

# Genesee Valley Toolbox for Session Sexual Misconduct Policies

Presbytery of Genesee Valley

#10 in a series (2020, August)

## Workarounds: Conflicts Between the *Letter* of a Session Child and Youth Safety Policy and the *Spirit* of the Policy

*Genesee Valley Toolbox* is a continuing, occasional series of support for Sessions in the Presbytery of Genesee Valley as they develop, adopt, implement, and update their Presbyterian Church (U.S.A.)-mandated policies regarding sexual misconduct and child and youth protection, and their New York State-mandated sexual harassment policies. The series offers practical information, recommends best practices, and identifies reliable sources on numerous topics. The intent is to deepen knowledge, encourage right behaviors, and achieve important outcomes.

This edition responds to the earnest question of a conscientious and sincere Ruling Elder in one of our Genesee County congregations:

“What do we do when our session’s child and youth safety policy requires us to have two people providing child care during worship, but only one person is available on a particular Sunday?”

He went on to explain that a rotating team of high school students regularly supplied two people to provide child care on Sundays. However, school events, particularly athletic team competitions and overnight trips, e.g., college visits, were frequently competing for their presence. It was getting harder and harder to have a full complement on site on a regular basis.

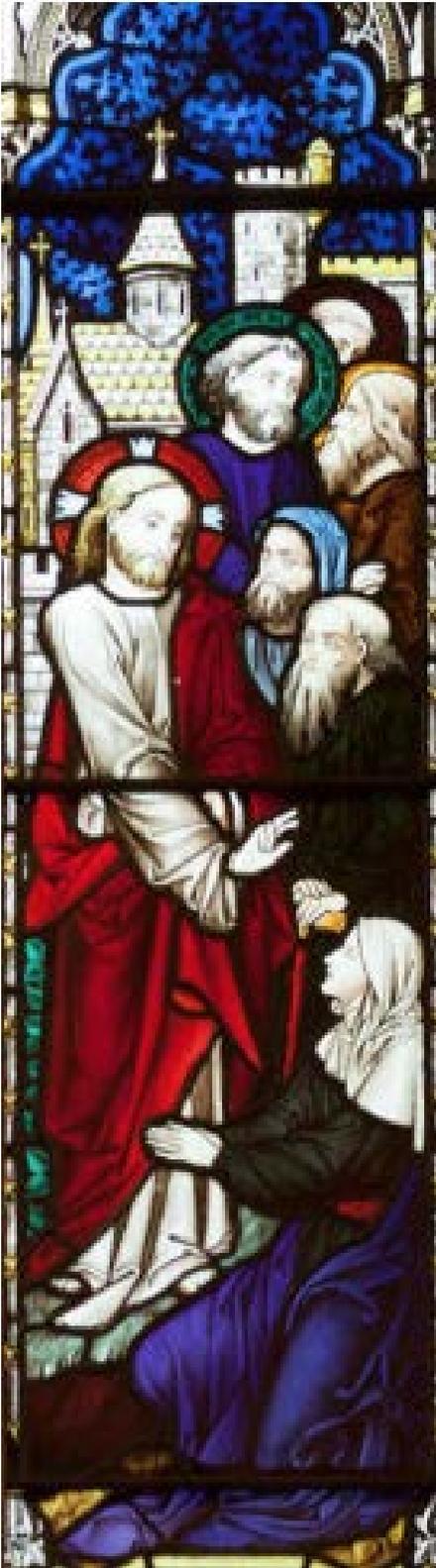


*Sexual misconduct  
policy’s requirement*

*Lack of resources to  
fulfill requirement*

The church’s policy recognized the inherent risk of one, unaccompanied person attending to the children, which was magnified because the room’s location was a good distance from the sanctuary. Risk mitigation was precisely why the policy requirement of two attendants was adopted - one person alone left children vulnerable. In addition, there was concern that a lone child care provider had no backup. *Two-deep leadership*, as the term is often used, was a wise, preventive procedure. Increasingly, though, it was proving easier to be wise on paper than in practice. How could they preserve their standard in the face of limited resources? This edition addresses these kinds of dilemmas.

## Workarounds: A Gospel Story's Standard



St. Andrew's Cathedral, Sydney, New South Wales, Australia

Luke's gospel, 13:10-17, tells the story of Jesus meeting a woman bent over. She was unable to stand straight due to "a spirit that had crippled her for eighteen years." Without any request from her, or from anyone else on her behalf, Jesus heals her. She is immediately set free from her affliction. The miracle prompts her to stand straight and begin to praise God. Just imagine her relief and joy.

The fact that this occurs on the sabbath, a day set aside in Jewish law for rest by prohibiting all work, elicits the indignation of the synagogue leader where Jesus has just taught. The tension is palpable. Jesus broke the sabbath law (Exodus 20:8-11). The woman's bondage to the physical affliction is broken, but the bond of the people to their code of law is broken as well.

Luke presents a sharp and dramatic contrast. On one hand are those who dutifully obey the letter of covenant law -- because it is their law. And then there is Jesus who has just demonstrated God's purpose, the divine intention that we experience the fulness of life offered freely through God's living covenant with the Israelites through Abraham (verse 16). By proclaiming release to this captive woman and by setting her free, Jesus fulfills Isaiah's prophecy, just as he read it in the synagogue in Nazareth (Luke 4:18-19). It is the Spirit of the Lord at work in Jesus as manifested in the healing of this bent-over woman which motivates the knowing, deliberate violation of the law -- and becomes the alternate means to fulfill God's purpose.

Is there wisdom in this passage to guide us when our session sexual misconduct policies require specific actions, but circumstances prevent us from honoring those specifics? What do we do when faced with lacking the capacity to comply with our own policy?

Jesus' response to the dutiful leader's complaint is outcome-oriented. Jesus' acts conform to God's purposes for humanity. He gives us a standard -- a principle or norm -- against which to measure the requirement regarding the sabbath. Jesus reframes the situation. The issue is not whether his acts violate the sabbath; they do. The issue is whether the outcomes conform to God's promises to the people in the covenant given to Abraham. (In fact, the conflict of Jesus healing on the sabbath is repeated at Luke 14:1-6. Another afflicted person is cured.)

The lesson for us: If we are unable to comply literally with a session policy requirement, we are not necessarily helpless. Find a reasonable workaround. The task: Find an adaptation which achieves the outcome of the larger purpose for why the policy was created in the first place!

## Workarounds: Practical Alternatives to the Elder's Dilemma

All of the following have some limitations, and are not long-term solutions. None are substitutes to the two-deep leadership rule as a means to avoid isolation, ensure accountability, and build-in a second on-site resource who can act on behalf of the well-being of children. These are ways to cope with a temporary situation while honoring the standards and goals of a sexual misconduct policy.

### Workaround 1: Techno

Install a baby monitor in the space where the childcare is offered. The monitoring unit is installed in the narthex where a person serving as an usher is able to listen. The opportunity for supervision is not perfect, but a level of awareness and communication is achieved. (In some circumstances, a cell phone may work to achieve this end.)

### Workaround 2: Move the Furniture

Find an alternate space for childcare on Sundays, i.e., space which is closer to the sanctuary. Bridge the distance by reassigning how an existing room is used. Implementing this option may have tradeoffs. The standard against which those pros and cons are measured is whether the larger purpose of the policy - the well-being of children - is served.

### Workaround 3: All Hands on Deck

"Bear one another's burdens," Paul writes to the church at Galatia (Galatians 6:2). Invite parents or guardians of the children for to fill-in as substitutes. Make it an opportunity for intergenerational bonding, for people to meet others with young families. Turn a deficit into a serendipitous way to nurture each other.

### Workaround 4: Wanderers

The people of Israel, we're told, wandered in the wilderness after leaving enslavement in Egypt. Adapt this Exodus model. An usher or another adult can be designated to make friendly random, on-site visits to the childcare space. This, too, is not ideal, but it does establish a way to maintain a level of awareness and communication.<sup>1</sup>

### Workaround 5: Potty Patrol

In the event of one childcare provider, a typical, vexing question is how to deal with needing to accompany a pre-school child who needs to use a toilet. How is the 1:1 isolation to be overcome? The answer: Bring a group of children along. Of course, the dignity of the child using the toilet must be preserved by ensuring privacy. Managed well, the presence of several children is a short-term deterrent to maltreatment.<sup>2</sup>

### No Workaround: Accepting the Reality

Of course, there is always the option of recognizing that on a given Sunday morning, a workaround may not be feasible, and may not work in light of the goals of preventing sexual abuse of minors, of preserving bonds of trust within the congregation, of cherishing children as a gift from God who deserve protection and care. Error on the side of safety, always. On a given Sunday, it may be necessary for leaders to decide that there will be no childcare.

<sup>1</sup> Palmer, Elizabeth. (2018). Making church a safe place: Anna Groff of Dove's Nest. *The Christian Century*, 135(24, November 21):28-31. Palmer, the Books Editor of the journal, interviews Ann Groff, executive director of Dove's Nest, based in Omaha, Nebraska, "an organization that equips faith communities to build safe environments for children and survivors. It trains teachers in the *Circle of Grace* curriculum, a tool for helping young people maintain physical boundaries and recognize inappropriate situations."

<sup>2</sup> The source is a certified trainer for the national child sexual abuse curriculum, *Stewards of Children*, developed by Darkness to Light. The trainer was employed by Bivona Child Advocacy Center, Rochester, NY.

### The Big CAUTION

A workaround is a temporary adaptation. It is never a way to circumvent the integrity of a session's sexual misconduct policy or compromise rigorous procedures. Workarounds are never long-term solutions. They are justified insofar as they honor the larger goals: to protect vulnerable people, to prevent the violation of sexual boundaries, to preserve the bonds of trust within the congregation, to treat minors as the gift from God which they are, and who are to be cherished.

### Genesee Valley Toolbox for Session Sexual Misconduct Policies

The editions of the **Toolbox** series are posted on the PGV website in the dedicated folder of the Committee on Ministry: <https://pbygenval.org/committees/committee-on-ministry/sexual-misconduct-policies-resources/genesee-valley-toolbox/>

Pass this link to your Ruling Elders on your Session, and to those who work with your children and youth.