Planned individual contact outside the church building should normally occur only in public places and with the prior consent of the minor and parent or guardian.

Secret Activities---

There are no “secret” church activities or organizations recognized by Hope Lutheran Church. All aspects of church programs are open to observation by parents and congregational leaders. Confidentiality or secrecy is not a privilege of adult leaders while involved in church activities.

Transportation---

Transportation to and from events can be the responsibility of the church or of families. When the transportation is the responsibility of the church, an employee(s) or volunteer leader(s) shall set standards for whom is permitted to drive during events. During events, other transportation arrangements may require prior notification and consent of parents or guardians. At no time shall a youth be alone with an adult in a vehicle without permission of the youth’s parent or guardian.

Sexual Behavior---

No sexual behavior is permitted at Hope Lutheran Church. Other behaviors which are abusive, but do not involve physical contact, are also prohibited. Examples are, but not limited to, sexual comments and the showing of sexual material.

REPORTING SEXUAL ABUSE

Who may report---

1. The victim or a member of the victim’s family.
2. A member of the congregation or another concerned person.
3. A pastor or a church leader.

Who should be notified---

1. Where to report sexual abuse of a child or youth:
According to Montana State Law, Section 41-3-201, those having cause to suspect that a minor has been the victim of abuse must report the case to the Department of Public Health and Human Services, Child and Family Services Division.

Call 24 hours a day, 7 days a week,

Montana statewide toll-free child abuse hotline: 866-820-KIDS (866-820-5437)

A trained Intake Specialist will take your information and will send it to your local Child and Family Services Division (“CFSD”) office where a child protection specialist will investigate the report. If it is an emergency, the information will be immediately transmitted to the local office. **Law enforcement will be informed when appropriate.**

This method of reporting assures that reports are defined in a consistent way throughout Montana. It also allows local CFSD more time to focus on investigation and intervention in child abuse cases.

Any person who reports an incident in good faith is immune from either civil or criminal liability.

It is important that you call the HOTLINE (866-820-5437) to report suspected child abuse rather than your local office. A report cannot be entered into the Child Protective Services automated system unless the report is entered by a Centralized Intake Specialist.

2. Where to report sexual abuse of an adult:

An adult victim must give their written consent, unless they are developmentally disabled, for sexual abuse to be reported.

After obtaining the written consent, report to the Bozeman Police Department at 582-2000 or to the Sexual Assault Counseling Center at 586-3333. If it is an emergency, call 911.

Also report to the senior pastor at 586-5572.

3. Where to report sexual misconduct committed by church leaders, other than by a rostered leader:

Contact a pastor, either by phone or in person. If it is not possible to notify a pastor directly, write a letter stating the complaint to the pastor at:

Hope Lutheran Church
2152 W. Graf St.
Bozeman, Montana 59718
406-586-5572

4. Where to report sexual misconduct committed by a rostered leader:

Anyone who knows or suspects that a rostered leader may have been involved in sexual misconduct should report that knowledge or suspicion to the bishop or an associate to the bishop:

The Rev. Jessica Crist, Bishop, Montana Synod of the ELCA
2415 13th Avenue, S.
Great Falls, MT 59405
jcrist@montanasynod.org
406-453-1461 (o) 406-868-7658 (c)

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**RECEIPT AND ACKNOWLEDGMENT OF THE
HOPE LUTHERAN CHURCH
POLICY ON PREVENTION OF SEXUAL ABUSE AND MISCONDUCT**

I have received and read a copy of the Hope Lutheran Church Policy on Sexual Abuse and Misconduct.

By signing this form, the employee acknowledges that this policy supersedes all previous church handbooks, policies and any other published or unpublished statements concerning sexual abuse and misconduct. The signed original of this agreement should be given to the church office. This will be retained in your personnel file.

Thank you.

Signature: _____

Printed Name: _____

Position: _____

Date: _____