**Policy Statements for District Affiliated Churches**

**Rationale for Policy Statements**

As you already know the board of each District Affiliated Church (DAC) is comprised of the District Superintendent, Sectional Presbyter and the Pastor. One of the challenges that we all face today is making sure our churches are protected as much as possible from possible lawsuits, violation of legal and tax guidelines, protecting minor children who attend the church and the list could go on.

It would be very cumbersome for each board to adopt policy statements that fit into the list above. Over the last few years the District Presbytery (which is made up of all Sectional Presbyters and Executive Presbyters) have compiled policies that they believe will protect the church and the members of each church.

Please understand that this list is not exhaustive. Your church may need other policies in regards to operations etc. Also either your church board or the Arkansas Executive Committee can make minor changes to the policies provided those changes do not change the intent of the policy or violate any legal or insurance guidelines.

If you have any questions about these, you may speak with your sectional presbyter or contact my office.

Cecil Culbreth, District Secretary

Revised June 30, 2017

**District Affiliated Churches Arkansas Assemblies of God**

**Policy for Children and Youth Workers**

**Policy Statement # 1**

**Recruitment Procedures for Volunteers and Paid Staff**

For simplification and clarification purposes the terms “child” or “children” will be used to encompass everyone who fits into the categories of “children, youth, minors (under 18 years of age), and developmentally disabled persons.”

The following procedures MUST be followed in recruiting volunteer and staff for any position involving access to children, youth or developmentally disabled persons:

1. Persons interested in working or volunteering to work in children’s or youth program will submit their name to the pastor.
2. Each interested person must complete **a Volunteer Application** or **Employment Application.**
3. For volunteers or employees who will be working with minors, an **Application for Ministry to Minors** should be filled out initially and updated every three years.
4. The pastor will check all references (personal and church) and record information.
5. A national criminal background check will be performed. **Protect My Ministry** should be used by Arkansas District Affiliated Assemblies of God churches.
6. The **Arkansas Child Maltreatment Central Registry** (CMCR) will be checked on the applicant. (If the person is a resident of another state, that state’s registry must be checked.)
7. The **Arkansas Crime Information Center** (ACIC—acic.org) will also be checked to insure that the person’s name does not appear on that list.
8. The background check, CMCR and ACIC will be checked every three years on each worker or more frequently if required by the church’s liability insurance carrier.
9. When all references have been checked, the pastor will interview the applicant. (In some cases, another approved person will interview the applicant.)
10. In the process of hiring staff, additional information regarding past work experience may be requested, and the interviewing process may be different according to position.
11. The pastor will determine whether or not the person will be approved for work or volunteer. A minimum of 6 months in attendance at (church Name) is required.
12. The pastor (or another approved person) will notify the applicant whether or not he/she has been approved to work/volunteer at the church.
13. In the event the potential worker is related to the pastor the Arkansas District will examine the criminal background check and CMCR.
14. All information on youth and children’s volunteers or paid staff, or those involved with developmentally disabled persons, will be kept strictly ***confidential*** and only released as otherwise noted in this application. Records will be secure and kept locked.
15. No minor should be alone with one adult on the church’s premises or in any sponsored activity. If a staff member or volunteer is involved in a counseling situation with a child another approved adult must be able to have visual contact with the counselor and counselee.
16. If a background check reveals a prior sexual misconduct-related offense, that person will be permanently ineligible to volunteer or work with minors.
17. This policy can be changed by the Executive Committee in the event the district’s legal counsel or insurance carrier recommends the change.

**All workers must be screened prior to their working in any children’s or youth program or activity. These reviews MUST be kept in absolute confidence. (Under Arkansas law, we are obligated to this and should not release them without a court order or the written consent of the applicant.)**

Approved by: District Presbytery

Date: 6/16/2015

**District Affiliated Churches**

**Policy Statement Regarding Usage of Church Facilities for Weddings, wedding receptions and anniversary receptions.**

**Policy Statement # 2**

1. All weddings conducted on the properties of (church name) must be officiated by a minister is who credentialed and in good standing with the General Council of the Assemblies of God.
2. The minister who is officiating the ceremony must ensure that his/her ministerial credentials have been registered with one of the county clerk’s offices in Arkansas.
3. The officiating minister should view the marriage license before the ceremony.
4. The church properties can be used for weddings and wedding receptions provided that either the bride or groom is a member in good standing of an Assemblies of God church.
5. The church properties can be used for anniversary receptions provided that either the husband or wife is a member in good standing of an Assemblies of God church.

Approved by: District Presbytery

Date: 6/16/2015

**Retirement Fund Policy**

**Arkansas Assemblies of God District Affiliated Churches**

**Policy Statement # 3**

District Affiliated churches should provide a way for the ministerial staff to take advantage of 403 b retirement plans that are allowed by the IRS. We hereby formally adopt the Ministers Benefit Association (MBA) retirement program that is part of Assemblies of God Financial Solutions, as the 403 b retirement program for Arkansas AG District Affiliated Churches with the following guidelines:

1. The senior pastor in consultation with the District Secretary is authorized to execute any documents required by either MBA or the IRS to participate in the program on behalf of the church.
2. The amount contributed by the church to the minister’s retirement account will be set and reviewed annually by the Sectional Presbyter and/or the church board assigned by the District Superintendent.
3. Any employee of the church who qualifies for participation in MBA may request that a portion of their salary be reduced and that the amount of the reduction be sent to their MBA account on a monthly basis. It is understood that the reduction amount is not reported as taxable income.
4. Employees who want a salary reduction paid to MBA must make their request in writing to the church bookkeeper prior to December 20 of each calendar year. The request must be signed by the employee.
5. Employees may make contributions with after tax dollars to their MBA account as they desire up to the maximum allowed by IRS guidelines.
6. It is understood that IRS guidelines concerning a 403 b may change. Any IRS guidelines will take precedent over this policy in regard to the retirement plan.
7. In the event the pastor or church chooses to participate in a different retirement program than MBA, the leadership of the church should contact the District Secretary for information on the guidelines that should be followed.

Policy Approved by: District Presbytery

Date Approved: February 21, 2017

**Policy Regarding Sex Offenders on Church Property**

**Arkansas Assemblies of God**

**District Council Affiliated Churches**

**Policy Statement # 4**

All Arkansas Assemblies of God District Council Affiliated churches must adhere to the following policy in regard to registered sex offenders attending church or church activities.

“Because our understanding of Scriptural mandates of repentance, reconciliation, and the need to grow spiritually in a local church, it is our purpose to welcome to our church every sinner saved by grace.  However, because the particular background of some people requires a greater measure of personal accountability so as to protect other vulnerable people in the church as they grow in the faith, we hereby agreem to the following policies and procedures.

There are two options available for the church:

**Option # 1: Adopt a policy of total exclusion**. This means that known sex offenders are not permitted to attend church services or activities. There is no law that requires a church to allow sex offenders to attend. Churches are well within their rights to deny a sex offender the privilege of attending church.

**Option # 2: Allow sex offenders to attend under a conditional attendance agreement.** This agreement must follow the template provided by the Arkansas District Secretary’s office. Before the conditional attendance agreement can be offered to the offender the church board must approve the agreement.

**Option # 1** is advisable if:

1. For any reason a conditional attendance agreement is not feasible or enforceable.
2. The offender’s crime(s) are so heinous that exclusion is the only appropriate option. Factors to consider are the seriousness of prior sex offenses, the number of victims, how long ago they occurred, and the age of the victim(s.)
3. One or more of the offender’s victims attend the church.

**Option # 2—Conditional attendance agreement**

The conditional attendance agreement is a document that outlines the conditions under which the offender may attend church. The document is prepared by the church in consultation with the District Secretary’s office and signed by the offender in the presence of witnesses.

A template for the limited attendance agreement that the sex offender must sign will be provided by the District Secretary’s office.

Here are the items that must be discussed with the offender before the attendance agreement is offered:

1. There will be a criminal records search.
2. The church leadership will review the terms and conditions of a probation or parole agreement.
3. The conditional attendance option will not be available unless the offender‘s probation officer or parole board (if any) approves it.
4. The offender cannot work with minors in any capacity in the church. NO EXCEPTIONS.
5. The offender CANNOT transport minors to or from church or any church activity. An exception may be appropriate for the offender’s own biological children depending on the circumstances
6. The offender must always be in the presence of a designated chaperone while on church property for any reason including but not limited to religious services, educational classes, activities and restroom breaks. The chaperone will meet the offender at the entrance of the church and accompany him or her on church premises until returned to his or her vehicle.
7. The chaperone will be of the same sex as the offender and will be selected by the pastor and leadership of the church
8. The offender cannot attend any youth or children’s functions while on church property. If the function is open to other adults in the church, then the offender may attend with the presence of the chaperone
9. A single violation of these conditions will result in an immediate termination of the offender’s privilege to attend church.
10. The conditional attendance agreement option will not be available unless the church’s insurer is informed and confirms that coverage will not be affected.

Approved by: District Presbytery

Date: 6/20/17

**Policy Statement # 4A**

**Guidelines and Policy for Sex Offenders Attending (Church Name, City and State) Church Services and Church Activities**

**Note: These guidelines are implemented for each DAC individually if the DAC board approves a sex offender attending a church.**

While (church name) is committed to being a community open to those who are in need, especially in times of serious personal trouble, it is also committed to protecting

its members from the misconduct of others. As such, we are committed to creating and maintaining ministries, facilities, and a community in which members, visitors, staff, volunteers, and other participants can enjoy an atmosphere free from all forms of discrimination, harassment, exploitation, or intimidation.

In light of these commitments, we establish the following practices:

* (Church Name) will cooperate with legal authorities regarding the participation of persons with a history of sexual convictions in ministry activities.
* No person with any sexual offense on their record will be appointed to any position in this ministry.
* All persons known to have been accused or convicted of sex offenses must comply with the terms of this policy.
* (Church Name) will periodically review this policy and ministry enforcement of this policy.

**I. INVESTIGATION AND DISCLOSURE**

As a condition of service, all staff, officers, employees, and volunteers will submit an application form listing all criminal investigations, arrests, or convictions, and authorizing the ministry to conduct criminal background investigations. This must be done every four (4) years. All names shall be cross-referenced against state and federal sex offender registries. This disclosure also will be required of anyone new to a position or employment if the initial date of requirement has passed.

(Church Name) further reserves the right to research all public information databases, including, but not limited to, court records, sex offender registries, department of corrections records, and any other repositories of public information regarding any ministry member, guest, staff member, volunteer, or other participant in any ministry activity.

All persons identified through the foregoing investigation and disclosure, or through other private or public information, to have a record of convictions related to any sexual offense will be referred to the response team. Upon receipt of a referral, the response team will convene to conduct a thorough investigation and make recommendations to the church board. The church board shall implement the recommendations of the response team and take other actions, as appropriate.

**II. RESPONSE TEAM**

A. The response team will consist of three (3) members and will be convened on an as-needed basis to address complaints and concerns that arise in relation to this policy. The response team will be familiar with the terms and procedures of both this policy and the ministry’s abuse prevention policy. Response team members must submit to the screening procedures established in the ministry’s abuse prevention program.

1. The response team will consist of (List members of the team)
2. In the event a complaint involves a member of the response team or a member of the response team is unable to participate in proceedings, a fourth member will be appointed by the remaining members of the response team.
3. All response team deliberations will be strictly confidential, prior to delivery of any final recommendation. Materials related to response team investigations will be treated with care and kept in a limited-access secured file.

B. Upon receipt of a referral, the response team will convene to institute formal proceedings, which shall include, but not be limited to, the following:

1. The response team will gather statements or other information from the individuals who are the subject of the referral. The team also may gather statements from others who may have pertinent information, including relevant, qualified professionals and legal authorities.
2. The response team will make determinations and take actions appropriate to resolve the matter. (a) If the response team determines that the referral is unfounded, it will indicate its determination to the ministry’s governing body, which will deem the matter resolved unless additional information is discovered; (b) If the response team determines that the referral is well-founded, it will take the following actions:
3. Contact appropriate legal authorities to determine whether the referred person is permitted to participate in ministry activities and any additional legal restrictions imposed on them.
4. Require the referred person to execute a *Contingent Participation Agreement* with terms established by the response team.
5. Recommend that the ministry’s governing body, with the assistance of legal counsel, terminate the referred person’s employment or volunteer service (if applicable).
6. Any additional actions determined by the response team to be appropriate, including, but not limited to:
7. A formal reprimand, with defined expectations for changed behavior.
8. Recommending/requiring psychological or psychiatric assessment, counseling, and/or treatment.
9. Probationary standing, with the terms of the probation clearly defined.
10. Exclusion from ministry activities.
11. Cooperation with criminal proceedings.
12. The drafting of a public statement to be delivered to church members by the church board.
13. If the response team determines that the referred person does not have a record of convictions related to any sexual offense, but nonetheless determines that the person may pose a threat to others, it will take any of the actions in this section it deems appropriate.
14. The response team may seek the advice of legal counsel or others for advice in performing its functions.
15. The church board or the response team may, at their discretion, request that the referred person not participate in church activities or services until the matter is resolved.
16. A confidential written record of the response team proceedings will be maintained. This record will be available to both parties in any litigation involving conduct by the referred person related to the subject matter of the referral. The record also will be available to any party who can produce a subpoena for its release.
17. Failure to cooperate fully with a response team investigation or to fully comply with response team recommendations will be grounds for exclusion from participation in ministry activities, and/or exclusion from ministry membership.

**III. CONTINGENT PARTICIPATION AGREEMENTS**

Upon determining that referral is well-founded, the response team will require, in consideration for being permitted to participate in ministry activities, that the referred person execute a *Contingent Participation Agreement*, under terms established by the response team.

The *Contingent Participation Agreement* will detail the conditions under which a referred person will be permitted to participate in ministry activities. These conditions will include a list of ministry activities/areas where the referred person may/may not participate/enter. In addition, any such agreement will include the assignment of a designated chaperone and the condition that the referred person must comply with the instructions of their designated chaperone.

Violation of these conditions on the part of the offender will result in their exclusion from future activities.

**Churches are required to use the *Contingent Participation Agreement* template from the District Secretary’s office. The only exception would be in the event the church’s insurance company provides a different document.**

**IV. DESIGNATED CHAPERONE TEAM**

1. The designated chaperone team will be led by the Designated Chaperone Director, who will be an employee of the church who is appointed by the Church board. (For District Affiliated churches the Pastor will serve as the Designated Chaperone Director.)
2. The designated chaperone team will consist of a sufficient number of members to ensure coverage for all persons subject to their supervision. Designated chaperones will be familiar with the terms of their charge’s *Contingent Participation Agreements*.
3. The designated chaperone team will consist of volunteers from the church appointed by the response team. Members of the response team may also serve as designated chaperones.
4. Under no circumstances will a designated chaperone be assigned to a referred person to whom they are related.
5. Designated chaperones will be in the same room as their referred persons at all times during the referred person’s participation in ministry activities or presence in ministry areas.
6. Designated chaperones may observe up to three referred persons at one time, provided those persons remain in the same areas.
7. Designated chaperones may arrange for their referred persons to be monitored by other designated chaperones on an as-needed basis, with the prior approval of the Designated Chaperone Director.
8. Designated chaperones will maintain a log of their activities with their assigned referred persons, recording when the referred person arrived, when they departed, and any times when the designated chaperone and referred person became separated. This log will be submitted to the Designated Chaperone Director on a regular basis.

Approved by: Executive Committee

Date: 6/20/17

**HARASSMENT POLICY**

**Arkansas District Assemblies of God and District Affiliated Churches**

**Policy Statement # 5**

The Arkansas District of the Assemblies of God (referred to in this document as the Arkansas District) and the District Affiliated Churches of the Assemblies of God (referred to in this document as DAC) seeks to promote a productive work environment in which all employees and volunteers reach their full spiritual and professional potential in ministry service. The Arkansas District and any DAC strictly prohibits all forms of unlawful harassment, which includes harassment on the basis of race, religion, color, sex, national origin, citizenship status, uniform service member status, pregnancy, age, genetic information, protected medical condition, disability or any other category protected by applicable state or federal law. Harassing conduct can take many forms and includes, without limitation, slurs, jokes, statements, gestures, pictures, or cartoons regarding an employee’s age, ancestry, color, marital status, medical condition, mental disability, physical disability, national origin, race, religion or sex.

No form of harassment will be tolerated. The Arkansas District and any DAC does not tolerate harassment of personnel by co-workers, ministry leaders (paid or volunteer), or non-employees in the workplace for any reason. The Arkansas District and any DAC is committed to preventing, investigating, and when appropriate, taking disciplinary and other action in response to incidents of harassment. This policy against harassment applies to all employees or volunteers and extends to all District Affiliated Churches.

Violation of this policy will subject an employee/volunteer to disciplinary action, up to and including immediate termination from employment at the church or the volunteer ministry at the church.

**Definition of Sexual Harassment**

Sexual harassment is unwelcome verbal, visual, or physical conduct that creates an intimidating, offensive, or hostile working environment or that interferes with work performance. Such conduct constitutes harassment when:

* Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or volunteer position.
* Submission to or rejection of such conduct by an individual is used as the basis for employment/volunteer decisions affecting such individual.
* Such conduct has the purpose or effect of unreasonably interfering with any individual's work performance or creating an intimidating, hostile, or offensive working environment for the employee or volunteer.

This includes many forms of offensive behavior, including harassment of a person of the same gender as the harasser. The following is a partial list of types of sexual harassment:

* Unwanted sexual advances
* Offering benefits in exchange for sexual favors
* Actual or threatened retaliation
* Leering; making sexual gestures; or displaying sexually suggestive objects, pictures, cartoons, or posters
* Making or using derogatory comments, epithets, slurs, or jokes
* Sexual comments, including graphic comments about an individual’s body; sexually degrading words used to describe an individual; or suggestive or obscene letters, notes, or invitations
* Physical touching or assault, as well as impeding or blocking movements

**Reporting – Investigation and Discipline**

Any employee/volunteer who experiences or becomes aware of harassment of any form in the workplace is required and must report immediately to his/her ministry leader. If the ministry leader is the alleged harassing party, an employee/volunteer may report the harassment to the pastor, presbyter or superintendent. Any such harassment will subject harassing party to disciplinary action, up to and including immediate termination. Any ministry leadership level employee/volunteer who witnesses harassment or learns of an allegation of harassment and does not report it is subject to disciplinary action, up to and including termination of service.

All allegations of harassment will be promptly investigated in as impartial and confidential a manner as possible. The Arkansas District or its representatives and any DAC cannot ignore a complaint, and cannot honor a request that nothing be done about a complaint. The investigation will include obtaining information from whomever the employee/volunteer believes has been harassing him/her and anyone who may have been a witness to or may have knowledge regarding the alleged harassment.

Upon completion of the investigation, the Arkansas District or DAC will take any appropriate disciplinary action as is necessary, will communicate the resolution of the matter to the parties involved, and will take any further steps as may be necessary to prevent further harassment. If the harassing conduct is the act of a non-employee, the Arkansas District and any DAC will undertake whatever action may be feasible to ensure such conduct is not repeated.

The Arkansas District and any DAC will permit no employment-based retaliation against anyone who brings a bona fide complaint of harassment or who provides true information as a witness in the investigation of a complaint of harassment. Any employee/volunteer found to have violated this policy is subject to disciplinary action, up to and including termination.

Approved by: District Presbytery

Date: 6/20/17

**FULLY ACCOUNTABLE REIMBURSEMENT POLICY**

**Arkansas District Affiliated Churches**

**Policy Statement # 6**

The church adopts an accountable reimbursement policy pursuant to income tax regulations 1.162-17 and 1.274-5T(f) upon the following terms and conditions:

1. **Approval**. In addition to meeting the requirements set forth below, any expense in excess of (the specific amount will be determined by each DAC in consultation with the Sectional Presbyter) must be approved in advance by theSectional Presbyter. In the event the pastor is the presbyter, the District Supt will be contacted for approval.
2. **Adequate accounting for reimbursed expenses**. Any “employee” employed by the church shall be reimbursed for any ordinary and necessary business and professional expense incurred on behalf of the church, if the following conditions are satisfied: (1) the expenses are reasonable in amount; (2) the employee documents the amount, date, place, business purpose (and in the case of entertainment expenses, the business relationship of the person or persons entertained) of each such expense with the same kind of documentary evidence as would be required to support a deduction of the expense on the employee’s federal tax return; and (3) the employee substantiates such expenses by providing the church treasurer with an accounting of such expenses no less frequently than monthly. (In no event will an expense be reimbursed if substantiated more than 60 days after the expense is paid or incurred by an employee.); (4) if the expense involved the purchase of equipment and the expense was pre-approved by the Senior Pastor. Examples of reimbursable business expenses include overnight travel (including lodging and meals), entertainment, books and subscriptions bought for the church. This would also include attendance at the Arkansas District Council, minister’s retreat or other district meetings. Expenses to attend the General Council meeting can also be reimbursed if pre-approved by the Sectional Presbyter. Under no circumstances will the church reimburse an employee for business or professional expenses incurred on behalf of the church that are not properly substantiated according to this policy. Church and staff understand that this requirement is necessary to prevent the church’s reimbursement plan from being classified as a non-accountable plan.
3. **Excess reimbursements**. Any church reimbursement that exceeds the amount of business or professional expenses properly accounted for by an employee pursuant to this policy must be returned to the church within 120 days after the associated expenses are paid or incurred by the employee, and shall not be retained by the employee.
4. **Mileage**. The employee can be reimbursed for mileage at the prevailing mileage rate allowed by the IRS for all travel related to conducting church business. The reimbursement will be monthly. The employee must submit a signed report to the church bookkeeper that shows date of travel, business purpose, location and round trip mileage.
5. **Reimbursements not funded out of salary reductions**. Reimbursements shall be paid out of church funds and not by reducing pay checks by the amount of business expense reimbursements.
6. **Cellular phones and personal computers**. The church will not reimburse cellular phone or personal computer expenses of an employee who is treated as an employee for federal income tax reporting purposes unless the employee’s use of a cellular phone or personal computer (each referred to below as “equipment”) meets the following two tests: a. Convenience of the employer. Use of the equipment must be “for the convenience of the employer.” This means that the employee cannot perform his or her job without the equipment. b. The fact that the equipment enables an employee to perform his or her work more easily and efficiently is not enough. Further, it must be demonstrated that computers and telephones available at the church are insufficient to enable the employee to properly perform his or her job.
7. **Tax reporting**. The church will not include in an employee’s W-2 form the amount of any business or professional expense properly substantiated and reimbursed according to this policy, and the employee should not report the amount of any such reimbursement as income on Form 1040.
8. **Retention of records**. All receipts and other documentary evidence used by an employee substantiate business and professional expenses reimbursed under this policy will be retained by the church for a period of 3 years.
9. **Employees**. For purposes of this policy, the term "employee" shall include the following persons: Any full-time or part-time paid staff of the church. Also included are unpaid volunteer staffs.
10. **Church Credit Card**: In the event the church provides a church credit card for the employees business related expenses, the employee must write on each credit card receipt the business purpose of the expenditure and submit those receipts to the church bookkeeper. If the church reimburses the employee for mileage, the church credit card cannot be used to charge gas for the employee’s personal vehicle. In the event the employee or church volunteer uses the church credit card for a personal expense, they must reimburse the church for that expense.

Approved by: District Presbytery

Date: 6/20/17

**DAC church boards** appointed either by bylaw or by the District Superintendent are authorized to make minor changes in this policy to fit the unique circumstances of a specific local church. Those changes must be approved by the district secretary before they can be officially adopted by the DAC church board.

(Note to District Presbytery—the main reason the district secretary needs to see the changes is to make sure they do not conflict with any legal or insurance requirements)