

# CHILD PROTECTION POLICY AND PROCEDURES

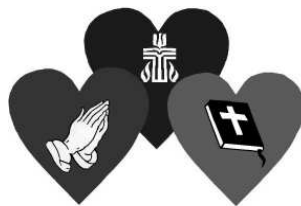


“Whoever  
welcomes  
one of these  
little children  
in my name  
welcomes me...”

Mark 9:37

**Hus Presbyterian Church  
Cedar Rapids, IA**

*As adopted by Session 07.15.2008*



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**Hus Presbyterian Church  
Cedar Rapids, Iowa**

**Child Protection Policy and Procedures**

Jesus clearly affirmed the great importance of children when he took a little child in his arms and said in Mark 9:37, *“Whoever welcomes one such child in my name welcomes me, and whoever welcomes me welcomes not me but the one who sent me.”* And again when He said in Mark 10:14, *“Let the little children come to me; do not stop them; for it is to such as these that the kingdom of heaven belongs.”*

**Purpose**

We recognize that abuse of children and youth occurs often in our society and can occur in our church. We are also aware that allegations and incidents of abuse can be devastating to the accuser, accused, their families and the congregation.

We affirm that children and youth are a gift from God and that the future of the church rests with them. We further affirm that it is our obligation to protect their physical, mental, emotional and spiritual well-being.

- The objectives of the Child Protection Policy and Procedures are to: Provide a safe, secure and nurturing environment for our children and youth,
- Protect volunteers and paid staff from false allegations of abuse,
- Provide prompt and compassionate response to allegations of abuse,
- Protect the church from unfavorable publicity and legal action.

**Statement of Prohibition**

The abuse of children or youth will not be tolerated in any form from any individual(s). Instances of abuse will be reported and dealt with in accordance with this policy. If the instance of abuse is in violation of state or federal law the incident will be reported to law enforcement authorities for investigation and prosecution. When appropriate, sexual and physical abuse will be reported to the Iowa Department of Human Services.

Individuals who have been convicted of, or plead guilty to or no contest to sexual, mental or physical abuse to children or adults shall not be accepted to work with children or youth in any capacity. No unscreened volunteers will be permitted to work with children or youth two months after the Child Protection Policy has been instated.

## Definitions

### **Adult**

A person must be at least age 19, be at least five years older than the children or youth he or she is working with and have met the screening and other requirements of this policy to qualify as an adult under the two-adult rule or in any other function involving the supervision of, or working with, children or youth.

### **Child Abuse**

Child abuse as used in this policy means abuse of any child or youth to include the following: Physical Abuse, including any physical contact intended to coerce or do harm, any hitting, spanking, or shaking. Emotional/Verbal Abuse, including insults, name calling, belittling remarks, unfavorable comparisons with other children or youth, shaming, deliberately causing fear, or using speech to hurt. Spiritual Abuse, including using Scripture or church authority to coerce, control or shame; using threats about condemnation from God or making threats about God withholding love to control behavior. Sexual Abuse, which is defined as any sexual contact with children or youth, including fondling private parts, oral, genital, or anal penetration, sexual intercourse, rape, suggestive sexual comments, showing pornography (sexually explicit material), exposing sexual organs, allowing children or youth to witness sexual activity.

### **Child and Youth**

A child is defined as any person from birth through completion of the fifth grade. A youth is defined as any person from immediately following completion of the fifth grade (usually beginning with the summer following the fifth grade) through completion of the twelfth grade or age 18 which ever comes later. During summer fellowship programs a person who has just completed fifth or twelfth grade is considered a youth.

### **Children and Youth Program Committees**

“Children and Youth Program Committee(s)” refers to committees that are responsible for programs and/or events utilizing volunteers who work with children and/or youth.

### **Pastor**

“Pastor” refers to the pastor, senior pastor, solo pastor, commission lay pastor, student pastor, or other individual who is serving in the capacity of the pastoral leader of the church.

### **Paid Staff**

“Paid Staff” refers to anyone who is paid by the church, or through a contract employment agency, for specific work (i.e. administrative assistants, custodians, music staff, youth worker staff, Christian educators.).

## **Volunteer(s)**

The use of the word “volunteer(s)” in this document refers only to volunteers who would be working with children and/or youth and require screening as stipulated in this Child Protection Policy and Procedures.

## **Responsibility for Administration of the Child Protection Policy and Procedures**

### **Summary of Responsibilities**

The Session is responsible for the administration of all aspects of the Child Protection Policy and Procedures, including screening of applicants, the training and education required by the policy, reporting of allegations or incidents of abuse and responding to such reports. When practical, all or part of these responsibilities may be delegated along with the authority to accept or decline any volunteer for any program or area of the church's life concerned with children and/or youth. *(There are three options suggested for this delegation: the clerk of session or the clerk of session working as part of a Child Protection Committee or a Child Protection Committee without participation of the clerk of session. The remainder of this document assumes that the responsibility for the Child Protection Policy and Procedures has been delegated in accordance with one of the three options listed above. The person and/or committee delegated the responsibility will be referred to in the remainder of this document as the Child Protection Committee.)* This Committee shall report to the session.

### **Composition and Selection of Child Protection Committee Members**

*(This paragraph assumes a Child Protection Committee, with or without participation of the clerk of session, has been delegated responsibility for the administration of the Child Protection Policy and Procedures.)* The Child Protection Committee is composed of three to five individuals selected to represent a cross section of the congregation and appointed by the session. The members may be members of the congregational, not serving on the session, and/or session members. Members not on session are appointed annually and may be reappointed each year to an unlimited number of terms. This allows members of the Child Protection Committee to build up substantial experience and expertise in the content of the volunteer jobs, the provisions of the Child Protection Policy and Procedures and the screening process. The Pastor is an ex-officio member of the Child Protection Committee.

## **Screening Process for Paid Staff and Volunteer Positions**

The act of screening greatly reduces the risk that child abuse will occur and increases the probability that the objectives of the Policy, as defined on page 2 above will be achieved.

### **Screening Process for Volunteers Who Work With Children or Youth**

The Children and Youth Program Committees or individuals responsible for children and youth programs will recruit volunteers. The Child Protection Committee is

responsible for screening volunteers. This screening process shall include the following:

- The committee recruiting the volunteers will supply each volunteer with the “Application for Volunteers Working with Children or Youth” (hereinafter referred to as the “Application” and found as Attachment A, Page 1- 5), along with any other appropriate forms, and request they complete them and return them to the Child Protection Committee. The Application consists of:
  - Page 1 is a summary of the Child Protection Policy and Procedures.
  - Page 2 is the Code of Conduct.
  - Page 3 is the Application to work with children and youth as a volunteer.
  - Page 4 and 5 contain the Vehicle Operator Application for those who may be driving children and/or youth to and from church events.
- The volunteer will complete the Application and any other forms requested and return them to the Child Protection Committee in a self-addressed envelope marked “Confidential, to be opened only by the Child Protection Committee” or a similar message.
- The church will attempt to contact any organization(s) where the volunteer has worked with children and/or youth to determine suitability.
- The volunteer will be requested to sign a release for the church to perform a criminal background check with state and federal authorities (See Attachment E for release).
- The Child Protection Committee will conduct the screening of volunteers itself, and determine if any volunteer would not be suitable to work with children or youth as a result of information gathered through the screening process. The screening will include a criminal background check and check of the appropriate state sex offender registries for every prospective volunteer going back seven (7) years. If the applicant will be driving children or youth it will also include a review of the applicants driving record as detailed below.
- Alternatively the Committee may elect to acquire this and other background information through a search vendor. The Presbytery office can provide information on contacting such vendors.
- Prior to making a final determination on suitability the Child Protection Committee will review all applicants with the Pastor and the head of the associated ministry to determine if he or she has information that would pertain to the suitability of the volunteer that the Child Protection Committee might not have.
- The Child Protection Committee will provide the Pastor with a list of any

volunteers who are deemed not suitable for working with children and/or youth and the reasons for this conclusion. The Pastor, or an Associate Pastor designated by him or her, and the chair(s) of the Child Protection Committee will privately discuss this conclusion with the individual. This interview will give the individual an opportunity to provide additional information he or she feels would mitigate the decision of the Child Protection Committee. If appropriate the Pastor may suggest that the individual volunteer for a different position for which he or she is qualified and/or withdraw his or her application to work with children and/or youth. The Pastor may disclose the names of individuals who have been rejected to the chairperson of the appropriate children and youth program committee(s) (usually the one recruiting the individual). In most cases this disclosure would be made so that the committee does not ask the individual to volunteer for a position working with children and/or youth in the future or as a substitute.

- The Child Protection Committee will maintain a written record of all volunteers who are not selected as volunteers due to the screening results. This list will be maintained in a locked file on the church premises and will be available only to the Child Protection Committee. The list will not be circulated to any other individuals or committees except as designated by this policy.
- In addition, the Child Protection Committee will keep on file all completed paperwork used in the screening process. Records will be retained indefinitely, since minors typically may bring charges years after the alleged incident took place. These files can be scanned into computer records.

### **Screening Process for Paid Staff Positions**

The Child Protection Committee will retain responsibility for screening paid staff. Screening of all applicants for paid staff positions shall include the following:

- Each applicant will complete an application form supplied by the church (See Attachment B).
- The application will include the listing of at least three personal references. Each reference will be contacted by the church to determine the suitability of the applicant for the position being sought (See Attachment C to document of reference check).
- Each applicant will be interviewed by the appropriate individual(s) and/or committee(s).
- The applicant's previous employer(s) covering the preceding seven years will be contacted to determine suitability for the position being sought.
- The church will contact any organization(s) where the applicant has worked with children and/or youth, also to determine suitability.
- The applicant will be requested to sign a release for the church to perform a criminal background check with state and federal authorities (See Attachment D)

for an FBI check; Attachment E for release for all other checks).

- The church will request a criminal background check be conducted by state and federal authorities.
- The church will check the state Sex Offender Registry for each state where the applicant has lived in the past seven years.
- Paid Staff who will be working with children and/or youth will also be asked to read and sign the “Code of Conduct.” (See Attachment A, Page 2)

Normally the information contained in the documents resulting from the process described above will be seen only by those who are charged with the responsibility for the hiring decision or making recommendations to the person or group with the final hiring authority. In the case of pastors that would be the Pastor Nominating Committee.

The objective of this screening process is to determine the suitability of the applicant for the position being sought and to be able to make a realistic comparison among the several candidates that may apply and thereby select the one best suited for the position. For those positions whose incumbents work with children and/or youth there is the additional objective of protecting our children and youth.

#### **Drivers Who Provide Transportation to Children and Youth**

Any paid staff or volunteer who provides automobile transportation as a part of an event or program sponsored by the church must:

- Be an adult as defined above.
- Have completed the “Vehicle Operators Application” (For volunteers see Attachment A, Page 4; for employees see Attachment F).
- Have a valid driver’s license.
- Have automobile liability insurance (the church’s liability insurance does not cover liability when paid staff or a volunteer is the driver).
- Have a satisfactory driving record as verified by a review by the church of a Motor Vehicle Records check on any paid staff or volunteer who will provide transportation for children or youth.

#### **Six Month Rule**

Volunteers must be members or actively affiliated with the church for at least six months before being allowed to work with children and/or youth. This rule does not apply to Pastors and paid staff who are hired to work with children or youth.

### **Occasional Volunteers**

There will always be the need for occasional volunteers. This would normally be as a substitute for another volunteer. To maintain the integrity of the two-person rule any such volunteer must work with at least one other adult volunteer who has completed the screening process for the position in question.

### **Current Paid Staff and Volunteers**

All volunteers in positions working with children and/or youth on the date this policy is adopted, and paid staff who are employed on the date this policy is adopted shall undergo screening required by this policy to the extent such screening has not been previously performed.

### **Selection and Placement of Volunteers**

At the conclusion of the screening process the Child Protection Committee will forward to the appropriate Children and Youth Program Committee a list of all volunteers found suitable to work with children and/or youth under the Child Protection Policy and Procedures.

### **Confidentiality of, and Access to, Documents Pertaining to Volunteers**

The information provided by volunteers and supplied by references, previous churches and previous organizations, and information gathered during the investigation of an allegation of abuse will be seen on a need-to-know basis as stated in this policy. All who have access to any such information shall hold it in strict confidence. Only the members of the Child Protection Committee and the Pastor will have access to documents related to screening volunteers, and will use them only to determine the suitability under the policy of each volunteer for the position being sought.

### **Lead-time Required for Recruiting and Screening Volunteers**

The Child Protection Committee and the Children and Youth Program Committees having responsibility for programs utilizing volunteers will coordinate and cooperate to ensure that sufficient time is allowed for the recruiting performed by the Child and Youth Program Committees, the completion and submission of forms by volunteers, and the screening performed by the Child Protection Committee to be completed well before the volunteers are needed.

### **Supervision**

#### **Two-Adult Rule**

A minimum of two adults (paid or unpaid) or an adult and one high school youth, as defined by this policy, must be present to supervise at each activity involving children and/or youth. Exceptions may be made during an event only in extreme circumstances where the safety and/or security of the children or youth would be compromised. Such a circumstance might be the need for one adult to tend to a sick or injured child. It is the intent of this policy that an event will be cancelled if it

is known prior to the beginning of the event that the two-adult rule cannot be met. The reason for this level of emphasis being placed on the two-adult rule is because it is seen as one of the most effective deterrents to abuse.

Recognizing the necessity and benefit of pastoral counseling, these one-on-one sessions are to be permitted, but only if the room or office door is kept open, or a glass or clear panel is installed into the door that allows the pastor to be visible at all times. The same rule applies to music or voice lessons. In these cases written parental consent is required.

The Two-Adult Rule applies both on-site at the church as well as away from the church property. An exception will apply in those cases where a pastor, staff person, or volunteer met the child or youth at a public event and remained visible at all times. For example, eating lunch at school with a child or youth would not be a violation of the Rule. Watching a sporting event or concert from the seating area or bleachers is permissible. In no case should the adult leave the event and be alone with the child or youth.

In cases of retreats and overnight activities involving both male and female children and/or youth, there must be at least two male and two female adults supervising the event(s). In the case of retreats and overnight activities involving only one gender of children and/or youth there must be at least two adults of the same gender as the children and/or youth supervising the event(s).

In providing transportation for church sponsored events or programs there may be times when it is not practical to have more than one adult present in the vehicle, the one adult being the driver. In these instances the two-adult rule may be suspended as long as two children or youth are present at all times. An exception to this rule may be made for a volunteer to transport one child or youth alone to and/or from a church sponsored activity or event if the volunteer has written permission from one of the child's parents.

### **Younger Helpers**

There may be cases where it is advantageous to provide leadership training for someone who is younger than 19 and to do so by allowing that person to work with children or youth. In such cases that person must be closely supervised by a qualified adult (the two-adult rule applies). That individual should receive training similar to that received by adult leaders. These children and youth helpers are not subject to screening and do not have to complete a volunteer application.

### **Supervision Before, During and After Events**

Supervision will be maintained before, during and after any event involving children until the child is in the custody of his or her parent, legal guardian or a person designated to church personnel in writing by the parent or legal guardian as being authorized to accept custody of the child or youth. Older youth may be allowed to leave after an event on his or her own with written permission from his or her parent or legal guardian. Children and youth participating in activities sponsored by the

church will not be left unsupervised.

### **Activities in View**

All activities involving children and/or youth shall be conducted in areas where the activity can be easily viewed by parents and supervisors from outside the space. This will usually be through a window in the door to the space or having the door open.

### **Parents Visit Activities**

Parents are to be encouraged to visit any activity unannounced.

### **Children Remain in Area of Activity**

Children and youth involved in programs should remain within the area designated for the program and not wander to other parts of the church without adult supervision. This will help prevent abuse by other children/youth and adults.

### **Physical Force**

The only physical force that may be used by an adult on a child or youth only to the extent necessary to restrain the individual under the following circumstances: (1) To quell a disturbance or prevent an act that threatens to harm another person; (2) To obtain possession of a weapon or other dangerous object in the possession of the child or youth; (3) For purposes of self-defense or defense of the safety of others; (4) To protect a child or youth from self-inflicted harm.

### **Accompanying a Child to the Restroom**

Adults who accompany a child to the restroom should position themselves such that the child has a sense of privacy but where the adults are able to recognize if the child requires assistance. If assistance is needed, the stall door must stay open to remain visible for supervision. In most cases the adults will be the same gender as the child, although this may not always be practical. It is advisable to take more than one child to the rest room at a time.

## **Providing Transportation**

### **Permission to Ride**

Written permission must be given by the parent or legal guardian for his or her child or youth to ride in any vehicle provided for transportation to any event sponsored by the church. Such permission may be included in approval given by the parent or legal guardian for the child or youth to participate in the event itself.

### **Seat Belts**

All occupants of the vehicle must be wearing seat belts at all times the vehicle is moving.

### **Route To and From an Activity**

In cases where two or more vehicles begin the journey at the same place and have the same destination, all vehicles will follow the same route.

## **Reporting and Responding to Reports of Abuse**

### **Training for Reporting and Responding to Reports of Abuse**

The Child Protection Committee will coordinate with Children and Youth Program Committees that have responsibility for children and youth programs to ensure effective training is conducted on proper procedures for reporting an incident, or alleged incident, of abuse and responding to such a report.

### **Reporting Allegations and Instances of Abuse**

#### **Preliminary Steps**

The person reporting an incident of abuse on church property or in conjunction with a church sponsored program or event (normally an eye-witness, or the first adult informed of the abuse, usually by the alleged victim, or the victim's parents) should first:

- Secure the safety of the victim. This may include an immediate call to emergency services as deemed necessary.
- Secure the safety of others and stabilize the environment in which the incident occurred. The area should not be left unsupervised by an adult in order to report the incident. The reporting adult may have to employ the help of another adult to inform the appropriate pastor or volunteer of the incident.

#### **Initial Reporting**

- The reporting adult should report the incident to the staff or volunteer person in charge of the event or program where the incident took place. The person in charge of the event should inform the pastor and the Child Protection Committee.
- The reporting adult should complete the "Allegation of Abuse Report." (See Attachment G)
- The church would not normally have a legal obligation to report an allegation or instance of abuse to civil authorities but the church recognizes a moral obligation to make a voluntary report. Also, the Book of Order requires that if a minister of word and sacrament, an elder or a deacon becomes aware of child abuse he or she must report it to ecclesiastical and civil legal authorities with very few exceptions (G-6.0204b, G6-0304b and G-6.0402b). Therefore, when an investigation of an incident or allegation

confirms that the incident or allegation is consistent with requirements for mandatory reporting, such reports will be made. This will normally be to the local police department and/or the Iowa Department of Human Services.

- If the incident is reportable to civil authorities or if the incident otherwise appears to be substantive it should be reported to the Stated Clerk of the Presbytery. The Stated Clerk shall determine if the situation is such that a special committee of the presbytery consisting of elders and pastors from outside the church where the incident took place should be formed. If so, the Stated Clerk shall form such a committee and oversee its work. Normally this committee would enter the process under the section titled, "Further Response" and work in conjunction with the church to the conclusion of the response.

## **Responding to Reports of Abuse**

### **Initial Response**

If the accused is a staff member the initial response should be made by the Pastor in conjunction with the Child Protection Committee. If the accused is the Pastor the initial response should be made by the Child Protection Committee. Otherwise, the first pastor or responsible adult supervisor on the scene should make the initial response. He or she should:

- Gather pertinent information from the victim, accused and witnesses. Information gathered immediately after an incident or allegation can many times be the most helpful in arriving at what actually happened. Treat all involved with respect. An allegation is not a presumption of guilt,
- Preserve whatever evidence is available.
- Ensure the continued stability of the environment.
- If the accused is an adult supervisor or paid staff member, relieve that person of duties relating to children and/or youth. The individual shall remain relieved until the investigation is completed and further disposition is made by the Child Protection Committee. If the individual is a paid staff member and the relief of duties amounts to a suspension from all work the suspension shall be with pay.
- If the Associate Pastor or Minister of Music is the one on the scene, he or she should inform the Pastor.
- Inform the parents or legal guardian of the victim, and of the accused if a minor.

### **Further Response**

Primary responsibility for further response is with the Pastor and the Child Protection Committee. It is anticipated that the Pastor, one or more members of the Child Protection Committee, and one or more members of the committee designated by the Stated Clerk if such a committee is formed for the purpose, will work closely together on the further investigation of the allegation or incident to ensure all aspects are covered completely, accurately and with fairness and compassion shown to all parties as follows:

- Pastoral care should be extended to the victim(s) and family(ies), if appropriate.
- Pastoral care should be extended to the accused, and family, if appropriate.
- Seek legal advice and counsel.
- Avoid prejudging a situation. The accused shall be afforded full due process in handling the complaint. The accused should be supported and treated with dignity.
- Continue the investigation to conclusion with recommendations to the session for action.
- Cooperate with any investigations being conducted by law enforcement and/or the Iowa Department of Human Services.
- Document results of the investigation and file as confidential (See “Allegation of Abuse Investigative Checklist” in Attachment H). If law enforcement authorities or the Iowa Department of Human Services have been notified and are, or will be, investigating the allegations, some of the steps suggested in the “Investigative Checklist may not be necessary or appropriate for the church to take.
- Inform appropriate individuals of results of the investigation and action taken. Such individuals may be the victim, accused and parents.
- Keep the church’s insurance agent informed of the incident or allegation, investigation progress, conclusions and actions taken, if any.

## **Training and Education**

### **Training and Education of Volunteers and Staff**

The Child Protection Committee may delegate responsibility for training and educating required by the policy to the Child and Youth Program Committees responsible for children and youth programs and retain oversight.

**All Other Training and Education**

The Child Protection Committee will be responsible for on-going training and education of children, parents and the congregation in general on the provisions of the policy and the nature of child abuse, but may coordinate the actual training and education sessions with appropriate Child and Youth Program Committees.

**New Church Members Orientation**

New church members will receive orientation of the church's Child Protection Policy and Procedures including requirements for volunteers and staff who work with children or youth.

**Administration of the Policy****Updating Records**

Records of staff and volunteers will be updated annually or more often if needed for changes in address, phone and other pertinent information. Once background checks have been made, volunteers and staff members will to be re-checked every 5 years.

**Response to the Media**

One person will be appointed to represent the church to respond to the media in all cases of reported child abuse. This person will normally be the Pastor. There may be occasions, however, when that person should be the staff or volunteer person in charge of the event where the alleged abuse took place or a member of the Child Protection Committee. That person will utilize a prepared statement in his or her initial report to the media which will state the church's policy on child abuse and that the allegation is being thoroughly investigated. (See Attachment I for a sample statement.)

**Maintenance of Screening Documents**

The screening documents will be maintained by the Pastor in a secure, locked cabinet on behalf of the Child Protection Committee.

**Monitoring and Follow-up**

The Child Protection Committee will be responsible for monitoring the operation of the policy, evaluating its effectiveness and recommending amendments to the session.

**Enforcement**

If a violation of the Child Protection Policy occurs, the Child Protection Committee should contact the Committee involved privately. If violations persist, or the committee involved proves unresponsive, the Child Protection Committee should pursue the resolution of the violation through the Pastor.