

SAFE BOUNDARIES POLICY

PREAMBLE

... As [God] who called you is holy,
be holy yourselves in all your conduct;
... Tend the flock of God that is in your charge, ...
not under compulsion but willingly, ...
not for sordid gain but eagerly. ...
Do not lord it over those in your charge,
but be examples to the flock.

... You know that we who teach will be judged with greater strictness.
1 Peter 1:15; 5:2-3; James 3:1, NRSV

The ethical and responsible conduct of all who minister in the name of Jesus Christ is of vital importance to the church because through these representatives an understanding of God and the gospel's good news is conveyed. "Their manner of life should be a demonstration of the Christian gospel in the church and in the world" (*Book of Order*, G-2.0104).

The basic principles guiding this policy are as follows:

- A. Sexual misconduct is a violation of the rule that those who are called to leadership roles in the church are equally called upon to exercise integrity, sensitivity, and caring in a trust relationship. Sexual misconduct breaks the covenant to act in the best interests of those whom the church serves.
- B. Sexual misconduct is a misuse of authority and power that breaches Christian ethical principles by misusing a trust relationship to gain advantage over another for personal pleasure in an abusive, exploitative, and unjust manner. If the person being served initiates or invites sexual content in the relationship, it is the responsibility of the person providing service to maintain the appropriate role and prohibit a sexual relationship.
- C. Sexual misconduct is often perpetrated against persons who are less able to protect themselves, including children. It is antithetical to the gospel call to work as God's servant in the struggle to bring wholeness to a broken world, and violates the mandate to protect children and others from harm.
- D. Children and youth are vulnerable to more than the risk of sexual exploitation and abuse by adults or peers. Physical and emotional abuse or neglect are also grievous violations of the scriptural command to "Tend the flock of God that is in your charge." The church must be safe for children before it can offer *shalom* to all persons entrusted to its care.

I. APPLICABILITY

- A. **Scope.** Except as otherwise expressly provided, this policy governs all activities, proceedings, meetings, camps, retreats, worship services and other functions of any kind carried on by the Presbytery of Chicago or on Presbytery property. This policy is implemented by two interrelated programs: the True North program, administered by the

True North Response Team, and the Safe Space program, administered by the Safe Space Team. Both programs shall be provided with appropriately skilled staff support.

- B. Persons Governed by Policy.** This policy governs all staff and volunteers who are employed by or engaged in any activity or function carried on by the Presbytery of Chicago. This policy also governs teaching elders who are members of the Presbytery of Chicago, commissioned ruling elders serving under the jurisdiction of the Presbytery of Chicago, certified Christian educators, certified associate Christian educators, and ministerial inquirers and candidates. In addition, the Safe Space program applies to all members of user groups participating in Presbytery of Chicago events or utilizing facilities owned or operated by the Presbytery of Chicago.
- C. Congregations in the Presbytery of Chicago.** This policy shall not apply to the activities and functions carried on by congregations in the Presbytery, except to the extent that such activities or functions are engaged in by a person who is governed by the policy as provided in Subsection B, above. Sessions are required by the Book of Order to adopt and implement sexual misconduct policies that apply to persons and activities within their congregations (G-3.0106).
- D. Other Policies and Procedures.** This policy is to be interpreted and applied consistently with any and all other applicable policies of the Presbytery of Chicago, the Presbyterian Church (U.S.A.), and state, federal, and local law.

II. DEFINITIONS

- A. Accused.** The person against whom an accusation of sexual misconduct or child abuse or neglect is being made.
- B. Accuser.** The person claiming knowledge of sexual misconduct or child abuse or neglect by a person covered by this policy. The accuser may or may not be the victim of the alleged sexual misconduct, child abuse or neglect.
- C. Activity.** A program or event sponsored by or under the control of the Presbytery of Chicago.
- D. Child.** Any person under the age of eighteen years.
- E. Emotional Abuse.** Unusually harsh, offensive or insensitive conduct toward another person that causes or is likely to cause emotional distress. Examples can include criticism, badgering, teasing, ridicule, rejection, humiliation, blame or unfavorable comparisons with other children or adults.
- F. Mandated Reporter.** Any person required by law to report to the appropriate state agency all suspected incidents of child abuse or neglect that come to his or her attention. Under most state child protection statutes, mandated reporters are professionals who may work with children in the course of their professional duties. Teaching elders and commissioned ruling elders are mandated reporters under the laws of most states, including Illinois. For purposes of this policy, the Executive Presbyter shall be considered a mandated reporter under state law, whether or not the Executive Presbyter is a teaching elder. The Book of Order further classifies teaching and ruling elders, deacons and certified Christian educators

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as mandated reporters for both child abuse and abuse of adults who lack mental capacity.

- G. Misuse of Technology.** The use of technology that results in sexually harassing or abusing another person, or emotionally abusing any child, including texting or emailing suggestive messages and images to persons. It is never appropriate to view pornography on presbytery property. If pornography includes a person under the age of eighteen, it is considered child abuse. There is never an expectation of personal privacy when using technological equipment owned by the presbytery or a presbytery entity, or within the context of ministry.
- H. Neglect.** The failure of a parent or responsible caretaker to provide adequate supervision, food, clothing, shelter, medical care, education or other basic necessity to a child or an adult without the mental capacity to consent.
- I. Parent.** A parent or legal guardian of a child who is participating in an activity.
- J. Physical Abuse.** Any act that results in non-accidental injury to another or involves harmful, potentially harmful or offensive touching of another. It may involve physical violence in which the perpetrator is out of control and may include corporeal punishment or hazing.
- K. Presbytery of Chicago or Presbytery.** A mid-level council of the Presbyterian Church (U.S.A.); for purposes of this policy, the term 'Presbytery of Chicago' shall include any corporation controlled by the Presbytery of Chicago through which the Presbytery of Chicago employs staff and carries on its programs and activities.
- L. Presbytery Property.** Property owned or controlled by the Presbytery.
- M. Response.** The action taken by the appropriate Presbytery of Chicago staff or entity when a report of sexual misconduct or child abuse or neglect is received. It may include inquiry into facts and circumstances, or possible disciplinary action, up to and including termination of employment, or removal from office and/or membership.
- N. Sexual Abuse.** Any offense involving sexual conduct in relation to:
 - 1. any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or
 - 2. any person when the conduct includes force, threat, coercion, intimidation, or misuse of office or position (D-10.0401c).
- O. Sexual Harassment.** Conduct that includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, tormenting based on gender, and other verbal, visual or physical conduct of a sexual nature. In particular, sexual harassment occurs if:
 - 1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or of his or her participation in Presbytery of Chicago activities;
 - 2. submission to or rejection of such conduct by an individual is the basis for employment decisions or other Presbytery of Chicago-related decisions affecting that individual;

3. such conduct has the purpose or effect of interfering with an individual's work performance or participation in Presbytery of Chicago activities by creating an intimidating, hostile, or offensive environment;
4. such conduct, regardless of its intention, is objected to by the person at whom it is directed; or
5. such conduct includes unsolicited and unwelcome contact such as the following:
 - a. written contact, such as sexually suggestive or obscene letters, notes, emails, text messages or invitations;
 - b. verbal contact, such as sexually suggestive or obscene comments, threats, slurs, epithets, jokes or sexual propositions;
 - c. physical contact, such as intentional touching, pinching, brushing against another's body, impeding or blocking movement, assault or sexual coercion; and
 - d. visual contact, such as leering or staring at another's body, gesturing, displaying sexually suggestive objects or pictures, cartoons, posters, or magazines.

- P. Sexual Misconduct.** Any sexual abuse of children or adults and/or any sexual harassment.
- Q. Staff Member or Employee.** A person employed by or contracted with the Presbytery of Chicago.
- R. User Groups.** Any group that participates in any activity or event sponsored by the Presbytery of Chicago or that utilizes Presbytery property.
- S. Victim.** A person who has allegedly suffered an act of sexual misconduct or physical or emotional abuse, or, a child or an adult without mental capacity to consent who has allegedly suffered neglect.
- T. Volunteer.** A person who provides services for the Presbytery and/or its entities and receives no benefit or remuneration. Volunteers include, but are not limited to, persons elected or appointed to serve on boards, committees, and other groups.
- U. Volunteer Congregation Member.** A member of a congregation, non-ordained employee of a congregation, or other congregational participant in a Presbytery of Chicago event or activity whose role may include leadership or representation of a congregation or its participant members.

III. TRUE NORTH PROGRAM

- A. Purpose.** The purpose of the Presbytery of Chicago's True North Program, through the leadership of the True North Response Team, is to provide an effective program of prevention and response relating to sexual misconduct among participants in Presbytery of Chicago events and programs. The prevention part of the program includes education and training, and the provision of resources for the use of individual congregations and others. When an incident of sexual misconduct is alleged, the True North Response Team provides

for an expeditious, professional and caring response to all who are affected. The Presbytery of Chicago shall provide in its budget for the expenses of administering the True North Program.

B. The True North Response Team

1. Formation. The True North Response Team is appointed by and accountable to the Presbytery of Chicago's Commission on Ministry. The Response Team has the primary responsibility for the implementation of the True North Program.

2. Membership.

- a. The Response Team shall consist of nine to twelve persons who are Presbyterian teaching or ruling elders, or others with specialized training or credentials appropriate to the role of the Response Team. The members shall have backgrounds and skills that the Commission on Ministry considers necessary or desirable, and shall reflect the racial, ethnic and gender diversity of the Presbytery of Chicago. Members shall serve for six years. One third of the Response Team shall be appointed by the Commission on Ministry every other year. No person who has served a full six-year term shall be re-appointed until one full year has elapsed.
- b. The Commission on Ministry shall appoint a moderator, a secretary and other officers as needed from among True North members. The Response Team shall meet periodically, and the meetings shall be presided over by the moderator or by another member designated by the moderator.
- c. The Response Team members will receive training in dealing with sexual misconduct, with specific attention to sexual conduct within a church environment.

3. Responsibilities.

- a. The Response Team shall evaluate its responsibilities under the True North Program annually and shall recommend any necessary changes to the Commission on Ministry for approval by the Presbytery Assembly.
- b. The Response Team shall coordinate the program of ongoing education and training of persons covered by the True North Program and the provision of resources for the use of individual congregations.
- c. The Response Team shall provide pastoral care and make appropriate referrals for other supportive services, such as counseling, for those who are affected by sexual misconduct.
- d. The Response Team shall develop written guidelines and procedures to assist it in the performance of its duties.

IV. SAFE SPACE PROGRAM

A. Purpose. Child abuse and neglect is a serious problem in our society and, unfortunately, within the Christian community. Abuse and neglect often occur in settings where children

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completely trust adults -- homes, schools, camps, athletic and park programs, retreats and the church. As people entrusted with the lives of children, we believe that we have a profound moral and legal obligation to reduce the possibility of abuse and neglect from happening to the children who participate in activities of the Presbytery of Chicago. This Section IV describes the Presbytery of Chicago's Safe Space Program. The purpose of the Safe Space Program is to help make Presbytery activities a safer place for our children by instituting policies and procedures that guard against abuse and neglect.

The Safe Space Program is designed to:

1. Safeguard children and youth from abuse.
2. Provide assurance to families that their children are safe and secure at Presbytery of Chicago activities.
3. Assure proper reporting when there is reasonable cause to believe that child abuse or neglect has occurred.

B. Safe Space Standards

1. **Two-deep leadership.** At least two adults are required to provide leadership for all trips and outings. Appropriate adult leadership must be present for all overnight activities; coed overnight activities require male and female leadership, both of whom must be adults, and must have completed all required training and screening. User groups are responsible for ensuring that sufficient leadership is provided for all activities in which they are involved and for all activities on Presbytery property.
2. **Adult-Child Ratios.** In addition to having a minimum of two adult leaders for each event, the following ratios of adults to children will be maintained:

<u>Youth Age</u>	<u>Adult</u>	<u>Overnight Events</u>	<u>Day Events</u>
4-5 years	1	5 children	6 children
6 – 8 years	1	6 children	8 children
9 – 14 years	1	8 children	10 children
15 – 18 years	1	10 children	10 children

3. **Two-Years-Older.** All staff and other leadership must be at least 24 months older than the oldest child participating in the activity.
4. **No one-on-one contact.** One-on-one contact between adults and children is not permitted. In situations that require personal conferences, such as pastoral counseling, the meeting is to be conducted in view of other adults and youths.
5. **Separate accommodations.** When engaged in overnight activities, adult supervision is required in the sleeping accommodations and the adult – child ratio as stated in paragraph IV.B.2. above will be followed. Separate shower and bathroom facilities must be available for males and females. When separate facilities are not available, separate times for male and female use should be scheduled and posted for showers. Likewise, children and adults must shower at different times.

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- 6. Respect of privacy.** Adults must respect the privacy of children in situations such as changing clothes and taking showers, and intrude only to the extent that health and safety require. Adults must protect their own privacy in similar situations. Respect for privacy includes wearing proper clothing. For example, skinny-dipping or revealing bathing suits are not appropriate.
- 7. Alcohol, tobacco, and controlled substances.** The use of alcoholic beverages and controlled substances shall not be permitted by any person at any time during Presbytery of Chicago activities or on property owned by the Presbytery of Chicago. This rule applies regardless of the presence of children. Further, adults shall support the attitude that they, as well as children, are better off without tobacco in any form. Therefore the use of tobacco by adults shall not be permitted in the presence of children. The use of tobacco by children shall not be permitted at any time.
- 8. Cameras, imaging, and digital devices.** While most persons use cameras and other imaging devices responsibly, it has become very easy to invade the privacy of individuals. It is inappropriate to use any device capable of recording or transmitting visual images in shower houses, restrooms, or other areas where privacy is expected by participants. Any transmission of sexually explicit photographs or videos electronically and any “sexting” by cell phones is prohibited.
- 9. No secret organizations.** The Presbytery of Chicago does not recognize secret organizations. All aspects of Presbytery-sponsored activities are to be open to observation by parents and adults.
- 10. Hazing prohibited.** Hazing and initiations are prohibited and shall not be included as part of any activity.
- 11. Bullying prohibited.** Verbal, physical, and cyber bullying are prohibited.
- 12. Constructive discipline.** Discipline used in Presbytery of Chicago events shall be constructive and reflect Christian values. Corporal punishment is never permitted.
- 13. Environmental Safety.** Presbytery of Chicago events shall be conducted so as to minimize the risk of accidental injury. Adult leaders should familiarize themselves with basic first aid, as well as applicable safety standards for food handling, aquatic activities, other outdoor environmental hazards such as poisonous plants and lightning as well as possible indoor hazards such as electric wires and cleaning substances. Necessary protective gear, such as helmets, life jackets and sturdy shoes shall be provided.
- 14. User Group responsibilities.** Adult leaders of user groups are responsible for monitoring the behavior of youth members and for interceding when necessary. Parents of youth participants who misbehave shall be informed and appropriate disciplinary measures shall be taken. User groups are responsible for complying with the Safe Boundaries Policy.
- 15. Covenant of Christian Community.** A covenant agreement (Attachment G) must be signed by all persons, adult or child, participating in any Presbytery of Chicago event and also by the parents of any child participating in the event.

C. The Safe Space Program Team

1. **Formation.** The Safe Space Program Team is appointed by and accountable to the Presbytery Coordinating Commission.
2. **Membership.**
 - a. The Safe Space Program Team shall consist of up to seven persons who are members in good standing of the Presbytery of Chicago or a Presbyterian congregation. The members shall have backgrounds and skills that the Presbytery Coordinating Commission considers necessary or desirable, and shall reflect the racial, ethnic and gender diversity of the Presbytery of Chicago. Members shall serve for a three year term. One third of the Safe Space Program Team shall be appointed by the Presbytery Coordinating Commission every other year. No person who has served continuously for six years shall be re-appointed until one full year has elapsed.
 - b. The Presbytery Coordinating Commission shall appoint a moderator, a secretary and other officers as needed from among Safe Space Program Team members. The Safe Space Program Team shall meet periodically, and the meetings shall be presided over by the moderator or by another member designated by the moderator.
 - c. The Safe Space Program Team members will receive training in dealing with the prevention of child abuse or neglect, particularly in a church environment.
3. **Responsibilities.** The Safe Space Program Team shall provide training to congregations and Presbytery entities pertaining to the prevention of child abuse and neglect.

V. PREVENTION

A. Screening.

1. **Reference checks.** Except for volunteer congregation members who are certified by their particular congregation as provided in paragraph V.A.4. below, all persons governed by this policy shall list three personal references on the Reference, Disclosure and Consent Form attached as Appendix C. References will be checked using the Reference Check Form attached as Appendix D.
2. **Background checks.** Except for volunteer congregation members who are certified by their particular congregation as provided in paragraph V.A.4. below, criminal background checks and sex offender reviews will be performed on all persons governed by this policy. Other background checks, such as motor vehicle record reports and credit reports, will be performed as needed. Appendix C contains a consent to background checks. Persons governed by this policy shall provide such additional information and shall give such additional consents as may be necessary from time to time to carry out the purposes of this policy.
3. **Transportation.** All persons providing transportation must provide a copy of their drivers' license and a copy of their insurance card to the person in charge of the activity.

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Any professional transportation provider should be bonded and provide proof of insurance.

- 4. Volunteer congregation members.** Prior to their participation in any Presbytery of Chicago event or activity, background checks on a volunteer congregation member shall be performed by a staff member or ruling elder of that person's congregation as described in paragraph V.A.2. above. The congregation must certify that the volunteer congregation member has passed the congregation's background check. Congregations shall also ensure that adequate personal references are secured in accordance with paragraph V.A. 1. above. As a minimum standard, volunteer congregation members shall be known to the congregation for at least one year. Congregations shall be responsible for compliance with paragraph V.A.3 above.
- 5. Additional Checks.** Any person attending an activity and/or any volunteer congregation member may, at the discretion of the person in charge of the activity or the Executive Presbyter, be asked to undergo any or all of the Presbytery screening procedures outlined above in subparagraphs V.A.1 and 2, above, regardless of whether that person would normally be excluded in subparagraph V.A.1 or 2, above.
- 6. Responsibility for reference and background checks.** Responsibility for the performance of reference checks and background checks shall be as follows:

 - a. The Staff Personnel Work Group shall be responsible for Presbytery of Chicago staff, volunteers in mission, consultants and contract staff.
 - b. The Commission on Ministry shall verify that the local congregations have performed reference checks and background checks on all prospective congregational staff members who are governed by this policy. The Commission on Ministry shall provide guidelines for local congregations to perform the background checks.
 - c. The Commission on Ministry shall be responsible for teaching elders and commissioned ruling elders serving in validated ministries other than in congregations.
 - d. The Commission on Preparation for Ministry shall be responsible for ministerial inquirers and candidates.
 - e. With the exception of volunteers who are members of the Presbytery staff and who are covered by subparagraph V.A.5.a. above, and with the exception of volunteer congregation members, the staff person for this policy shall be responsible for volunteers serving in Presbytery of Chicago activities.
- 7. Recordkeeping.** The Staff Personnel Work Group, the local congregations, the Commission on Ministry, the Commission on Preparation for Ministry and the staff person for this policy shall keep the reference checks and the background checks on the persons for whom they have responsibility. The staff person for this policy shall have copies of all reference checks, background checks and all Reference, Disclosure and Consent Forms, except for background checks performed on volunteer congregation members. All records shall be strictly confidential and may be shared only on a need-to-know basis.

B. Education and Training.

1. **Distribution of policy.** The Presbytery of Chicago shall provide a copy of this policy to all persons who are governed by it, and those persons will sign the Receipt and Acknowledgment Form attached as Appendix H. The staff person for this policy shall retain the original Receipt and Acknowledgment Forms. The Presbytery of Chicago shall also furnish copies of the policy to others on request and shall post a copy of this policy in its website.
2. **Detecting and Reporting Abuse.** Training (led by the Safe Space Program Team or the True North Response Team) as to how to report suspected abuse or neglect is necessary for all staff and volunteers coming in contact with children. Training will include, at a minimum:
 - Those working with children will be trained to recognize the signs and symptoms of neglect and of physical and sexual abuse prior to working with children.
 - Training will be given regarding procedures to follow when an incident of suspected abuse, neglect, or misconduct is to be reported.
3. **Workshops and Seminars**
 - a. The True North Response Team will sponsor boundary training consisting of at least two workshops, seminars or similar education and training events each year on the recognition and prevention of sexual misconduct. Each event will last a minimum of five hours. The True North Response Team may also sponsor additional educational and training events from time to time whose duration and focus may be of a more limited or specialized nature. At the request of a person who is governed by this policy, the True North Response Team may also accept boundary training received by the person from another presbytery, synod, denomination or other source as satisfying this requirement.
 - b. Persons governed by this policy are required to attend approved boundary training within the year they first become subject to this policy, and at least once every third year thereafter. Training may be attended at any time during the third year. For example, a person who trained at any time during 2009 will be required to attend training again during 2012. He or she can attend whichever 2012 training event best fits his or her schedule. The person will not need to attend training again until 2015.
 - c. If a teaching elder newly received by Presbytery has attended boundary training within 3 years before becoming a member of Presbytery and the training received is acceptable to the True North Response Team, he/she shall be required to attend training in the third year following the year of the person's previous training.
 - d. If a teaching elder newly received by Presbytery has not attended boundary training within 3 years before becoming a member of Presbytery, he or she shall be required to attend training during the year he or she is admitted to the Presbytery. At the request of a newly received teaching elder, the True North Response team may

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- extend this deadline to allow the newly admitted teaching elder to attend boundary training within the year following his or her admission to the Presbytery.
- e. The Stated Clerk, with the assistance of the staff person for this policy, shall keep records of attendance at education and training events sponsored by the True North Response Team and of training received from other sources that have been accepted by the True North Response Team. The staff person shall report to the Commission on Ministry those persons who have attended the minimum hours of education and training, and those who have not. The staff person for this policy shall, as needed, also keep records of attendance at training events sponsored by the Safe Space Program Team.
 - f. The procedures to be followed in the event a person governed by this policy fails to comply with the training requirements are set forth in the Presbytery's Boundary Training Non-Compliance Policy as then in force (see Appendix A).
4. **Other resources.** The True North Response Team and the Safe Space Program Team shall make other resources available to local congregations and others on request. Such resources may consist of articles, books, electronic media and other items. The True North Response Team and the Safe Space Program Team shall maintain a collection of resources in the Presbytery of Chicago's Resource Center, and shall post appropriate items on the Presbytery of Chicago website. Such resources may include referrals to other sources of useful information, such as the Presbyterian Church (U.S.A.), other denominations, insurance companies and recognized experts in the field of sexual misconduct and prevention of child abuse.

VI. RESPONSE TO INCIDENT

- A. Immediate Safety.** When a person governed by this policy becomes aware of alleged violations of this policy he or she will first determine if there are safety issues. If there is an immediate danger to any person, all necessary steps shall be taken to insure the person's safety. These may include calling for medical assistance or reporting the incident to the police.
- B. Reporting the Incident.**
- 1. **Initial Report to Executive Presbyter.** A person having knowledge of suspected sexual misconduct or any other form of abuse or neglect shall report the incident immediately to the Executive Presbyter and to the person in charge of the activity. If the Executive Presbyter is not available, the initial report is made to the person in charge of the activity, who will inform the Executive Presbyter as soon as possible. If the alleged behavior involves possible criminal activity, the Executive Presbyter or the person in charge of the activity shall notify the police or, if the alleged behavior involves possible abuse or neglect of a child, the reporting procedure in paragraph VI, B. 2. shall be followed. For purposes of this section VI, if the Executive Presbyter is the accused or is unavailable to act, references to the Executive Presbyter shall be deemed to refer to the Stated Clerk or, if the Stated Clerk is the accused or unavailable to act, to the Moderator of the Presbytery Assembly.

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- 2. Report to Child Abuse Hotline.** The Executive Presbyter will determine if there is reasonable cause to believe that a child participating in a Presbytery of Chicago activity is an abused or neglected child. If such reasonable cause exists, the Executive Presbyter will immediately call the applicable state or county Child Abuse Hotline. The oral report shall be followed by a written report on the applicable state reporting form. If the civil authorities determine that the incident should be investigated, they will normally contact the police. (See Appendix F for information on child abuse hotlines and mandated reporters.)
- 3. Notification of Parent or Guardian.** If the victim of the alleged abuse is a child, as soon as practicable after receiving the initial report of the incident, the Executive Presbyter shall inform the child's parent or guardian of the incident. If the parent or guardian is suspected of abusing the child, the Executive Presbyter will cooperate with civil authorities regarding notification.
- 4. Additional Mandated Reporters.** In many states, certain mandated reporters must report directly to the appropriate authorities even if the Executive Presbyter also makes a report. Staff and volunteers who are not mandated reporters may also report an incident to the appropriate civil authorities if they have reasonable cause to suspect that child abuse or neglect may have occurred. (See Appendix F for more information.)
- 5. Additional reports.** If reasonable cause exists to believe that sexual misconduct may have occurred, the Executive Presbyter shall make the following additional reports:

 - a. If the accused is a staff member of the Presbytery of Chicago, the incident shall be reported to the Staff Personnel Work Group.
 - b. If the accused is a teaching elder who is a member of the Presbytery of Chicago, a commissioned ruling elder serving under the jurisdiction of the Presbytery of Chicago, a certified Christian educator, a certified associate Christian educator or a teaching elder serving in a validated ministry within the bounds of the Presbytery of Chicago, the incident shall be reported to the Commission on Ministry.
 - c. If the accused is a ministerial inquirer or candidate, the incident shall be reported to the Commission on Preparation for Ministry.
 - d. If the accused is a staff person of another governing body or a volunteer with another governing body the incident shall be reported to the other governing body.
 - e. If the accused is a clergy member of another denomination, the incident shall be reported to the appropriate authorities of the denomination having jurisdiction over that person.
 - f. The Executive Presbyter shall also report the incident to the Presbytery of Chicago's insurance carrier.
- 6. Incident report form.** Within 48 hours after the incident, each person with knowledge of the incident shall complete a Presbytery of Chicago Incident Report Form and deliver the form to the Executive Presbyter. (See Appendix E.)

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- C. Suspension/Administrative Leave.** After receiving the initial report, the Executive Presbyter shall determine whether the alleged abuser's employment or volunteer service should be suspended or restricted pending further investigation of the incident. If the accused is a teaching elder, the procedures set forth in the Presbytery's Administrative Leave Policy as then in force shall be followed (see Appendix B). If the accused is a staff member, he or she may be temporarily suspended or his or her activities restricted, with pay, pursuant to the Personnel Policy Manual of the Presbytery of Chicago.
- D. Church Disciplinary Proceedings.** If the accused is subject to the jurisdiction of the Presbyterian Church (U.S.A.) and reasonable cause exists to believe that an offense has occurred, the Executive Presbyter shall commence disciplinary proceedings against the accused under the Rules of Discipline by causing a written statement of alleged offense to be filed with the Stated Clerk. If the accused is subject to the jurisdiction of a governing body other than the Presbytery of Chicago, the Stated Clerk shall submit the written statement to the clerk of session or the Stated Clerk of the presbytery having jurisdiction over the accused. In addition to the foregoing, any person may file a statement of alleged offense with the Stated Clerk in accordance with the Rules of Discipline.
- E. Investigation.** The person or persons making the initial report to the Executive Presbyter shall not conduct an investigation of the incident, but shall take all necessary steps to insure the immediate safety of the alleged victim. Any further investigation shall be conducted by the investigating committee in accordance with the Rules of Discipline, by the Presbytery of Chicago's insurance carrier, or by the civil authorities. The Executive Presbyter shall determine to what extent the incident needs to be further investigated separately by the Presbytery of Chicago for its own purposes or to provide adequate information to another governing body that may have an interest. Any such separate investigation by the Presbytery of Chicago shall be performed at the direction of and under the supervision of the Executive Presbyter.
- F. Pastoral care and professional counseling.** The Executive Presbyter shall report any alleged incident of sexual misconduct to the moderator of the True North Response Team. The True North Response Team, in consultation with the Commission on Ministry, shall recommend pastoral care as needed for the alleged victim, those reporting the incident, the accused, others affected by the allegations, and their respective families. Educational resources and care for congregations affected by the alleged incident shall also be coordinated and provided by the True North Response Team. The True North Response Team shall identify the resources that are available for those purposes. If the victim, the accused or another affected person desires professional counseling, but is unable to afford it, the True North Response Team will recommend resources to the Commission on Ministry and/or the Executive Presbyter to provide professional counseling for the person for a reasonable time up to a maximum of one year, to be paid for by the Presbytery of Chicago.
- G. Confidentiality.** Because the accused is presumed innocent until proven guilty, care will be taken to protect confidentiality. While the incident is being investigated, all persons with knowledge of the incident shall maintain strict confidentiality and shall share information with others only as requested or permitted by the Executive Presbyter or as required by mandated reporting laws. The Executive Presbyter and the investigating committee, if any, shall be in exclusive possession of all reports and other written materials pertaining to the incident. No other person shall keep copies of reports or other records concerning the incident without authorization from the Executive Presbyter. The Executive Presbyter shall

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share information with the Stated Clerk, the True North Response Team, the Staff Personnel Work Group, the Commission on Ministry, the Commission on Preparation for Ministry, and others on a strict need-to-know basis. All third party requests for information shall be referred to the Executive Presbyter.

APPENDIX A

BOUNDARY TRAINING NON-COMPLIANCE POLICY

The Presbytery of Chicago has ruled that compliance with the mandate that all teaching elder members attend Boundary Training offered by the True North Response Team be required for maintaining one's status as an active member and for holding a validated ministry (per G-2.0503a) approved by the Presbytery of Chicago.

The following steps are considered to be sequential in an intentional process to bring individual teaching elders into compliance with this mandate for participation in boundary training provided by True North.

The assumption is that these actions, unless specifically assigned otherwise, will be the administrative responsibility of the True North Response Team, in cooperation with the Commission on Ministry and the Stated Clerk as detailed below.

* * * * *

If a teaching elder who is a member of the Presbytery of Chicago has failed to ever participate in a boundary training opportunity provided by the True North Response Team, or when a teaching elder has not taken the training within the third year following the person's last training, the following steps are to be taken, in sequence:

1. Beginning immediately, and following every boundary training event, the Commission on Ministry will publish a list of teaching elders who are not in compliance with the mandate for participation in a boundary training opportunity in the presbytery assembly Call Papers and/or Floor Papers, until such time as those non-compliant teaching elders have participated in the boundary training. This list will be provided by the True North Response Team based on attendance records for training events, as well as on documentation of equivalent training received elsewhere.

Additionally, the Stated Clerk will draft and send a letter to non-compliant teaching elders informing them in detail of the process (described below) which will now be activated in order to encourage these persons' timely compliance, urging them to participate in the next scheduled boundary training program.

2. A personal telephone call or in-person contact will be made with non-compliant teaching elders by an appropriate Commission on Ministry member to determine the reason(s) for their failure to participate in the boundary training and to urge them to avail themselves of the next available training opportunity. Reasons given for non-compliance will be shared with the True North Response Team, and evaluated on a case-by-case basis, and decisions regarding their validity will be made by the True North Response Team. This personal contact will also serve to inform the teaching elder of the subsequent consequences for continued non-compliance.
3. After the next scheduled boundary training opportunity has come and gone, those persons still not in compliance will receive a Certified Letter which will be sent from the Stated Clerk's office, informing the non-compliant teaching elder that a letter describing their unexcused non-compliance with this particular Presbytery mandate will be placed in their individual files, to be made available as information to congregations and presbyteries conducting inquiries in any relocation processes. Such letters will remain in these teaching elder's files until such

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time as they comply with the Presbytery mandate by participating in a boundary training opportunity.

In addition, a letter will be sent from the Commission on Ministry to the sessions or employers of the non-compliant teaching elders informing them of the persons' continuing failure to participate in the boundary training, and requesting information from the sessions or employers advising the Commission on Ministry how the session's or employer's current child protection policies and/or other established personnel guidelines provide appropriate mechanisms for the protection of vulnerable parties when the non-compliant teaching elders are in contact with them.

Further, sessions or employers of non-compliant teaching elders will be asked to provide the Presbytery of Chicago with a letter signed by the clerk of session or responsible representative of the employer that action has been taken to approve the non-compliant teaching elder's continued working in the same capacity, recognizing that those teaching elders have failed to establish compliance as mandated by the Presbytery.

4. After the next scheduled boundary training opportunity has passed with continued non-compliance, the Commission on Ministry will recommend to the Executive Presbyter, the Associate Executive Presbyter for Ministry, and the Stated Clerk, that any requests for transfer of non-compliant teaching elders by councils seeking to call and/or enroll these persons as members, should not be honored until such time as the teaching elders agree to comply with Chicago Presbytery's mandate for boundary training, following which compliance the transfer requests will be honored without further delay.

Further, at the next Stated Meeting of the Assembly of the Presbytery of Chicago, the Commission on Ministry will recommend that the non-compliant teaching elders be transferred to the inactive roll, including invalidation of their current call and/or dissolution of their pastoral relationship with any Presbytery of Chicago congregation. These sanctions will continue until the non-compliant teaching elders have complied with the Presbytery mandate by participating in a boundary training opportunity.

APPENDIX B

**THE PRESBYTERY OF CHICAGO
POLICY ON ADMINISTRATIVE LEAVE**

A. The Policy

In appropriate circumstances, teaching elders who are being investigated for professional misconduct may be temporarily removed from their ministerial positions or placed under other restrictions. Under no circumstances will administrative leave be required when there is no concurrent disciplinary proceeding in process under the Rules of Discipline. The conditions in which administrative leave is appropriate include, but are not limited to, situations where:

1. the facts described in a statement of alleged offense, or where the investigating committee, in the course of its investigation uncovers allegations of facts which, if true, pose a significant present risk of sexual abuse, as defined in the Presbytery of Chicago's Safe Boundaries Policy, particularly to any person under the age of eighteen or any person who is alleged to lack the mental or physical capacity to consent;
2. the facts described in a statement of alleged offense, or where the investigating committee, in the course of its investigation uncovers allegations of facts which, if true, pose a present risk of serious physical, emotional, or financial harm, particularly to any person under the age of eighteen or any person who is alleged to lack the mental or physical capacity to consent;
3. relations between the teaching elder and the congregation or entity he or she serves have become severely conflicted in the course of the disciplinary process.

B. Application

When the Stated Clerk of the Presbytery receives a written statement of an alleged offense, the following steps will be followed:

1. The Stated Clerk shall immediately notify the Executive Presbyter and the moderator of the Commission on Ministry that a statement of alleged offense has been received.
2. In the event the statement of alleged offense contains allegations of sexual abuse as in subparagraph A.1, above, the Stated Clerk shall immediately communicate the allegation to the Permanent Judicial Commission.
3. In the event the statement of alleged offense is limited to allegations falling within subparagraphs A.2 and 3, above, the Stated Clerk shall consult with the Executive Presbyter and the moderator of the Commission on Ministry. If the allegations, alone or in conjunction with other available information describe conduct that might give rise to administrative leave, then the Stated Clerk shall immediately communicate the allegation to the Permanent Judicial Commission, and the procedures mandated by D-10.0106 shall be followed in conjunction with any additional Commission on Ministry procedures.

All persons placed on administrative leave shall be presumed innocent until proven guilty.

C. Duration

Where there are allegations of sexual abuse, the duration of administrative leave or other restrictions will be set by the designated members of the Permanent Judicial Commission, pursuant to D-10.0106. Where the allegations do not include sexual abuse, the duration of administrative leave may be set by the designated members of the Permanent Judicial Commission, or by the Commission on Ministry. In either event, the designated members of the Permanent Judicial Commission are urged to consult with the Commission on Ministry regarding the duration of the administrative leave or other restrictions. The investigation will proceed to conclusion with all deliberate speed, mindful of the financial obligations of those involved.

D. Conduct of Teaching Elder on Leave

1. Pursuant to D-10.0106, the teaching elder on leave shall not perform any pastoral, administrative, educational, or supervisory duties, and may not officiate at any functions such as Baptisms, the Lord's Supper, funerals or weddings in the congregation which the teaching elder has been serving, or in funeral homes, wedding chapels, or in any other congregation.
2. In addition, if the designated members of the Permanent Judicial Commission and/or the Commission on Ministry so determines, the teaching elder on leave:
 - a. Shall not initiate or sustain contact with any member of the congregational staff or any member of the congregation (other than family members) except under the following circumstances:
 - 1) one member of the staff may be designated, by prior mutual agreement, to deliver personal mail or other personal effects to the teaching elder on administrative leave; or
 - 2) when contact has been authorized by the Stated Clerk for the purpose of preparing a defense.

All other contact with the congregation shall be through the session moderator appointed by the Commission on Ministry and/or through his or her designee. The prohibition against contact with congregation staff and members extends to non-congregational events such as scouting, school, or sports programs. In no event shall, the teaching elder use social contact with congregation members to garner support for his or her case;

- b. Shall remain out of all congregational buildings and off congregation grounds (excluding a manse and/or a school on the congregation property when the teaching elder is in the role of a parent of a child enrolled in the school) throughout the duration of administrative leave;
 - c. Shall not attend session meetings or meetings of any other board of the congregation.

E. Financial Arrangements

1. A teaching elder on administrative leave will continue to receive full salary, housing allowance, and medical and pension benefits as defined by his or her terms of call. However, expense allowances, including educational benefits, shall not be paid.
2. Where there are allegations of sexual abuse, the procedures of D-10.0106 shall be followed.
3. Where the allegations do not include sexual abuse, the period during which financial support is paid shall be set by the designated members of the Permanent Judicial Commission in conjunction with the Commission on Ministry and shall not ordinarily exceed one year.
4. Ordinarily, these costs shall be borne by the teaching elder's congregation. In the event the congregation cannot afford to honor the accused teaching elder's terms of call and pay for interim leadership, the costs of interim leadership may be borne in whole or in part by the Presbytery of Chicago. The reasonableness of these costs shall be determined by the Commission on Ministry.

F. Enforcement:

Any violations of the terms of a person's administrative leave shall be reported to the Stated Clerk of the Presbytery, and may themselves become the subject of disciplinary proceedings.

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ADMINISTRATIVE LEAVE
FINANCIAL TERMS OF AGREEMENT

Date: _____

During the period of administrative leave, beginning on _____, the session and congregation of _____ Church agree to continue to pay _____ according to the current terms of call, not including expense allowances and/or educational benefits.

(PJC Representative, if applicable)

(Date)

(COM Representative, if applicable)

(Date)

(Teaching Elder)

(Date)

(Clerk of Session)

(Date)

(Stated Clerk)

(Date)

**APPENDIX C
REFERENCE, DISCLOSURE AND CONSENT FORM**

1. Name: _____
Address: _____
Date of Birth: _____
Daytime Phone: _____ Evening Phone: _____ Mobile Phone: _____
Occupation: _____
Employer: _____
Student? Yes ___ No ___ If yes, name of school and major: _____
Previous volunteer experience: _____

2. Name of local congregation: _____.

3. References. Please give three references, at least two of whom are not related to you.

a. Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Cell Phone: _____
Email: _____ Fax: _____

b. Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Cell Phone: _____
Email: _____ Fax: _____

c. Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Phone: _____ Cell Phone: _____
Email: _____ Fax: _____

4. Disclosure. Please answer the following questions. Attach additional sheets if you need more space.

a. Have you ever been convicted of, or pled guilty or no contest to, a crime?

Yes _____ No _____

If yes, give details.

b. Has any civil lawsuit against you alleging actual or attempted sexual discrimination, sexual harassment, sexual exploitation, sexual misconduct, physical abuse, child abuse or financial misconduct ever been filed?

Yes _____ No _____

If yes, please give details and describe resolution of the lawsuit.

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- c. Have you ever terminated your employment, professional credentials or service in a volunteer position, or had your employment, professional credentials or authorization to hold a volunteer position terminated, for reasons relating to allegations of actual or attempted sexual discrimination, sexual harassment, sexual exploitation, sexual misconduct, physical abuse, child abuse or financial misconduct?

Yes _____ No _____

If yes, please give details.

- d. Do you have a valid driver's license?

Yes _____ No _____

- e. Have you ever had your driver's license suspended or revoked due to reckless driving or driving while intoxicated or under the influence of a controlled substance?

Yes _____ No _____

If yes, please give details.

5. Certification and Consent.

I certify that the foregoing information is true and complete to the best of my knowledge. I hereby authorize the Presbytery of Chicago to conduct a background check on me and to verify all statements made on this form, and I hereby release the Presbytery of Chicago, and its employees and agents from all liability in connection therewith.

Date: _____

Signature

Social Security Number

APPENDIX D
REFERENCE CHECK FORM

Reference check for: _____

Reference name: _____

Reference Address: _____

Reference Phone (h): _____ (w) _____

What is your relationship to this person?

How long have you known this person?

How would you describe this person's character?

How would you describe this person's ability to work with others?

What are this person's positive characteristics?

Does this person have any negative characteristics?

Do you have any knowledge that this person has ever been arrested for any reason? If so, please describe.

Do you have any knowledge that this person has ever been accused of sexual misconduct?

Please list any other comments you would like to make:

Reference inquiry completed by:

(Print) _____ Signature _____ Date _____

All responses will be kept confidential and shared only with those who have a legitimate need to know.

APPENDIX E
INCIDENT REPORT FORM

Date of Report: _____

1. REPORTER INFORMATION (please print)

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ / _____ - _____ Email _____

Cell Phone: _____

Fax: _____

Other: _____

2. ALLEGED VICTIM INFORMATION (if different from reporter) (please print)

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ / _____ - _____ Email _____

Cell Phone: _____

Fax: _____

Other: _____

3. ACCUSED (please print)

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ / _____ - _____ Email _____

Cell Phone: _____

Fax: _____

Other: _____

4. DESCRIPTION OF INCIDENT

Please describe the incident(s) of sexual misconduct, including date, time, and location of each incident.

5. MEDICAL ASSISTANCE

If medical assistance or first aid was provided at the scene, please describe the assistance given and the medical disposition (taken to hospital, etc.).

6. OTHERS HAVING KNOWLEDGE OF THE INCIDENT

Please list the name, address, and phone number of each person who may have information related to or pertinent to the incident. Give email and cell phone if available.

7. OTHER INFORMATION

Please give any additional information that may be helpful.

If you need more room to answer any questions, please attach additional sheets.

Return this form to Executive Presbyter OR Person In Charge of the Activity

APPENDIX F

Child Abuse Hotline

Child Protection Statutes

Most states have child protection statutes that provide for reporting incidents of child abuse or neglect. The Illinois statute is the Abused and Neglected Child Reporting Act, 325 ILCS 5/1 et seq. administered by the Illinois Department of Children and Family Services (“DCFS”). The Michigan Statute is the Michigan Child Protection Law, 1975, PA 238, administered by the Michigan Department of Human Services (“DHS”).

Mandated Reporters

Mandated reporters are professionals who may work with children in the course of their professional duties. Mandated reporters are required by the applicable child protection statute to report to state authorities when they have reasonable cause to suspect that child abuse or neglect may have occurred. The Illinois statute names seven categories of mandated reporters, namely: medical personnel, school personnel, social service/mental health professionals, law enforcement personnel, coroner/medical examiner personnel, child care personnel and members of the clergy. The Michigan statute names similar categories, including members of the clergy. The Illinois statute requires that mandated reporters sign a statement acknowledging their status as mandated reporters before they commence employment. The statement is made on one of two DCFS forms, entitled Acknowledgement of Mandated Reporter Status and Acknowledgement of Mandated Reporter Status (Clergy). The acknowledgement forms must be retained by the employer. Presbytery of Chicago staff and volunteers who are not teaching elders and who are not among the categories of professionals listed in the applicable child protection statute are not mandated reporters.

Child Abuse Hotline

A mandated reporter who has reasonable cause to suspect child abuse or neglect is required to immediately report or cause a report to be made to DCFS, DHS or the applicable child protection agency. In most cases, the reporting requirement will be satisfied if the Executive Presbyterian makes the report, but if the Executive Presbyterian fails to report, the mandated reporter must nevertheless make the report if he or she has reasonable cause to believe that child abuse or neglect may have occurred. Note, however, that the Illinois statute requires that mandated reporters who are staff members of a medical or other public or private institution, school, facility or agency or a member of the clergy, must make the report personally, and may not rely on the institution, school, facility, agency or congregation to make the report. Presbytery of Chicago staff members and volunteers who are teaching elders, therefore, should make the report themselves and should inform the Executive Presbyterian that they have made the report.

The initial report is an oral report made by calling the Child Abuse Hotline. Following are hotline numbers:

In Illinois, the Department of Children and Family Services: 1-800-252-2873.

In Michigan, Allegan County Children’s Protective Services.

Daytime phone: 269-673-7700

After hours phone: 269-673-2346

Call forwarding number: 1-800-873-0520
National Child Abuse Hotline: 1-800-422-4453
1-800-4-A CHILD

Illinois Elder Abuse Hotline: 1-866-800-1409 (For suspected mistreatment in the home).
1-800-252-8966 (For suspected mistreatment in facilities)

The oral report to the Child Abuse Hotline must be followed by a written report on the applicable state reporting form. In Illinois, the written report must be made within 48 hours after the initial hotline report. In Michigan, the written report must be made within 72 hours after the initial hotline report.

In addition to mandated reporters, persons who are not mandated reporters are also permitted to make reports of suspected child abuse or neglect. Whether or not the person making the report is a mandated reporter, his or her identity is protected by statute, and a person who makes a report in good faith is immune from civil or criminal liability.

Criteria needed for a child abuse or neglect investigation:

- The alleged victim is a child under 18 years or person of diminished capacity.
- The alleged perpetrator is a parent, guardian, foster parent, relative caregiver or any person responsible for the child's welfare at the time of the alleged abuse or neglect. (This applies only to filing a report with DCFS. Any person who abuses a child must be reported under the other provisions of this policy)
- There is a specific incident of abuse or neglect or a specific set of circumstances involving suspected abuse or neglect.
- There is demonstrated harm to the child or a substantial risk of physical or sexual injury to the child.

Information the reporter should have ready to give to the Hotline:

- Names, birth dates (or approximate ages), genders, races, etc. for all adult and child subjects.
- Addresses for all victims and perpetrators, including current location.
- Information about the siblings or other family members, if available.
- Specific information about the abusive incident or the circumstances contributing to risk of harm.
- When the incident occurred and the extent of the injuries.
- How the child says it happened, and any other pertinent information.
- Reporters should be prepared to provide phone numbers where they may be reached throughout the day in case the Hotline must call back for more information.

Additional information:

For additional information on reporting statutes and procedures, check the applicable state child protection website. In Illinois, the website is at <http://www.state.il.us/dcfs>. In Michigan, the website is at <http://www.michigan.gov/dhs>.

APPENDIX G
TO ALL YOUTH PARTICIPANTS, LEADERS, AND PARENTS: PLEASE READ CAREFULLY

YOUTH AND ADULT PARTICIPANTS: Your signature is required.

PARENTS: Your signature is required.

YOUTH LEADERS: Be sure each person has completed this Covenant. Please bring these forms to the registration table at the retreat.

Name of Participant (please print) _____
Church _____

THE COVENANT

At this gathering, we will be doing our best to live together as a family in Christian community. Family life is based on love, respect, trust, support, and on spending time together. To create and maintain this relationship of family and community, each person agrees to the following covenant:

1. As members of different congregations, we will welcome every individual as a person deserving of trust and respect. Bringing our different congregational families together calls us to be caring and sensitive to our differences and open to making new friends.
2. As guests of the congregation and mission partners, each person is to abide by the congregation's/ mission partner's guidelines for conduct and respect their wishes regarding care of their property. At our mission projects and retreats there will be no smoking, no alcoholic beverages, no illegal drugs, and no inappropriate sexual behavior.
3. As a participant of this planned event, each person is expected to attend all scheduled activities and to follow the instructions of adult leaders. Adult leaders are responsible for helping all youth keep the covenant and are expected to keep it themselves.

I recognize that I am joining this Christian family and community. I agree to abide by this covenant while I am a member of this community. I understand that if I break this covenant, I may be sent home at my parent's expense and my congregation's session may be notified.

Signature of Participant: _____

TO BE SIGNED BY PARENT/GUARDIAN (for any participant under age 18 at the time of retreat)

I have read the Presbytery Retreat Covenant and I understand that if my son/daughter breaks the covenant and a decision is made to send him/her home, it will be at my expense.

Signature of Parent / Guardian: _____ Date: _____

APPENDIX H
RECEIPT AND ACKNOWLEDGMENT FORM

I have received the Presbytery of Chicago Safe Boundaries Policy, acknowledge its contents, and agree to abide by its standards.

Date: _____, _____

Signature: _____

Name: _____
(please print your name)