CHURCH PREPARED

Sexual Abuse Prevention, Response & Care

THE HANDBOOK FOR PROPERLY ADDRESSING SEXUAL MISCONDUCT





MONTANA SOUTHERN BAPTIST CONVENTION SEXUAL MISCONDUCT HANDBOOK

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INTRODUCTION

PURPOSE

The purpose of this Sexual Misconduct Handbook is to provide a resource for ministry leaders in navigating various forms of sexual misconduct, providing clear expectations and boundaries regarding interpersonal behavior.

OBSERVATIONS

All forms of sexual misconduct are wrong; some forms of sexual misconduct are illegal, requiring a report to law enforcement authorities. This Handbook outlines forms of sexual misconduct and identifies legislative code sections, where relevant, describing reporting requirements and processes. In a circumstance where a report to law enforcement or child protection agencies is *required by law*, this Handbook describes best practices and appropriate actions.

LANGUAGE MATTERS

Identifying and addressing sexual misconduct starts with clearly defined language, creating clarity and a common vocabulary surrounding this important topic. Some words have legal significance beyond common use: abuse, harassment and assault, for example, are often used interchangeably. Because precision is important, consider the following terms related to sexual misconduct and their distinctions.

Forms of Sexual Misconduct include:

- 1. **Child Sexual Abuse**: Inappropriate sexual behavior with a child, perpetrated by an adult
- 2. Peer-to-Peer Sexual Abuse: Inappropriate sexual behavior occurring between children
- 3. **Sexual Assault**: Nonconsensual sexual behavior occurring *between adults* (often characterized by force, threat or violence)
- 4. **Sexual Harassment**: Inappropriate sexual behavior *between adults* in the workplace (not *necessarily* characterized by force or violence)

Note: Nos. 1 and 2 involve injury to a child; Nos. 3 and 4 involve injury to an adult.

PART ONE – PROTECTING CHILDREN

Sexual Misconduct harmful to children typically occurs in two forms: Child Sexual Abuse and Peer-to-Peer Sexual Abuse.

CHILD SEXUAL ABUSE (CSA)

DEFINITION (Simplified)

Child sexual abuse: Any tricked, forced, manipulated or coerced sexual activity for the pleasure of the abuser.¹

CHILD SEXUAL ABUSE FACTS

These statistics provide a framework for the Handbook processes that follow.

In the United States:

- 1 out of 4 girls and 1 out of 6 boys will be sexually abused before reaching 18 years of age.
- More than 90% of children are victimized by someone they know and trust.
- 2 out of 3 sexual abuse survivors do not disclose until adulthood, *if ever*.
- These statistics are applicable to all demographics, socioeconomic statuses, ethnicities and denominations.
- Perpetrators *groom* children for inappropriate sexual touch.
- Perpetrators *groom the gatekeepers* to believe they are helpful, responsible and trustworthy individuals.
- *Preferential* offenders have an *age and gender of preference* for sexual interaction with children.
- For the *convicted* male offender recidivism is rampant, reaching 50-150 victims prior to criminal prosecution.
- In the convicted male population, the *age of first offense* is 13-14 years of age, on average.
- Less than 10% of abusers will encounter the criminal justice system in any form, *ever*.
- False allegations of child sexual abuse are RARE.

¹ Child Sexual Abuse Definition: Montana Code 45-5-625

PEER-TO-PEER SEXUAL ABUSE

DEFINITION (Simplified)

Peer-to-Peer Sexual Abuse:

Sexually harmful behavior between children involving an *aggressor* and a child who does not seek out or want the sexual interaction.

FACTS

- 1 out of 3 reports of sexual abuse are perpetrated by another child (under 18 years of age).
- Children as young as 4 or 5 may engage in harmful sexual behaviors.
- For the *aggressor*: the age range of highest rate of offense is 12-14 years of age.
- Seven out of eight reported juvenile sex offenders are over 12 years of age.
- 93% of reported juvenile sex offenders are male. (United States DOJ statistics, 2019)

Realities to keep in mind:

- All non-consensual sexual touch is a crime.
- Peer-to-peer sexual abuse must be reported under Montana mandatory reporting statutes.
- The age of consent for sexual interaction is 16 in the state of Montana, but age of consent is irrelevant in circumstances characterized by a significant imbalance of power (age, size, authority, position, dependence, etc.).

COMMUNICATION PLAN

Every ministry should have a communication plan – both internal and external.

INTERNAL COMMUNICATION

Every ministry should have a clearly communicated plan identifying issues that *must* be shared with other ministry leaders – particularly when the issue may involve injury of a child or adult. If the issue requires a report to law enforcement or child protection authorities, the ministry should follow a well-defined communication plan (See **Appendix 1:** Child Sexual Abuse Response Plan). Not all matters, however, require a report to authorities (i.e., policy violations, unusual or problematic behaviors).

Every staff member within the ministry should understand the pathways of communication to freely express or describe issues or circumstances for evaluation and possible response by ministry leaders. Open communication avoids this breakdown: "I saw problematic behavior, but I didn't know who to tell."

EXTERNAL COMMUNICATION

Some issues or circumstances must be communicated *outside* the ministry's internal communication pathways, including suspicions or allegations of child abuse or neglect that must be reported to authorities. Some issues may require communication to families, the congregation and/or an insurance carrier, depending on the facts. Every ministry should create an external communication plan *before* the plan is needed (See **Appendix 1:** Child Sexual Abuse Response Plan).

CHILD SEXUAL ABUSE: REPORTING REQUIREMENTS

REPORTING CHILD SEXUAL ABUSE

Every church or ministry will encounter sexual abuse issues, whether in the form or allegations from within the ministry or from a child's *core world* or *home environment*. Where suspicions or allegations of abuse are concerned, every ministry should create a Child Sexual Abuse Response Plan (See **Appendix 1**).

Every ministry's Response Plan should include *abuse reporting policies* complying with the mandatory reporting requirements of the respective state. Montana reporting requirements are provided below, highlighting key provisions and accompanying Best Practices.

Note: Child sexual abuse (perpetrated by an adult) and peer sexual abuse (perpetrated by another child) are reportable events – *both involve sexual abuse of a child*.

CHANGES IN THE LAW

Legal reporting requirements change constantly: ministry leaders must stay abreast of state and federal changes in the law.

MONTANA REPORTING REQUIREMENTS

In Montana Code: MT Code § 41-3-201 (2021)

Reports

(1) When the professionals and officials listed in subsection (2) know or have reasonable cause to suspect, as a result of information they receive in their professional or official capacity, that a child is abused or neglected by anyone, regardless of whether the person suspected of causing the abuse or neglect is a parent or other person responsible for the child's welfare, they shall report the matter promptly to the department of public health and human services.

Mandatory Reporters

(2) Professionals and officials required to report are:

(a) a physician, resident, intern, or member of a hospital's staff engaged in the admission, examination, care, or treatment of persons;

(b) a nurse, osteopath, chiropractor, podiatrist, medical examiner, coroner, dentist, optometrist, or any other health or mental health professional;

(c) religious healers;

(d) school teachers, other school officials, and employees who work during regular school hours;

(e) a social worker licensed pursuant to Title 37, child protection specialist, operator or employee of any registered or licensed day-care or substitute care facility, staff of a resource and referral grant program organized under 52-2-711 or of a child and adult food care program, or an operator or employee of a child-care facility;

(f) a foster care, residential, or institutional worker;

(g) a peace officer or other law enforcement official;

(h) a member of the clergy, as defined in 15-6-201(2)(b);

(i) a guardian ad litem or a court-appointed advocate who is authorized to investigate a report of alleged abuse or neglect;

(j) an employee of an entity that contracts with the department to provide direct services to children; and

(k) an employee of the department while in conduct of the employee's duties.

MONTANA

CLERGY PRIVILEGE

Clergy Privilege

Montana Code §41-3-201.6(b-c)

A member of the clergy or a priest is not required to make a report under this section if:

(i) the knowledge or suspicion of the abuse or neglect came from a statement or confession made to the member of the clergy or the priest in that person's capacity as a member of the clergy or as a priest;

(ii) the statement was intended to be a part of a confidential communication between the member of the clergy or the priest and a member of the church or congregation; and

(iii) the person who made the statement or confession does not consent to the disclosure by the member of the clergy or the priest.

(c) A member of the clergy or a priest is not required to make a report under this section if the communication is required to be confidential by canon law, church doctrine, or established church practice.

If a clergy member concludes that a clergy privilege may be asserted in a given circumstance, competent legal counsel should be consulted.

Best Practice

If a clergy member concludes that a clergy privilege *may* be asserted in a given circumstance, competent legal counsel should be consulted.²

² Do not assume *all* attorneys are equipped to provide competent counsel where child sexual abuse issues are at issue.

ADDITIONAL REPORTING OBLIGATIONS

OVERVIEW

In addition to a report to relevant authorities, additional circumstances may require reporting.

NOTIFYING YOUR INSURANCE CARRIER

Reporting allegations or suspicions of child abuse to relevant authorities is a legal obligation; failure to do so is a CRIME. Reporting this information to a ministry's *insurance carrier* is a contractual obligation, rather than an obligation under state law; failure to do so can have contractual consequences.

Policy Notice Provision

Every ministry should purchase appropriate insurance coverage, including coverage related to Sexual Abuse and Molestation (SAM Coverage) or Sexual Misconduct Coverage. Every insurance policy will contain a 'notice' requirement similar to this:

In the event the insured [ministry] receives information concerning facts that could give rise to a claim, the insured is required under this policy to notify the insurance carrier immediately, but not later than 24 hours after receipt of this information.

If a circumstance related to sexual abuse includes a fact pattern which *could* give rise to a claim (lawsuit) against the church or ministry program, this notice provision requires the ministry to notify its insurance carrier. (*Presumably a report to authorities has already occurred.*)

Failure to Notify Carrier

Failure to notify the carrier in this circumstance can result in a 'reservation of rights' or denial of coverage by the carrier. Either scenario places the ministry in an adversarial position with its insurance carrier, which is not a desirable circumstance while navigating a crisis.

NOTIFYING PARENTS, CONGREGATION AND STAKEHOLDERS

Though not legally required or contractually mandated, notifying parents, members of the congregation and ministry stakeholders is imperative, particularly if the alleged abuser was a ministry staff member, volunteer or lay leader. What to communicate and to whom is driven by the particular fact pattern being navigated. See the Sexual Abuse Response Plan (See **Appendix 1**) for specific guidance related to these communications.

OVERCOMING OBSTACLES TO REPORTING

OVERVIEW

Every state in the United States, including Montana, has mandatory reporting requirements decreed by state law: when a mandatory reporter gains knowledge of or suspects abuse or neglect of a child, that individual is required to report to designated authorities. The consistent message from state and federal lawmakers, child advocacy organizations, insurance organizations and risk managers is this: *when in doubt, REPORT.*

Regardless of clear legal requirements mandating the report of child sexual abuse and neglect – and the reality that *failure to report* can bring about criminal charges – *ministry leaders continue to struggle with this obligation*. To avoid the common pitfalls, ministry leaders must understand common misconceptions about sexual abuse and sexual abusers that lead to failure to report. By replacing misconceptions with factual information, ministries can avoid these failures, providing a clear pathway to a *correct response* that may feel or seem counterintuitive. Listed below are the most common obstacles to reporting.

"WHAT IF I AM WRONG?"

Many individuals struggle with the thought: *What if I'm wrong*? What if I make this report, impact this person's life, and I'm *wrong*?

Hesitation in reporting child sexual abuse is common, particularly in circumstances where ministry staff members or leaders lack an understanding of sexual abuse, sexual abusers, broader legal requirements and ramifications to the victim. When sexual abuse is alleged or reasonably suspected, leaders know the next step may have significant consequences – for the ministry, for the child and for the individual accused.

At this juncture, too often the focus of ministry leader is on the alleged bad actor:

- "If I call authorities, it can ruin this employee's career, marriage, reputation ..."
- "This child is accusing someone I know ... I cannot imagine him doing this."
- "When I asked her about it, she denied touching the child in any inappropriate manner."
- "This is simply what the child said... and I have no proof."
- "This child may be making this up should I believe a trusted staff member or a *child*?"

Here's the reality: by creating very broad reporting obligations and requiring that *all* allegations and reasonable suspicions of abuse be reported, the Montana state

legislature has decided that the safety and welfare of the *child* outweigh any inconvenience to an *adult* (or another child, in peer-to-peer sexual abuse scenarios).

Reporting Principle: the safety and welfare of the child outweighs any inconvenience to an adult.

In addition, when an adult or older child is the subject of a report to authorities, the alleged bad actor has *significant* due process and legal rights in any investigative process and criminal prosecution. Alternatively, when *no* report is made, the child victim receives *no due process*.

Worse, the child joins thousands of abuse survivors who draw damaging conclusions from the experience, including:

- "No one believes me."
- "They believe my abuser instead of me."
- "There is no point in speaking out; I will never be believed."
- "Somehow, it was my fault."
- "I was powerless to stop what happened, and will be powerless to stop it in the future."
- "There is no justice here for me, or others."
- "This is not a safe place for me."

At this point, child-serving leaders are at a crossroad: *make a report or not*. When a report is made, the accused adult (or older child) may engage in the process to prevent injustice. When the report is *not* made, the child may continue to experience abuse..... and additional trauma from the silence of those who failed to report.

FEAR OF FALSE ALLEGATIONS

One of the most unfortunate reasons for failure to report is the fear of reporting a *false allegation*, thereby creating hardship for the individual accused. This fear is pervasive, notwithstanding mandatory reporting requirements, and has great likelihood of causing further damage to an abuse victim. What follows is an attempt to correct the common misconception that false allegations of child sexual abuse are common, or, conversely, that abuse allegations should be investigated and *proven* before a report occurs.

False allegations of child sexual abuse are rare: less than 3%. *(Center for Disease Control)*

False Allegations are RARE

Statistically, false allegations of child sexual abuse are *rare*. The Center for Disease Control (CDC) and numerous academic studies indicate false allegations are uncommon: *less than 3%*.

The majority of allegations determined to be false are *made by adults* on a child's behalf in the context of divorce and custody disputes. When an allegation is communicated by the child – *even if subsequently recanted in an effort to please family members or others* – more than 98% of allegations are factual. In most circumstances, a child's outcry provides only a fraction of the actual abusive experience. In general, *children don't fabricate an allegation*.

The point is this: the great majority of abuse allegations are factual and should be taken as truth. Not only should the child be believed, it can generally be assumed that the child has endured more abusive behavior than what has been communicated. Further, state and federal reporting requirements do not require proof or corroboration; the reporting requirement is triggered by receiving an allegation or forming a reasonable suspicion of abuse or neglect.

Legislative Balance: Protect the Child

Clearly, reporting requirements were intentionally crafted to initiate communication with a low threshold of information – even if an alleged bad actor is inconvenienced by the report. This is intentional on the part of state and federal legislative bodies: the safety of the child outweighs inconvenience to the alleged bad actor. Legislative bodies have balanced the possible inconvenience and injury to an accused adult (or older child) and found it to be insufficient to overcome the compelling interest of *protecting vulnerable children*.

GROOMING THE GATEKEEPERS

Circumstances giving rise to a report of sexual abuse are rarely convenient, easy or unemotional. Instead, allegations typically involve behavior that is *difficult to believe* about an individual who is *difficult to suspect*. Keep in mind: false allegations are rare – the majority of outcries are truthful and factual.

In some circumstances, ministry leaders fail to report due to a fundamental lack of understanding of the *preferential offender*. Preferential offenders, who *prefer* a child as a sexual partner, generally have an *age and gender of preference* (e.g. *pre-pubescent females* or *adolescent males*). These offenders *groom* children for sexual abuse, and, in addition, *groom the gatekeepers* surrounding the targeted child, working to have parents, supervisors and co-workers believe them to be helpful, trustworthy and responsible.

When supervisors have been *groomed* as a gatekeeper, he or she rarely remains objective, and this is intentional on the part of the offender. Almost without exception, offenders create opportunities for *trusted time alone* with the targeted child, and because he or she is now 'known' and trusted, and an allegation or suspicion is more likely to be discounted by co-workers and supervisors.

HISTORICAL ALLEGATIONS

Historical allegations — those that relate to alleged abuse occurring years or decades ago — have become common. In most circumstances, ministries should treat historical allegations as if the alleged abuse occurred *today*. Keep these two realities in mind: the United States has the best criminal justice system in the world, yet the system is clearly imperfect.

Two out of three children *don't tell* about abuse until adulthood, if ever.

In our current cultural context, two out of three children *don't tell* about abuse they have experienced until adulthood, *if ever*. This is further compounded by the fact that most children don't tell because "no one will believe me" (which, too often, is true). The Church must become more skilled at preventing abuse, recognizing signs and symptoms of abuse, and recognizing predatory behaviors and characteristics. A ministry's willingness to recognize and report suspicions of abuse forms a key element in protecting the children it serves.

If the historical allegation relates to behavior which occurred on your watch, in the context of your ministry, or the alleged abuser is a current or former staff member or volunteer, *report* to law enforcement. *Do not* assume that the passage of time makes a report time-barred or irrelevant; from a public perception standpoint, this looks like cover-up. In general, when in doubt ... *report*.

HEARSAY

Many fail to make a report of child abuse because the information they learned about the suspected abuse was 'hearsay'.

Hearsay Defined and Misapplied

The legal definition of hearsay: *an out-of-court statement, made in court, to prove the truth of the matter asserted.* In a courtroom setting, the Rules of Evidence prefer the original source of a statement or utterance rather than a version of the statement being recounted by another. In short, 'hearsay' is a legal principle associated with forms of evidence that are admissible in a legal proceeding.

Suspicions of Abuse Include Hearsay

The concept of 'hearsay' is often interpreted by lay people as follows: *I cannot report an abuse matter because I only heard about it from another – therefore, I cannot meet the evidentiary threshold for making a report*. Ministry leaders must not, however, confuse standards related to courtroom Rules of Evidence with Montana mandatory reporting requirements.

Montana Reporting Requirements

The Montana legislature clearly created an 'evidentiary threshold' well below that required to prove a matter in a criminal or civil proceeding – in fact, it is the lowest possible threshold in law. Montana law requires all adults to report SUSPICIONS of child abuse or neglect. *Suspicion* is not defined in the code section but is commonly understood to mean: *a feeling or thought that something is possible, likely or true.* Hearsay falls clearly within this broad definition. In fact, most *suspicions of abuse* originate from something learned from another.

In short, the Montana legislature intentionally created an extremely broad definition in order to receive as much information from as many individuals as possible in order to protect vulnerable children. Whether relevant information is 'hearsay' (or not) may play a role in subsequent criminal or civil proceedings, but 'hearsay' should <u>never</u> provide a basis for failure to report child abuse or neglect to the appropriate Montana authorities.

CHILD SEXUAL ABUSE PREVENTION

AN EFFECTIVE SAFETY SYSTEM

Reporting child abuse and neglect is *one* element in a ministry's child protection efforts. Reporting *alone* is not enough; each ministry must implement a plan to *prevent* child sexual abuse.

Preventing child sexual abuse begins at the *ministry level*: every Church should work proactively to *prevent* and *respond well* to child sexual abuse. Prevention begins with the implementation of an effective *Safety System*. MinistrySafe provides all elements of an effective Safety System and an online framework for managing each element. Learn more about MinistrySafe's online resources and the implementation of a Safety System in the *MinistrySafe – Getting Started Guide* (See **Appendix 2**).

The Offender's Grooming Process

In developing an effective Safety System, ministries are building a fence: a protective device meant to keep out an unwanted intruder, and the *type* of fence is driven by the type of intruder. Accordingly, an understanding of offender behavior and characteristics is key. When ministry leaders understand offender *behavior*, the Church is able to design and construct effective barriers.

When a ministry gathers children, it becomes an attractive target for the *preferential offender*, who prefers a child as a sexual partner, generally targeting a child within his or her age range and gender of preference.

We cannot recognize this risk visually ... we must recognize this risk behaviorally. The behavior is known as 'the grooming process'.

Sadly, it's not possible to recognize the preferential offender *visually*; offenders have no visual profile. Instead, ministry leaders must recognize the risk *behaviorally* – *the grooming process*. The grooming process of the preferential offender includes two key elements: **grooming the child** and **grooming the gatekeepers**.

The targeted child is *groomed* for inappropriate sexual interaction, while *gatekeepers* (parents, ministry leaders and co-workers) are groomed into a belief that the offender is

a helpful, responsible, and trustworthy individual. Remember, all abusers are creating opportunities for *trusted time alone* with a targeted child.

Validated by decades of academic studies, the grooming process of the abuser is *known* and *recognizable*, and includes the following steps:

-Gaining access to children within an age and gender of preference;

-Selecting a specific child (or children);

-Introducing nudity and sexual touch; and

-Keeping the child silent.

Elements of an Effective Safety System

An Effective Safety System includes following elements:

- -Sexual Abuse Awareness Training
- -Skillful Screening Processes (and Training)
- -Appropriate Criminal Background Check
- -Tailored Policies & Procedures
- -Systems for Monitoring and Oversight

Each of these elements play a role in a system; no one element serves as a stand-alone safety protocol.

Sexual Abuse Awareness Training

Sexual Abuse Awareness Training forms the foundation of an effective Safety System, because ministry leaders cannot address a risk they do not understand, and *what we believe shapes what we DO*. Prevention starts with awareness.

Awareness Training equips ministry staff members and volunteers with a better understanding of abuser characteristics, the abuser's *grooming process* and *common grooming behaviors*—giving workers *eyes to see* abuser characteristics and behaviors.

Training topics include:

- Facts and Misconceptions
- Characteristics of an Abuser
- Grooming Process
- Peer to Peer Abuse
- Risk Reduction & Prevention
- If a Child Reports
- Impact on Children
- Reporting Requirements

Further, *what we believe shapes what we SAY*. When staff members and volunteers are trained to recognize grooming behaviors, all are better equipped to receive and report allegations and suspicions of abuse, both internally and to appropriate civil authorities.

What we BELIEVE shapes what we DO. What we BELIEVE shapes what we SAY.

Skillful Screening

The best predictor of future behavior is past behavior. Screening is the process by which ministry leaders gather information about an applicant's past behavior to better predict future behavior. An effective ministry screening process should include the following elements for paid staff positions *and* volunteers: application, reference checks, criminal background check and an interview.

Commonly, ministries screen applicants for <u>fitness of purpose</u> – gathering information about an applicant's past behavior to determine whether the applicant has the skills, abilities and education to fill a particular role. For example, if a Christian school desires to hire a Greek teacher, it's important to gather information to determine whether the applicant has mastered Greek and can effectively teach it. In this example, the school's purpose for screening was related to fitness of purpose (teaching Greek), *not child safety*.

Screening for child safety requires the gathering of information concerning an applicant's past behavior to determine whether the applicant has 'wolf-like qualities'. Where child safety is concerned, an effective screening process includes questions designed to elicit high-risk indicators of the preferential offender (male and female).

Every applicant – paid or unpaid – should be screened before he or she may enter the *sheep pen*, gaining access to children. The goal: *keep the wolf out of the sheep pen* – recognizing wolf-like qualities *before* allowing access to children.

Unfortunately, many ministries are not screening effectively, and some Churches are not screening *at all*. Training and resources related to effective screening are available through MinistrySafe; see *The MinistrySafe System – Getting Started* (See **Appendix 2**).

Criminal Background Check

In 2022, most ministries require criminal background checks. For many, background checks are the Church's sole volunteer screening method, because ministry leaders lack an understanding of the criminal justice system and known *limitations* of criminal background checks.

We must perform criminal background checks ... *but background checks cannot be the <u>only</u> thing we do.*

Consider this statistic:

Less than 10% of sexual abusers will encounter the criminal justice system, ever.

Given this reality, if a ministry's background check system is working *perfectly* (which is unlikely), more than 90% of individuals who have sexually abused children have no past criminal record ... *and know it*. Making a reasonable effort to access past criminal history has become a standard of care, but background checks cannot serve as a standard alone safety system.

Background checks *can* be a helpful tool when used effectively. For each staff member or volunteer, the depth of criminal background check should be determined by the extent of direct contact with children. In addition, background checks should be periodically refreshed. As well, ministry leaders should become conversant with highrisk indicators revealed by the background check process, including plea-down offenses, stair-step offenses and grooming offenses.

Tailored Policies & Procedures

Policies and Procedures are the written expression of permissible and impermissible behavior within the ministry program. Effective policies should be tailored to the type of ministry program and population served, and shaped around an understanding of the abuser's grooming process, abuser characteristics and common grooming behaviors.

Through Awareness Training, staff members and volunteers are trained to better understand the *purpose* of policies, therefore serving more effectively within policy boundaries, and recognizing problematic behaviors *before* inappropriate sexual interaction occurs. As well, when policy 'bright lines' are clearly communicated – *this* is appropriate, *this* is *NOT* – staff members and volunteers are more likely to notice when someone steps *over* the 'bright line'. Written policy should present clear guidelines concerning appropriate touch, talk, boundaries, social media, bathroom use, one-to-one interaction, overnight stays and reporting requirements.

One purpose of policies is to provide a written expression of what IS and IS NOT appropriate behavior within a particular program. Because the grooming process will vary, policies will vary – depending on the type of program (i.e., children's ministry vs. student ministry) or the age and gender of children served. As a result, all policies will address grooming, but there may be policy variations for different ministry programs. Sample policy forms (i.e., Children's Ministry Policy, Student Ministry Policy, Camp Policy, etc.) can be accessed through a MinistrySafe membership.

Systems for Monitoring and Oversight

For any Safety System to remain effective, systems for monitoring and oversight must be in place, ensuring that *you DO what you SAY you do* in a consistent manner.

A periodic review of safety system elements is necessary to maintain consistency: Does the system still fit the ministry? Are adequate methods of accountability in place? Is the ministry able to archive evidence of safety system compliance?

Leaders must evaluate new programs for child protection issues, monitor changes in reporting requirements, address the ongoing need for policy updates, and include child protection compliance in employee performance evaluations. Periodic review ensures that child protection is not jeopardized by the departure of one or two key staff members or volunteers.

To learn more about MinistrySafe's online Control Panel and Systems for Monitoring and Oversight, visit <u>MinistrySafe.com</u> or <u>MinistrySafe.com/MTSBC</u>.

SAFETY COMMITTEE

The Safety Committee is a group of individuals responsible for addressing all areas of child protection in an ongoing manner, ensuring that Safety System elements are implemented consistently.

It is imperative that the Safety Committee be empowered and authorized by church polity to ACT where child protection issues are concerned.

Serving on the Church Safety Committee

The Safety Committee should consist of at *least* three individuals, such that child protection issues or allegations do not 'bottleneck' with one or two people. More than nine individuals may become unwieldy, where scheduling issues are concerned. *Best practice*: Require completion of Sexual Abuse Awareness Training and Skillful Screening Training for the Children's Minister, Student Ministry Pastor, the chair of the Safety Committee and the Executive Pastor.

Recommended Safety Committee members include:

- Executive Pastor
- Children's Minister
- Student Ministry Pastor
- Any Pastor overseeing any other child-serving program
- Designated Elder or Deacon (representing the Elder Board or Deacons)

Safety Committee Meetings

Initially, the committee should meet monthly. After six monthly meetings, the committee may elect to meet quarterly. In addition to regular meetings, the Safety Committee should meet immediately following any significant incident related to child protection to discuss the incident, action steps, and any need for policy modification.

Topics to be Discussed (Initial Six Months)

- Creating the Sexual Abuse Response Plan
- Creating a proposed budget for child protection
- Church adherence to child protection policies and adopted practices
- Any issues arising from specific child-serving programs
- Potential problem areas or programs
- Screening protocols, including timelines, for employees and volunteers
- Keeping a comprehensive list of ALL Church programs serving minors

All child protection issues should be addressed by the Safety Committee. No Church ministry program should be authorized to initiate services to children or youth without first vetting the proposed services through the Safety Committee.

Every five years, the Safety Committee should complete an assessment of all services offered to children or youth, evaluating child protection in each program, including:

- Unscheduled drop-in supervision
- Discussion with program leaders
- Discussion with child protection experts
- Review of performance evaluations in key positions

All suspicions or allegations of child abuse or neglect communicated to or arising out of Church programs should be reported to a member of the Safety Committee. *Failure to report to the Safety Committee by a Church employee should be deemed a violation of ministry policy which may lead to termination.* *Best Practice*: Should a suspicion or allegation of child sexual abuse be received by ANY committee member, the committee chair must be notified the same business day, but in any case, within 24 hours, such that no member of the committee becomes a bottleneck related to the allegation or information.

Any failure to comply with this requirement should be deemed a violation of ministry policy which may lead to termination.

When an allegation or suspicion of abuse arises, the committee will act to report the allegation if the circumstance, outcry or allegation was not previously reported to child protection agencies or law enforcement. After this report has occurred, the Safety Committee will take appropriate action to safeguard other children and implement elements of the Sexual Abuse Response Plan. When needed, the Safety Committee (or its designee) will retain legal counsel concerning reporting requirements and appropriate action in all child protection contexts.

CONCLUSION

Sexual abusers move to where the barriers to entry are lowest or nonexistent: too often, the Church. When ministry leaders understand the risk presented by the preferential offender, an effective Safety System may be put in place, proactively protecting children from sexual abuse.

PART TWO SURVIVOR CARE AND THE LOCAL CHURCH

Studies show there are 60 million child sexual abuse survivors in the United States. Given a population of 300 million, that's 1 out of 5 Americans who were sexually abused before reaching 18 years of age.

Sexual abuse survivors are attending churches, our Montana Baptist Churches, searching for hope and healing from the devastating effects of sexual abuse. *MTSBC churches must care for survivors.* What follows are suggestions related to best practices for caring for sexual abuse survivors in the local church.

"Trauma is the new mission field." Diane Langberg

Sanctification is the process of growing in Christlikeness. Personal sanctification involves the whole person - head, hands, and heart.

- Head / Knowing "Sanctify them by the truth; your word is truth" John 17:17
- Hands / Doing "Do not merely listen to the word, and so deceive yourselves. Do what it says." James 1:22
- Heart / Being "Above all else, guard your heart, for everything you do flows from it." Proverbs 4:23

Everything about a person flows from the heart. When a heart is wounded through a sin, such as sexual abuse, sanctification becomes more difficult. Wounded hearts hold onto anger, fear, resentment, and unforgiveness. Caring for sexual abuse survivors means helping to address wounded hearts in godly ways.

TWO MODELS OF HELP

There are two models of help available to survivors: professional and biblical.

• Professional help is a **one-on-one model**. In most instances, a professionally trained counselor or therapist meets with an individual to provide thoughtful interaction and exercises for healing.

• Biblical help is a **one-another model**. In this model of helping, the local church becomes the living, active body of Christ through real life relationships, sharing hurts and applying biblical truth.

The biblical model of helping offers several advantages:

- **The Word of God** a source for truth and guidance for life (Your word is a lamp to my feet and a light to my path. Psalm 119:105)
- The Indwelling Holy Spirit a source for power and access to the power of God (Now the Lord is the Spirit, and where the Spirit of the Lord is, there is freedom. 2 Cor. 3:17)
- **The Family of Faith** (Let the message of Christ dwell among you richly as you teach and admonish one another with all wisdom through psalms, hymns, and songs from the Spirit, singing to God with gratitude in your hearts." Colossians 3:16)

CHRISTIAN ANTHROPOLOGY

Christian anthropology is the study of humans as it relates to God. A complete anthropology includes:

- Doctrine of Sin "what is wrong with us"
- Doctrine of Suffering "what has happened to us"

Jesus Addressed our **sin** by his death as our Savior on the cross. He went to the cross in His physical body to address our sin.

Jesus Addresses our **suffering** by his life as our Shepherd through the church. He shepherds us in our suffering through his spiritual body, the church.

Christian anthropology requires us to shepherd those who have suffered through the local church. We must be willing to engage in real life ministry, which is often messy and fluid, as we shepherd our church body toward healing and wholeness.

THE FEARLESS SERIES FOR THE LOCAL CHURCH

The Fearless Series for women is a five-video series for small groups in the local church to begin the conversation about sexual abuse. Both survivors and local church attendees may participate in the fivesession video study. A trained facilitator guides discussion and keeps the group on track to accomplish session goals.



Dr. James Reeves hosts facilitator training several

times each year and is available to consult with individual churches to implement the Fearless Series.

Facilitator training is FREE of charge. For information about the series visit www.FS4Women.com

CONTENT of FEARLESS SERIES:

- Prevalence of sexual abuse
- Problems that can present from sexual abuse
- Priority for the church to address sexual abuse
- Prevention of sexual abuse
- Pathway of healing from sexual abuse

HELPFUL INFORMATION:

Each video is 30 minutes long, followed by a small group discussion for about an hour. *Facilitator training is FREE of charge*. The suggested group size is 5 to 7 women. A study guide accompanies the video sessions.

"This series has helped me understand that I am not the only one. I now have insight about what to look for in children that may be sexually abused. I can be healed!" *Carol (Fearless Series participant)*

CONTINUED HELP FOR SURVIVORS

Dr. Reeves and his team understood the need for survivors to continue healing in a community of caring, committed women. The Fearless Series WORKBOOK is an additional 8 weeks of learning, discussion, and healing for survivors, including group discussion led by a trained facilitator. *Facilitator training is FREE of charge*.

PURE HOPE

For women who desire to continue meeting, a 52-week discussion guide is available. The purpose of Pure Hope is to provide accountability, support, and encouragement for



women healing from sexual abuse.

For more information, visit: www.FS4Women.com

Dr. James Reeves, Founding Pastor (1984) City on a Hill Church, Ft. Worth, Texas Contact: JamesReeves@FS4Women.com

APPENDIX 1 CHILD SEXUAL ABUSE RESPONSE PLAN

BIG PICTURE QUESTIONS

- Will this issue/event define the Church, in terms of public perception?
- What is the cost of managing (or mismanaging) a child sexual abuse allegation?
- How will this reflect on the Church's reputation within the community?
- Will the Church's enrollment or census suffer?
- What is the impact on the congregation's trust in the Church's child-safe culture?
- What may a child sexual abuse claim or lawsuit cost the Church?
- Is the Church carrying adequate insurance coverage to address this specific risk?

ADDRESSING A CHILD SEXUAL ABUSE (CSA) ALLEGATION

- Creating (and following) a defined *written* plan is imperative.
- Who manages the plan (e.g. Executive Pastor or other)?
- The PLAN must include contact information for critical individuals and entities, including:
 - Mandatory Reporting contacts (see below)
 - Attorney (with significant experience addressing CSA issues)
 - Insurance agent and carrier
 - PR or media contacts

MONTANA REPORTING REQUIREMENTS:

Montana's Code Section 41-3-201.4

In addition to those persons and officials required to report actual or suspected abuse or neglect, any other person may report in accordance with this section, if such person has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect.

CONTACT LIST:

- Local law enforcement in county where abuse occurred: 911; and
- Montana's Department of Public Health and Human Services, Child and Family Services Divisions Statewide Child Abuse Hotline: 866-820-5437.

Information to Provide when Making a Report:

- Provide as much identifying information (ex. name, date of birth or age, sex) and locating information (ex. address, phone number, school) of the child, child's parents or other persons responsible for the child's care as possible

- Include as much detail about the incident(s) or concern(s) as possible

- If the answer to a question is unknown, simply explain that it is unknown

-Any other information that the person making the report believes may be helpful

CSA REPORTING PLAN

- Create *clear instructions* in the event a mandatory report to authorities is necessary:
 - To whom and within what timeframe to report (Report 'immediately' by telephone or in person, followed by a written report, if requested, within 48 hours).
 - Required information for report.
 - Request the name of the person to whom the report is given and the file number.
 - Document the report in writing, including the date and time of the report (ONLY FACTUAL INFORMATION, *no speculation*).
- Remember, when in doubt, REPORT.
- Failure to report isn't just a bad idea, IT'S A CRIME, with criminal penalties!
- Reporting must occur regardless of the desires of the child or his/her parents.
- NEVER promise confidentiality to a child where child abuse is alleged or suspected.
- Create a partnership with local law enforcement for reporting purposes.
- Create known, easy access to critical documents:
 - Insurance policies
 - Montana Reporting Requirements
 - Contact information for critical individuals or entities
- Designate a media/information point-person: WHO will speak on behalf of the Church, and WHO SHOULD NOT?
- If child abuse is alleged to have occurred within a Church ministry program, immediately put the Church's insurance carrier ON NOTICE, in writing.
- Create a communication tree (phone/email/text) to inform key individuals, church staff members, and stakeholders.

VICTIMS/VICTIMS' FAMILIES

- All actions should occur from a VICTIM-CENTRIC perspective.
- Remember, FALSE ALLEGATIONS ARE RARE!
- Avoid any defensive posture that prioritizes REPUTATION over CARE.
- DO NOT IDENTIFY the victim(s) to the public or the congregation.
- Offer counseling with a licensed professional counselor of the victim's choice.
- Communicate with the victim(s) and their families:
 - Communicate early and often.
 - Listen with an empathetic ear.
 - Set aside organizational defensiveness or justifications.
 - Understand that parents will need to VENT.
 - Victims and families may be understandably angry!
 - EFFECTIVE COMMUNICATION AND CARE IS MORALLY RIGHT and ETHICALLY CORRECT.

In general, abuse survivors sue a ministry based upon how they are treated *after* the allegation is communicated to ministry leaders.

- The victim's comfort should take priority over any desire to continue to support
 or provide ministry services to the (alleged) abuser.
 Ex: In a Peer-to-Peer sexual abuse scenario, the comfort and emotional
 protection of the non-aggressor (victimized) child should be prioritized. The
 Church may not be able to continue to provide ministry services to the aggressor
 child.
- NEVER require the victim(s) to confront the alleged abuser.
- NEVER require cheap forgiveness of the alleged abuser from the victim.
- NEVER assume that *repentance* from the abuser is real or conclusive.
- NEVER give a known, admitted or credibly accused abuser access to children.
- How will the Church manage gossip and backlash in the community? In many cases, a group of children or families will support a well-liked staff member; keep in mind: '*Molesters Groom the Gatekeepers*'.
- How will the Church prevent bullying behaviors aimed at alleged victims? (For example: "She brought it on herself. She's a")
 - Plan to manage subsequent bullying behaviors.
 - Staff awareness is *key*.
 - Social media may be used negatively (e.g. Facebook page to "save the staff member").
- How will the Church provide aftercare to affected children and parents? Initially, if the alleged abuser serves as your staff member or volunteer, provide external counseling options with a licensed professional counselor, rather than 'in house'.

At the same time, Christ-based care and support are ALWAYS appropriate.

PARENTS/STAKEHOLDERS

Communicate with families immediately.

Effective and immediate communication with parents is critical.

- o Discuss: How is this best addressed in various Church programs?
- o Avoid gridlock what are the customary communication lines?
- o Who receives priority in the communication process?
- o Start with those more directly impacted and work OUT; direct others to the website or more general forms of communication.

Common Questions from Parents/Stakeholders:

- Has _____ Church fired him/her yet?
- Why hasn't the church fired him/her yet?
- Did _____ Church undertake a thorough criminal background check when he/she was hired?
- What are the church's hiring practices?
- What will the church do to prevent this from happening again?
- Who will take over the alleged abuser's responsibilities?
- Is it safe to bring my child back?
- What are you doing at _____ Church to protect children from abuse?

CHILDREN IN PROGRAM

- Identify and meet with children (through parents) who *may* have been impacted. DO NOT INTERFERE WITH ANY ONGOING CRIMINAL INVESTIGATION.
- Include parents when communicating with children in the program. This is particularly important with children 13 and under.
- All should hear the same information, rather than garbled expressions or different 'facts'.
- Use caution when creating written materials to send home with children; assume written materials will be shared.

STAFF MEMBERS

- Briefings and debriefings:
 - Information provided to staff members should be uniform, but may be specific to hierarchy; upper leadership getting needed detail.
 - Allow discussion in a closed and safe setting.
- Employee assistance programs counseling resources:
 - Provide resources for self-care.
 - Identify resources for counseling care.
- Longer-term follow-up:
 - Follow-up with individuals close to circumstance, co-workers, and/or friends.
- Expect to deal with staff members' anger, sense of betrayal and disappointment.

LEGAL COUNSEL

- Clearly identify skilled legal representation conversant with sexual abuse issues.
- How will the Church address allegations of wrongdoing against the ministry?
- How will the Church address potential wrongful termination issues?

INSURANCE CARRIER – COVERAGE FOR CHILD SEXUAL ABUSE ISSUES:

- Identify insurance agent: is agent knowledgeable concerning sexual abuse?
- Review coverage for critical incidents and occurrences of this nature.
- Does the Church have adequate insurance coverage, given the current environment?
- Does existing insurance policy have an exclusion, endorsement, qualification or limitation of coverage for matters related to sexual abuse or sexual misconduct?
- IF an allegation or suspicion of abuse relates to a Church employee or volunteer, immediately put the carrier ON NOTICE, *in writing*.

MEDIA MANAGEMENT

How will the Church proactively provide information to stakeholders and manage media?

- Who is responsible for media communications?
- How will the Church address news reporters calling Church leaders?
- How to address news reporters calling staff members OUTSIDE the church?
- How will the Church monitor local press coverage and social media posts?
- How will the Church manage media on campus (physically), or on adjacent property?
- How will the Church utilize social media, if at all? (If social media is utilized to provide and direct communication regarding an allegation, do so very carefully.)
- ONE designated individual should speak on the Church's behalf. If other staff members or volunteers are contacted: "We take child safety *very* seriously. In order to get you the most accurate information, let me give you _____'s telephone number (designated staff member)."

Common Questions from Media:

- Please comment on the incident....
 "We want to let law enforcement do their jobs without interference or speculation. We take child safety VERY seriously at _____ Church. This is why we reported the allegation immediately when it was communicated to one of our staff members."
- Is this worker still employed? Is this volunteer still involved?
 "The staff member/volunteer is taking a leave of absence during the pending investigation OR is working in a position where he/she is not interacting with children."
- Could there be more than one victim? Have other children been impacted? "Our top priority is the protection of children. We are fully cooperating with law enforcement in its investigation. At this point, we are not aware of any other victims. OR At this point, we are taking steps to determine what steps should be taken to more effectively protect children in _____ Church programs."
- When did you first hear about the allegations?
 "In accord with our policy, the allegation was reported immediately, after it was communicated to one of our staff members."
- Can you give us details about the charges?
 "We are fully cooperating with law enforcement, who are currently investigating. We don't want to interfere with the investigation in *any* way, so can't discuss details at this point."

- Have you seen the evidence (text messages/photos, etc.)?
 "We are fully cooperating with law enforcement, who are currently investigating. We don't want to interfere with the investigation in *any* way, so we can't discuss details at this point. OR We've been instructed by law enforcement to limit discussion of details so that the investigation can proceed effectively." (A common occurrence)
- Was the alleged abuser screened (background check, etc.)?
 "All ______ Church staff members or volunteers who work with children complete a criminal background check and stringent screening process, including an application, interview and reference checks. This process was created by child protection experts."
- Has he/she been charged with anything like this in the past?
 "No. All ______ Church staff members and all child-serving volunteers complete a criminal background check and stringent screening process, including an application, interview and reference checks. This process was created by child protection experts."
- Has the Church fired the alleged abuser? Why? Why not? In order of preference:
 - "The staff member has been terminated from employment OR is taking a leave of absence during the pending investigation OR is working in a position where he/she is not interacting with children."
 - "The volunteer, has been suspended from all interaction with children during the pending investigation."

ADMITTED BEHAVIOR

After an allegation or suspicion of abuse is reported:

• If abusive behavior is admitted, in part or whole, immediately terminate the employee or volunteer and communicate that he or she is no longer welcome on Church property.

'AN OUNCE OF PREVENTION IS WORTH A POUND OF CURE!'

- Implement an effective Safety System.
- Utilize effective training: educate staff members and volunteers to recognize *the abuser's grooming process* and *common grooming behaviors*.
- Hiring processes: SCREEN your staff members and volunteers.
- Understand what an effective Background Check does, or does not, accomplish.
- Will staff members know to tell, and whom to tell?
- Foster a culture of communication: *if you see something, say something.*

APPENDIX 2 MINISTRYSAFE SAFETY SYSTEM: GETTING STARTED

Ministry Safe

THE MINISTRYSAFE SAFETY SYSTEM

Tips for you and your team

Summary of Topics

Available Trainings Creating your Account Using your Control Panel Frequently Asked Questions

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AVAILABLE TRAININGS

Primary Trainings include:

Sexual Abuse Awareness Training

Sexual Abuse Awareness Training forms the foundation of the Safety System and provides a basic understanding and awareness of child sexual abuse risk, abuser characteristics, the abuser's grooming process, and common grooming behaviors. Audience: Volunteers and staff members - anyone who wears your

nametag Run Time: 1h 3 min

Cost: \$5 per person

Skillful Screening Training

Skillful Screening Training educates managerial staff members and screening personnel about the risk of child sexual abuse and effective screening practices during the hiring or onboarding process. Prerequisite: Sexual Abuse Awareness Training Audience: Managers, screening personnel Run Time: 2 hr 11 min Cost: \$50 per person

MinistrySafe Institute

MinistrySafe Institute provides seminary-level material aimed at vocational ministry professionals who desire educational resources addressing child sexual abuse risk at a deeper, more comprehensive level.

Audience: Pinnacle ministry employees, senior pastors, executive pastors, ministry risk managers, child-serving program leaders, children's ministers and youth pastors.

Run Time: 15 hr 6 min

Cost: \$150 per person

CREATING YOUR ACCOUNT



Sign Up

MinistrySafe provides a complete Child Safety System

designed to reduce the risk of child sexual abuse

Learn More About The Risk

The Risk The Safety

Ministry

Safe

Coupon code

mtsbc2023



To create your MinistrySafe account, go to the <u>sign-up page</u> on MinistrySafe's website. Select MinistrySafe Membership from the two options.

You will be asked to input information about yourself and your church. On the third and final page of the sign up process, you will be asked to provide billing information. This page includes a space to enter a coupon code. Enter the coupon code **mtsbc2023** to receive \$100 off the first year's annual Membership fee.

Once you have submitted your billing information, you will have instant access to your new account.

USING YOUR CONTROL PANEL

Learn how to add Users and send Trainings





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ADD USERS AND SEND TRAINING



CLICK 'ADD USER'

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ADD USERS AND	SEND TRAINING
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ole @	Sexual Abuse Awareness Training - Daycare Sexual Abuse Awareness Training - Education
	Sexual Abuse Awareness Training - Youth Ministry
Trainee	To send other trainings, go to Trainings .

-Enter the Trainee's name and email address

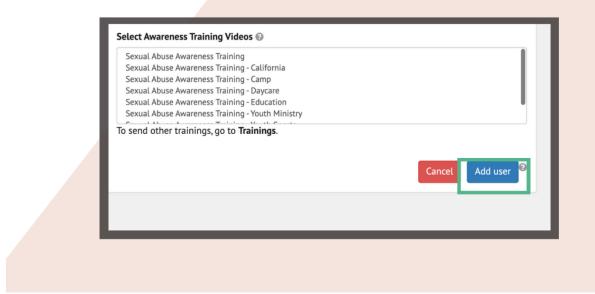
-Select if they are an 'employee' or 'volunteer'

-Select 'Trainee' as the role

-Select a Tag and a Training to send

-Click 'Add User' and repeat process for next

Trainee





What happens next?

MinistrySafe will automatically send an email to your Trainees containing a link to the online Training. Your Trainee simply needs to click on the link in the email.

After clicking on the link, your Trainee will be prompted to watch the Sexual Abuse Awareness Training, which is about 1 hour in length. After watching the Training, your Trainee will be prompted to take a short quiz, which is scored online. A score of 70 or better will generate a Certificate of Completion.

Once your Trainee has completed the quiz, an email containing the Certificate of Completion will be sent to the Trainee and the Safety System Administrator. The online Control Panel will also update to reflect the completion and calculate the renewal date for the Training.

If the Training is not completed in a reasonable time period, check with your Trainee to determine if there is a problem, or simply resend the Training link. You can also enable renewal reminders in your Training Settings.

-	By Tag		- By	/ Role		
		Awareness Training				
Role	EMP / VOL	Status @	Renewal 🚱			
trainee	EMP	~	09/28/2023			
trainee	VOL	~	07/12/2023			
trainee	VOL	~	01/01/2023			
supervisor	EMP	~	10/10/2022			

FREQUENTLY ASKED QUESTIONS

How efficient is the email system?

Very efficient! MinistrySafe sends tens of thousands of links per month and over 95% of them get to the Trainee the 1st time.

How are we billed?

MinistrySafe bills on the first of each month for the previous month's usage.

Can I send the link to any email address?

Yes, you can send the link to any email. You can forward it; copy and paste the link; whatever you need to do. Just remember the Training link is specific to one Trainee and that Trainee must complete the Training using his or her own link.

Why might a trainee not receive the email?

Incorrect email addresses account for the majority of errors. However, because this is a *child sexual abuse* Training, some spam filters send the email to junk or block the email altogether.



Need help?

Check out our <u>Help Center</u>

Still need help?

Give the MinistrySafe office a call or send us an email or chat!



Hours: M-TH 9am-5pm Central F 9am-3pm Central



Support@MinistrySafe.com

833-737-7233 Toll Free



Montana Southern Baptist Convention 1130 Cerise Rd. Billings, MT 59101

(406) 252-7537

www.mtsbc.org

Assisting Montana Churches in reaching people in need with practical help and the hope of the gospel.