

Pacific Southwest District Child and Youth Protection Requirements

Preamble

We, the Pacific Southwest District, as an institutional body of religious communities, recognize the importance of creating communities where everyone, and especially our children and youth, are safe. We recognize that religious communities – which should be dedicated to the creation of safe environments for all their members – are particularly vulnerable to incidents of abuse because of the high level of trust, the welcoming spirit and the strong reliance and need for volunteers, especially in children and youth programs.

We recognize the importance in a religious community of those very factors of trust, welcome and volunteer commitment, and the necessity to adopt requirements, with explanatory guidelines, to guard against incidents of abuse. We further realize that institutions operating in the best manner possible with all due concern still cannot guarantee an absolutely risk-free environment.

We recognize that to adequately address the need for safe environments, it will mean change and sacrifice of some convenience, yet we know our responsibility to respond to the reality of our situation and to our children and youth.

In this spirit, we endorse the following requirements for district events, and strongly urge our member congregations to adopt them for local youth-inclusive activities.

Requirements Statement

The requirements will contain the following sections:

- I. Screening and Selection of Workers with Children and Youth
- II. Supervision Requirements
- III. Procedures for Reporting, Response, and Removal of an Advisor
- IV. Code of Conduct for Workers with Children and Youth

These requirements will apply to all Pacific Southwest District sponsored events such as

- YoUUth Camps
- District Assembly
- YRUU Board meetings
- Sanctioned YRUU Conferences.

Screening and Selection of Workers with Children and Youth

Screening

With the exception of parents assisting in their child's program as required, all other workers who provide direct care or supervision of children or youth at PSWD events, including adults serving on the PSWD YRUU Board, must meet the following criteria:

- Advisors for youth must have been active in a PSWD congregation for at least six months. Advisors for high school aged youth must be at least 25 years old, advisors for middle school aged youth must be at least 21 years old, and all other grade-level teachers, or nursery school workers must be at least 18 years old. Elementary Camp Senior Cabin Counselors (de Benneville Pines) must be at least 18 years old. Elementary Camp Junior Cabin Counselors must be 15-17 years old. Junior. Counselors who are 15-16 must have had previous training. For Junior High Camps Senior Counselors must be at least 18 years old and Junior Counselors must be at least 16 years old with previous training or experience.
- All compensated workers must consent to a criminal background check and such check must be performed.
- All applicants for compensated positions must complete an application form and supply two references. These references should be people who have known the applicant for at least three years, preferably in relation to previous work with children or youth. A government-issued photo identification, such as a driver's license, must be presented.
- All workers will sign the Code of Conduct form.

Supervision Requirements

There will be a minimum of two adults scheduled to supervise groups. Exceptions for exigent circumstances only may be made by the primary on-site adult leader.

For the purposes of these requirements a "group" is defined as those minors who have been assigned to a nursery, preschool, or individual class or specific program or activity within the context of that class, as well as youth who are taking part in a planned, organized component of their program.

Minimum ages for staff and the staff-to-children/youth ratio is as follows:

Elementary: Junior Staff – 15 years old; Senior staff – 18 years old; ratio 1:6
Junior High: Junior Staff – 16 years old; Senior staff – 18 years old; ratio 1:8
Senior High: Adult staff – 25 years old; ratio 1:10

Corporal punishment may not be used under any circumstances.

If an adult other than a parent, guardian, or sponsor has a private one-on-one meeting with a child or youth, another worker in the program shall be notified about the meeting, either before the meeting or promptly afterward.

No adult, other than a parent, guardian, or sponsor, is to be alone with a child or youth off-site.

Youth who are attending a PSWD sponsored event must have an on-site advisor. Each advisor may sponsor up to ten youth per event. It is up to the organizers of each event to ensure that each youth has a sponsor.

Transportation To and From District Events

It is the responsibility of the local congregation or the parents to provide safe transportation to and from PSWD events. PSWD strongly recommends that all youth ride with adults who meet the requirements below.

Transportation During District Events

All drivers must be at least 25 years of age and must provide proof of insurance.

There must be enough seat belts for everyone and everyone must wear a seat belt.

Written permission of the parent/guardian of all minor passengers will be obtained prior to being transported. This permission will include all relevant details pertaining to the event, such as date and location, name of driver(s), time of departure and time of return.

No driver may consume alcohol or use any form of drug which can affect physical or mental performance during or before carrying out his/her duty as a driver.

A minimum of two adults must accompany a group going off-site. Exceptions for exigent circumstances only may be made by the primary on-site adult leader.

Reporting of Incidents, Response, and Removal of an Advisor

Reporting – All persons affiliated with a PSWD event, including compensated workers, volunteers, adults, or youth, who acquire knowledge or a reasonable suspicion that one or more youth at a District event has been sexually molested or exploited, injured or been the victim of significant objectionable conduct shall immediately report the incident to the person in charge of the event.

Every person in charge of an event to whom a report of molestation, injury, or objectionable conduct is made shall

- (i) determine if they occupy the status of a person required under the law of the jurisdiction in which the incident occurred to report such incident to law enforcement authorities, and if so, the person shall report the incident to such authorities;
- (ii) report the incident in writing to either the District Executive or the Program Consultant of the PSWD; and
- (iii) report the incident to the parent of the apparent victim and to the Senior Minister of the congregation with which the apparent victim is affiliated; provided, however, that such reports are not required if good reasons exist for not doing so and such good reasons are expressed in a writing delivered immediately to the District Executive or Program Consultant of the PSWD.

Adults who, although neither a person in charge of an event nor a person affiliated with the event, nevertheless acquire knowledge or a reasonable suspicion that one or more youth at a PSWD event has been sexual molested or exploited, injured, or been the victim of significant objectionable conduct, (i) must consider whether they are required to report the incident to the law enforcement authorities of the jurisdiction in which the incident occurred, and if so, report the incident, and (ii) should, unless good reasons exist for doing otherwise, report the incident to the District Executive or Program Consultant of the PSWD.

Definitions of persons required to report, and what must be reported, under the laws of Arizona, California, and Nevada, and an explanation of procedures to follow when making a statutorily required report, are found in Insert A to these requirements.

Response to Media Inquiries

Only the District Executive or Program Consultant (or his/her specific designee) may speak for the PSWD in response to media inquiries concerning an alleged incident of abuse, injury, or objectionable conduct.

Please see Insert B to these requirements for further information.

Removal of An Adult Advisor

Should circumstances or events arise that indicate that an adult advisor is no longer a suitable person for working with children or youth, steps will be taken to remove said adult from involvement or contact with children or youth. Any person with concerns about an adult advisor shall contact district professional Field Staff - the Program Consultant or District Executive – who will then assess the need for removal. The Field Staff will consult with necessary parties, including appropriate leadership of the advisor's local congregation, and determine if action is necessary. The Field Staff will then inform the PSWD Board President and their appropriate supervisor of the District Services Staff Group of the UUA.

In taking any such action, the Field Staff will afford the affected worker or advisor an opportunity to know the charges against him or her, to know the evidence, and source thereof, supporting such charges, and the right to reply to or rebut such charges.

It is understood that such action will be handled with due caution and discretion, and that the professional Field Staff of PSWD has the full backing and support of the PSWD Board in following through on such action for removal.

Although these requirements are designed for district-sponsored events, individual congregations are encouraged to develop their own requirements in concert with these.

Recommended by the Task Forces composed of
Jessica Darling, YRUU Board
Catherine Farmer, Religious Educator
Marissa Guitierrez, YRUU Board
Tera Little, Lifespan RE Consultant
Rev. Margo McKenna, Minister to YRUU Board

Many thanks go to the Southwest and Central Midwest Districts for sharing their Safety Requirements with us.

Code of Conduct for Adults Working with Children and Youth

Adults who work with children and youth at PSWD events are expected to always have the best interests of children and youth at heart. Adults are expected to nurture the physical, emotional, and spiritual growth of children and youth by fostering an environment of kindness, trust, respectfulness, and fun. No one's enjoyment should ever be at the expense of another person's health or self-esteem. Our charge to children and youth workers is to encourage kindness and genuineness among the children and youth, and to discourage unkindness and falseness. In this manner, we hope to create an environment in which children and youth will be able to explore the spiritual and religious nature of their lives, both as individuals and communities. In light of this, there are some specific expectations that the district has of adults working with children and youth. They are as follows:

- **Sleep** – Workers at district events are expected to get enough sleep so that they will be alert and able to maintain good judgment and clear thinking. We expect each worker to take individual responsibility for getting 'enough' or 'a reasonable amount' of sleep each night, so that they may perform their expected duties in competent and professional manner.
- **“Friendship” with Youth** – Although we hope that youth and adults will have genuine fondness for one another, any adult who looks to youth for “friendship” is not sufficiently mature to be in a position of responsibility over them. A “friendship” is reciprocal, where neither person has more responsibility for the health of the relationship than the other. This is antithetical to the adult/youth relationship, where the adult is the one who assumes primary responsibility for maintaining appropriate boundaries and cultivating an atmosphere of health and trust. It is expected that relationships that an adult has with youth who have grown to adulthood will not become exploitative.
- **Unofficial Contact With Youth** – Sometimes a genuine mentoring relationship will develop between a youth and an adult. These can be not only healthy, but transformative for both. However, it is our concern that a “predator,” who does not have the best interest of the youth at heart, will try to disguise an unhealthy relationship with a youth as a mentoring relationship. Therefore, if you wish to be in contact with a youth outside the normal channels of district-sponsored events, it is imperative that your behavior both be and appear to be above reproach. Any relationship you develop with a youth outside of district-sponsored events must be with the knowledge and consent of the parents. Furthermore, you should let an appropriate member of the district know what you are doing (such as district Field Staff, member of YRUU Board, or Lifespan RE Committee). Notify the youth's minister, or religious education leader, or society president. This is for the protection of the youth from potential predators, but also for your own protection. You will best protect yourself from false accusations of misconduct by keeping the district and the parents informed of your actions.
- **Sexualized behavior** – It is never appropriate to engage in any manner of sexual behavior with a child or youth. This refers not only to explicitly sexual behavior, but also to sexually provocative behavior or language. It is not appropriate to tell jokes with sexual content, for example, or to make “double entendres.” Physical

expressions of affections such as hugs have their place, but it is best to allow the child or youth to initiate them, and the adult must be sensitive not to allow them to be prolonged.

- **Confidentiality** – adults who work with children and youth under the aegis of the district are responsible not only to the children and youth, but to the district as well. **Remember: you are acting both ethically and legally as an agent of the district.** Sometimes you will learn that a child or youth is the victim of abuse, is suicidal, has a serious drug problem, etc. **YOU MUST NOT KEEP SUCH INFORMATION TO YOURSELF.** For this reason, please try never to give children or youth the impression that you will keep secrets for them. **CONFIDENTIALITY IS NOT SECRET KEEPING.** For the most part a covenant of confidentiality will mean that you do not repeat information told to you in confidence. However, when the information is of a major crisis nature, encourage the child or youth to seek help from a parent or other authority figure. In addition, you yourself **MUST** consult with a person of greater authority in the district about an appropriate course of action.

Accordance with This Code of Conduct

Any district worker with children or youth who disagrees with any provision of the code is free to discuss their opinions with the leadership of the district. However, until such a time as the district chooses to alter any portion of its provisions, the worker must abide by the code as written.

By signing below, the signator indicates that they have read this Code of Conduct and agrees to abide by it. If a worker violates any of its provisions, they may be removed as a worker at district events.

Signature of worker _____ Date _____

Printed name of worker _____

INSERT A*

Mandatory reporters in **California** include, but are not limited to, clergy, administrators and employees of public or private day camps, public or private youth centers, youth recreation programs, or youth organizations.

They shall report when they have knowledge of or observe a child in their professional capacities or within the scope of their employment, whom they know or reasonably suspect has been the victim of child abuse.

Privileged Communication - A clergy member who acquires knowledge or reasonable suspicion of child abuse during a penitential communication is not subject to the requirement to make a report. For the purposes of this subdivision, "penitential communication" means a communication, intended to be in confidence, including, but not limited to, a sacramental confession, made to a clergy member who, in the course of the discipline or practice of his or her church, denomination, or organization, is authorized or accustomed to hear those communications, and under the tenets, customs, or practices of his or her church, denomination, or organization, has a duty to keep those communications secret.

Nothing in this subdivision shall be construed to modify or limit a clergy member's duty to report known or suspected child abuse when the clergy member is acting in some other capacity that would otherwise make the clergy member a mandated reporter.

Mandatory Reporters in **Arizona** are

- Physicians, hospital interns or residents, surgeons, dentists, osteopaths, chiropractors, podiatrists, county medical examiners, nurses, psychologists;
- School personnel, social workers, peace officers, parents, counselors, clergymen, priests, or any other person having responsibility for the care or treatment of children.

They shall report when their observation or examination of any minor discloses reasonable grounds to believe that a minor is or has been the victim of injury, sexual abuse, sexual conduct with a minor, sexual assault, molestation, commercial sexual exploitation of a minor, sexual exploitation of a minor, incest, child prostitution, death, abuse, physical neglect which appears to have been inflicted on that minor by other than accidental means or which is not explained by the available medical history as being accidental in nature, or denial or deprivation of necessary medical treatment or surgical care or nourishment with the intent to cause or allow the death of an infant less than one year of age.

Privileged Communication – A clergyman or priest who has received a confidential communication or a confession in that person's role as a clergyman or priest in the course of the discipline enjoined by the church to which the clergyman or priest belongs may

withhold reporting of the communication or confession if the clergyman or priest determines that it is reasonable and necessary within the concepts of the religion. This exemption applied only to the communication or confession and not to the personal observations the clergyman or priest may otherwise make of the minor.

Mandatory reporters in **Nevada** are

- Any persons who maintain or are employed by facilities or establishments that provide care for children, children's camps, or other facilities, institutions, or agencies furnishing care to children
- Clergymen, practitioners of Christian Science, or religious healers (unless they have acquired the knowledge of the abuse or neglect from the offenders during confessions);

They shall report

- When they, in their professional or occupational capacities, know or have reason to believe that a child has been abused or neglected;
- When they have reasonable cause to believe that a child has died as a result of abuse or neglect

Privileged Communications – Any person who is required to make a report may not invoke any of the privileges granted under law for his or her failure to report under the reporting law.

*Information obtained from *Child Abuse and Neglect State Statutes Elements: Reporting Laws, Number 2, Mandatory Reporters of Child Abuse and Neglect*, U.S. Department of Health and Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau,
www.calib.com/nccanch/pubs/statso1/mandrep.pdf.

Insert B

Responding to Media – If the media contacts a society, district body or leader about an alleged abusive situation involving the district, only the District Executive or Program Consultant (or his/her specific designee) should speak for the PSWD. In general, the following requirements apply for these situations with the public media:

- So long as the speaker has reason to believe that the incident has been reported to the District Executive or Program Consultant of the PSWD, the media should be referred to the DE or PC for a substantive response to the inquiry.
- Because of the issue of confidentiality, in the best interests of the child or youth, we cannot discuss specific cases in a public context. Particularly if litigation seems possible, it is important that we protect both the District and the interests of the child or youth. A statement that the speaker wishes to protect the confidentiality of the apparent victim, and for that reason declines to add details, is almost always the most appropriate response to further media inquiry.
- The District Executive or Program Consultant can freely discuss what steps we have taken to guard against abusive situations.
- In any subsequent litigation, details provided by any person with even apparent authority of the PSWD or any of its member congregations may be used against those entities.

Implementation and Education

Implementation

Once the requirements are accepted by the Board, the requirements and a cover letter will be sent directly to the following parties:

- PSWD Board
- De Benneville Pines Board members
- PSWD Lifespan RE Committee members
- PSWD YRUU Board members
- YoUUth Camps Committee members
- Ministers in the PSWD Chapter of the UU Ministers Association or who serve a PSWD UU Congregation
- Religious Education leaders of congregations in PSWD
- Youth Advisors in local congregations in PSWD
- Staff for upcoming district events, such as District Assembly and YoUUth Camps

An article will be prepared for the next issue of the PSWD NetwUUrk.

An electronic announcement will be sent out via the PSWD-L.

Education

Facilitate District Workshops – Identify potential program facilitators who can be trained in the specific area of abuse and sexual abuse prevention. These trained leaders will lead programs on abuse prevention at District Assembly, Skills Conferences, or cluster events.

Provide Support Materials to Churches and Leaders – Purchase recommended resource and training materials for the PSWD Library. Include a list of these resources in the initial mailing of the requirements and in a second mailing about six months later to remind churches and leaders of the available resources.

Maintain the Program – To ensure that district leaders continue to maintain the safety of events for children and youth, a task force comprised of religious educators, ministers, youth, youth advisors, and district staff will annually review the requirements and make appropriate revisions.

Toward Safer Congregations – Though these requirements are for district events, congregations are strongly encouraged to develop their own local policies in concert with these, so that all children and youth may be assured that all UU congregations in PSWD have taken steps toward being Safe Congregations.