

CHILDREN/YOUTH PROTECTION POLICIES AND PROCEDURES Christ Lutheran Church



People were bringing little children to Jesus to have Him touch them, but the disciples rebuked them. When he saw this, he was indignant. He said to them, "Let the little children come to me, and do not hinder them, for the kingdom of God belongs to such as these. I tell you the truth, anyone who will not receive the kingdom of God like a little child will never enter it." And he took the children in his arms, put his hands on them and blessed them. (Mark 10:13-16)

Children came to Jesus in trusting love and simple faith. This program exists for the purpose of protecting the simple faith and loving innocence of all children and youth who participate in activities sponsored by Christ Lutheran Church. It is the commitment of this church to expend any amount of effort necessary to ensure the spiritual, emotional and physical safety and well-being of children and youth entrusted to our care.

(12-29-14)

Statement of Purpose

The Children/Youth Protection Program exists for these purposes:

- to provide a safe environment for children and youth
- to communicate strongly that this church community is serious about providing protection from child abuse
- to protect staff and volunteers from liability associated with false allegations
- to ensure proper training of all paid and volunteer workers who work with minors
- to establish a procedure for reporting any suspicions of child abuse or neglect to authorities in compliance with Indiana laws

Primary responsibility for implementation of these policies rests with the Director of Faith Formation (hereafter referred to as DFF) or an appropriate designee specified by the pastor with oversight by the pastor, the Governance Board, and the Faith Formation Network. Refer to the Staff Handbook.

Procedures—Nursery

- Nursery check-in and checkout - Children through three years of age are signed in by the parent who also will designate the check-out person. Parents are informed of this requirement when they first bring their children.
- Changing diapers - No child is ever left unattended on a changing table.
- Rest room supervision - When taking children to the rest room, workers supervise children of the same gender whenever possible. When this is not possible, the worker stays at the rest room door until the child is finished in the stall. Children are provided as much privacy as possible when using the rest room. Workers may assist only when absolutely necessary. When taking children to the restroom, the main rest room door is left open or two adults are present at all times. Childcare workers follow these guidelines as closely as possible in an emergency situation while providing the appropriate assistance.
- Permission to be alone with a child in the nursery: Written parental permission is obtained prior to the child being left in one individual's care. This shall only occur when the parent/caregiver is in the building.

Screening Policies and Procedures

Careful screening of all persons who work with children and youth is imperative to providing a safe environment

Persons who have been formally charged with child neglect or abuse are not permitted to serve in direct contact with children or youth.

Screening Procedure for Regular Workers: to be used with all regular (working > 12 hours per year, more than 1 hr/month) workers ages 18 and over, full-time or part-time, compensated or volunteer, including clergy

- Permission for Criminal History Check is completed.
- Participant Covenant Statement, agreeing to follow established policies.
- An Appointment to Service for paid staff is completed and signed.
- Identity is confirmed with photo ID.
- Summary brochure of Children/Youth Protection Program is provided and explained.
- A copy of the driver's license and vehicle insurance card on file in the office for any drivers on church sponsored outings.

Screening Procedure for Minimally Involved Persons: to be used with workers, ages 18 and over, involved in a one-time event or working < 12 hours/year (Examples - parents who help in the Nursery or Sunday School, parent drivers or individuals who offer their homes to host children's or youth events). Minimally Involved Persons will serve in conditions that are adequately supervised and will be under direction of regular children/youth workers or staff.

- Identity is confirmed with photo ID and documented.
- Summary brochure of Children/Youth Protection Program is provided and explained. Volunteers sign that they understand the policies.
- A copy of the driver's license and vehicle insurance card on file in the office for any drivers on church sponsored outings.

Screening Procedure for persons age 11-17

- Youth who wish to serve as childcare workers in the Nursery must be at least 11 years old.
- Youth must complete a childcare or lifesaving techniques course (or other comparable training).

- Verification of the completion of the course must be on file.
- The Summary brochure for the Children/Youth Safety Program policies is explained and applicants sign that they understand the policies.
- A health and emergency form is on file for all volunteers age 11 - 17

Record Keeping

- The background criminal history check Form is turned in to the DFF or a designee.
- All Requests for a Criminal History check are the responsibility of the DFF or designee, who makes the request and files results in a locked file, keeping all information confidential.

Processing Steps for Background Checks

- The background check will be the Federal Limited Criminal History Check. All previous criminal history records in the state of Indiana will remain valid until renewal is necessary. At that time, they will complete the federal form. In some cases a more extensive employee screening will be requested - can cover Criminal history, education verification, employment reference verification, name, social security and address verification, and review of employers and driving record - information requested depends upon the scope of the position.
- Forms turned in need to be processed in a timely manner.
- The following are criteria by which employment or involvement in Children or Youth ministry may be denied or restricted:
 - falsification of application - criminal history check must match applicant information
 - recent convictions that would impact the individual's ability to effectively perform job responsibilities
 - if charged with child abuse or neglect - no direct involvement in Children or Youth ministry
 - suspended license - restricted from driving for church outings
 - DUI - depending on history/frequency - restriction from driving for church outings

- Persons who have been formally charged with child neglect or abuse are not permitted to serve in direct contact with children or youth
- If someone who serves in direct contact with youth is formally charged with child abuse or neglect, they must notify the DFF or designee.
- If the reports are acceptable, the reports are filed in a locked file. The individual is thus approved to begin work in the ministry area.
- If the report is not acceptable by the above-established criteria, the DFF or designee determines if the concerns are grounds for restriction or denial.
 - DFF or designee notifies the individual of restriction or denial and the reason why. This meeting is documented and kept on file with the Criminal History Report.
 - If the individual feels the report information is incorrect, the individual has 24 hours to provide proof that the report is incorrect.
 - If any questions arise in this process, the pastor is contacted. The pastor may follow up with legal advice as needed.

Supervised Interaction with Children and Youth

Christ Lutheran Church has established parameters for the close supervision of persons working with children or youth.

- **Two Adult Rule**—At least two adults are present at every Children or Youth event. Appropriate adults may be staff, volunteer helpers or parents of children.
- **Identification of Children and Youth workers** - Preschool teachers, paid nursery workers, MOPS volunteers, and staff have nametags and picture ID.
- **Supervision during activities** - Parents and other approved observers are welcome to visit programs at any time. Window blinds and doors are kept open whenever possible. Classrooms and office rooms all have windows in the doors.
- **Permission to be alone with a child in a counseling situation:** When an adult needs to be alone with a minor for a counseling session, written parental permission is obtained prior to the counseling session. Counseling is done in an office setting with another adult in close proximity. The office room door either has a window or is left open during a counseling session.
- **Group outings** - Two adults escort children and youth on group outings. (No youth are allowed to drive on church sponsored outings.) In a caravan situation (all vehicles leaving and arriving at the same time), one adult per vehicle is adequate.
- **Driving for church youth outings** – Church responsibility begins when youth are gathered for an event. (Ex. Youth gather at church and are then driven together to an event, so the church's responsibility begins at church. When youth drive to an event at a park, movie, etc., the church's responsibility begins when the youth both arrive and gather.) Photocopies of current driver's license and vehicle insurance are kept on file in the office for any person who serves as a driver for a church outing.
- **Overnight Youth events** - Two adults are present with youth at all times. Separate sleeping accommodations are arranged for male and female youth. No adult will share a bed with a youth unless they are in the same family.
- If the Two-Adult rule cannot be followed, events will be cancelled.

Children/Youth Protection Team

The Faith Formation Network acts as the Children/Youth Protection Team to oversee Christ Lutheran Church's Children/Youth Protection Program.

Duties

- Receive a semi-annual report of persons screened.
- Ensure a training event is held each fall (and as needed with new workers) for all children/youth workers (staff and volunteer).
- Conduct an annual evaluation of the Children/Youth Protection Program. Policies are revised as needed and records kept of attendance at the training event and makeup sessions are held if an individual is absent.
- Review any special circumstances or questions that arise regarding policies.
- Ensure that proper confidentiality, reporting, and ministry occur, through specific policies and assigned tasks on the team. Confidentiality and healing ministry are vital, should an incident occur.
- See that annually a newsletter article regarding the Children/Youth Protection Program is written so that all congregation members are informed of the program's intent and purpose.

Communication

All members of Christ Lutheran Church are informed of the emphasis that is placed on the safety of children and youth involved in ministries offered here. The Children/Youth Protection Team ensures policies and procedures are communicated appropriately and that training occurs for all who serve in direct contact with children and youth in ministry.

Procedures

- The Statement of Purpose for the Children/Youth Protection Program is reviewed with each New Member class. New members are presented with a summary brochure outlining the program and are informed of the process for serving in the Children's or Youth ministry areas.
- Summary brochures regarding the Children/Youth Protection Program are available in Children's Ministry, Youth Ministry, Nursery and ECM areas for parents.
- A newsletter article is written and posted on the website regarding the Children/Youth Protection Program so that all congregation members are informed of its intent and purpose.

- Leaders in the areas of Children's Ministry, Youth Ministry, Nursery, MOPS, and ECM are responsible for communicating policies and procedures to workers in their areas.
- Individuals who serve in direct contact with children and youth receive training on the congregation's Children/Youth Protection Program prior to active involvement.
 - Each training session contains information and material designed to keep persons working with children/youth current and equipped.
 - Records are kept of attendance at the annual training event and makeup sessions are required if an individual is absent.
 - A Participant Covenant Statement is reviewed and signed by each person involved in Children's or Youth ministry at the annual training event and kept on file.

Reporting Child Abuse or Neglect to Authorities

Any person who has reason to believe that a child is a victim of child abuse or neglect has a duty to report the allegations of any abuse.

- When to report — immediately
- Who to report to - Local Child Protection or local law enforcement agency - report to the agency in the county in which the child resides
 - Child Protection Service—765-482-0054
 - Zionsville Police—873-5967
 - Boone County Sheriff Dept.—765-482-1412
- How to report — orally. According to Ind. Code 31-33-5-4, the report "shall" be made orally. The law does not provide the option of mailing a written report.
 - The report and the identity of the person making a report is considered confidential information by the agency receiving the report.
 - The individual who has reason to believe child abuse or neglect has occurred informs a church staff member.
 - If an incident occurs at a church sponsored event, the pastor must be informed.
- Ordained clergy should not assume they are exempt from the child abuse law's reporting requirement by reason of pastor/penitent privilege.

- Any individual observing a violation of Children/Youth Protection Program Policies immediately reports to the pastor.

The pastor is informed and ensures that an immediate report to Child Protection Services or law enforcement agency has been made by the appropriate individual. Should an incident occur, the pastor ensures that healing ministry to persons affected is initiated only as advised by Child Protection Services for appropriate timing. The pastor also ensures that the following additional steps have been taken:

- The victim's safety is ensured.
- The alleged perpetrator is not confronted with anger or hostility, but is treated with dignity and support. However, he/she is immediately removed from involvement with children or youth while local authorities conduct an investigation.
- Notification of an allegation is made to the church's legal advisor, the church's insurance agent, and to the Indiana/Kentucky Synod office according to synod guidelines.
- A written record of steps taken by the church in response to an allegation is maintained by the Church Administrator in a locked file. (See Form -Response to Suspected Incidence of Child Abuse or Neglect).

Additional actions are taken as appropriate to the situation:

- News Media - Only the designated spokesperson is authorized to speak to the media on behalf of the congregation. The spokesperson will speak calmly and thoughtfully, answer questions honestly without adding extra or unnecessary information, and maintain appropriate confidentiality. The designated spokesperson should be prepared to state the church's policy for the prevention of child abuse, the church's concern for the safety of the victim and all children and the procedures the church follows to reduce the risk of abuse to children.
- Information shared with the congregation - Confidentiality is the highest priority. No information is released that would give unnecessary details, place blame, interfere with the victim's privacy or violate any confidentiality concerns. Release of any information to the congregation or to portions of the congregation is at the discretion of the pastor and the church's legal representation.
- Extending ministry to persons affected by an allegation - No direct involvement ministry to the victim is extended until an investigation by local authorities is completed and Child Protection Services has advised Christ Lutheran Church as to the appropriateness of timing. Prayer support may be requested of the *prayer team without revealing details or breaking the confidentiality of the issue.*

Any individual (whether serving in a personal or professional capacity) "who has reason to believe that a child (less than 18 years old) is a victim of child abuse or neglect" has a duty to report (Ind. Code 31-33-5-1). "Reason to believe" means "evidence that, if presented to individuals of similar background and training, would cause the individuals to believe that a child was abused or neglected." Hearsay or second-hand reports may constitute "reason to believe." The individual's as well as the church's priority is to ensure the safety of the alleged

victim.

When "reason to believe" exists the seven types of child abuse or neglect (in regard to a child that is less than 18 years of age) that must be reported are:

- 1) Impairment or serious endangerment of physical or mental condition.
- 2) Endangerment of physical or mental health.
- 3) Victim of sex offenses - rape, deviate sexual conduct, child molesting, child exploitation, intercourse, indecent exposure, prostitution or incest,
- 4) Participation in obscene performances.
- 5) Sex offenses committed by a child.
- 6) Fetal alcohol syndrome - controlled substances.
- 7) Injury, development, or condition arising or aggravated by mothers' use of alcohol or drugs during pregnancy.

The "duty to report" is not limited to events on our premises or under our supervision. It applies to events occurring elsewhere subject only to the condition that as a result of the event the child must be in need of some sort of care, treatment or rehabilitation that he or she is not receiving and will not receive without intervention by the courts.

Once the "duty to report" has arisen, a report must be made immediately according to Ind. Code 31-33-5-4. The knowing failure to make a required report of child abuse or neglect is a Class B misdemeanor, which is punishable by a jail sentence of up to 180 days and a fine of up to \$1,000. The sentence and fine may be doubled if the person failing to make the report is the individual in charge of the organization.

Ind. Code 31-33-6-1 provides that a person who makes or causes a report of child abuse or neglect to be made is "immune from any civil or criminal liability that might otherwise be imposed because of such actions." Immunity does not apply to reports made "maliciously or in bad faith" (Ind. Code 31-33-6-2) or to knowingly making false reports.

It is not the responsibility of the person or institution making a report to be involved in the evaluation of allegations or the follow-up treatment process. Official agencies perform these functions. Child Protection Services (CPS) and local law enforcement agencies are the only agencies qualified to be involved in the investigation of allegations. Experience and research in this area suggests that any additional involvement beyond the scope of local law enforcement and CPS increases risk to the victim and any others involved.

The state does not impose the duty to report on an organization, such as Christ Lutheran Church, rather on individuals and individuals within organizations. Strict confidentiality of any information that is brought forth regarding an allegation or a report must be maintained at all times.