

CHILD AND YOUTH PROTECTION AND ABUSE PREVENTION POLICY



St. John's Lutheran Church
200 West Innes Street
Salisbury, North Carolina 28144

Updated and approved by Congregation Council, March 20, 2018

Introduction

To help protect children, **ST. JOHN'S LUTHERAN CHURCH** has adopted the following Child and Youth Protection and Abuse Prevention Policy. It is important that all **ST. JOHN'S LUTHERAN CHURCH** paid staff and volunteers understand and implement these guidelines to help prevent sexual, physical, and/or emotional abuse against children. The following includes the Purpose and Definitions for these guidelines, the outlines of Protection and Prevention, and an Acknowledgement to be signed by those people working with children.

Purpose

These procedures are designed to reduce the risk of child sexual abuse in order to:

1. Provide a safe and secure environment for children, youth, adults, members, volunteers, visitors, and paid staff.
2. Assist **ST. JOHN'S LUTHERAN CHURCH** in evaluating a person's suitability to supervise, oversee, and/or exert control over the activities of children and youth.
3. Satisfy the concerns of parents and staff members with a screening process for paid staff and volunteers.
4. Provide a system to respond to alleged victims of sexual, physical, and/or emotional abuse and their families, as well as the alleged perpetrator.
5. Reduce the possibility of false accusations of sexual, physical, and/or emotional abuse made against volunteers and paid staff.

Definitions

The following terms are used herein and defined as follows:

1. *Paid Staff*: Any pastor, minister, or employee who is paid by **ST. JOHN'S LUTHERAN CHURCH**.
2. *Children/Youth/Minor*: Any person who has not reached his/her 18th birthday or the age of majority as defined by state law.
3. *Adult*: Any person who has reached his/her 18th birthday or as defined by state law.
4. *Volunteer*: Any unpaid person engaged in or involved in activities and who is entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors or adults working with minors.

5. *Sexual Abuse*: The employment, use, persuasion, inducement, enticement, or coercion of any minor or adult to engage in, or assist any other person to engage in, any sexually explicit conduct or any simulation of such conduct for the purpose of producing any visual depiction of such conduct or rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other forms of sexual exploitation of minor or adult, or incest with a minor or adult, or as defined by federal and state law. This includes and is not limited to unwelcome sexual remarks, jokes, advances, leering, whistling, or sexual gestures; sexual touching, fondling, molestation, assault, or other intimate physical contact; compelling another person to engage in a sexual act by threats or fear or undue influence; and providing or displaying pornographic materials to another person.
6. *Emotional Abuse*: Verbal or nonverbal conduct including mental exploitation, degrading communication, or humiliating or threatening conduct that may or may not include bullying or as defined by state law.
7. *Physical Abuse*: Is any intentional act causing injury or trauma to another person or animal by way of bodily contact.

POLICY STATEMENT

The Congregation Council, staff and members of **ST. JOHN'S LUTHERAN CHURCH** recognize that children and youth are entrusted to the care of adults in congregational programs and activities both on and off the premises of **ST. JOHN'S LUTHERAN CHURCH** and through educational or recreational programs operated by others on the church property. **ST. JOHN'S LUTHERAN CHURCH** is committed to providing a safe and caring environment in which children are protected from sexual, physical, and/or emotional abuse and in which church staff, teachers, volunteers and other caregivers are protected from potential allegations of child abuse.

Protection and Prevention

Volunteer and Employee Screening Procedures

The following screening procedures are to be used with paid staff and volunteers who are entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors. All information collected should be maintained in confidence.

The staff or appropriate program supervisor of St. John's Lutheran Church has the unrestricted right to approve and accept or to decline and reject the application of any volunteer, and to terminate the participation of any volunteer in any program of the church.

1. *Safe Gatherings*: The North Carolina Synod of the Evangelical Lutheran Church in America has created an account through Safe Gatherings, Inc. for its congregations to take advantage of. **ST. JOHN'S LUTHERAN CHURCH** will be using the Safe Gatherings Database to keep up with trainings and background check records. The Safe Gatherings system is a comprehensive system that integrates abuse prevention and boundary awareness training with background checks and reference checks. Each volunteer will be asked to complete the Safe Gatherings process. Safe Gatherings training and background checks need to be renewed every three (3) years. Normally, **ST. JOHN'S LUTHERAN CHURCH**, is willing to cover the expenses involved for the Safe Gatherings process. Applicants are invited to donate to help cover the cost.
2. *Criminal Background Checks*: As part of the Safe Gatherings Online Training **ST. JOHN'S LUTHERAN CHURCH** will conduct a federal, state and county criminal background check, on all paid staff and volunteers who are entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors. All criminal background checks will be updated every three years. All volunteers and paid staff must undergo a designated Safe Gatherings online training course or one that is equivalent every three (3) years.
3. If questionable information is uncovered through the Safe Gatherings process but the applicant remains desirable, discuss this information with the applicant. In the event the applicant is ultimately hired or selected, document the reasons for overriding the prior information.
4. For employment, **ST. JOHN'S LUTHERAN CHURCH** will contact all listed references and employers. Ask for any information that might help determine the applicant's suitability for the position. If a response is not received within a reasonable period of time, follow up and keep notes if possible.
5. *Six-Month Rule*: All volunteers are required to have been fully active participants in the ministry of **ST. JOHN'S LUTHERAN CHURCH** for six months, have reviewed and signed the Child and Youth Abuse Prevention Policy, and completed the Safe Gatherings training process.

Confidentiality

Information obtained through the screening, application, reference check, interview, and criminal background check will be kept in confidence, unless otherwise required by law. All information discovered or obtained through the above-referenced means will be kept in a secure location and access to it will be restricted if possible. These materials will be archived.

Supervision Procedures

Unless an extenuating situation exists, **ST. JOHN'S LUTHERAN CHURCH:**

1. Will have adequate number of screened and trained paid staff or volunteers present at events involving minors. Supervision will increase in proportion to the risk of the activity.
2. Will monitor facilities during activities involving children.
3. Will release minors only to adults with prior authorization as indicated on release form that will be collected. Will utilize sign-in and sign-out sheets as appropriate based on need of the event.
4. Will obtain written parental permission, including a signed medical treatment form and emergency contacts, before taking minors on trips or overnight events and should provide information regarding the trip.
5. Will use two or more approved adults when transporting minors in vehicles. Exceptions can be made on individual basis with written approval from the parent/guardian of the minor(s).
6. Will require that young children be accompanied to the restroom and the paid staff or volunteer wait outside the facility to escort the child back to the activity. Whenever possible, the escort will be the same sex as the minor.
7. Will encourage minors to use a "groups of three (3) system" whenever minors go on trips off of **ST. JOHN'S LUTHERAN CHURCH** property.
8. Will screen all paid staff and volunteers and approve those individuals in advance for any overnight activities.
9. Will designate a "confidential counselor" to whom any minor can go at any time, without special permission, to discuss any problems he or she is having.

Behavioral Guidelines for Paid Staff and Volunteers

All volunteers and paid staff will observe the following guidelines:

1. Do not provide alcoholic beverages, tobacco, drugs, contraband, or anything that is prohibited by law to minors.
2. To the extent possible, **ST. JOHN'S LUTHERAN CHURCH** events that are co-educational will have both male and female chaperones.
3. Whenever possible, at least two unrelated paid staff or volunteers will be in the room when minors are present. Doors will be left fully open if one adult needs to leave the room temporarily and during arrival to the class or event before both adults are present. Speaking to a minor or minors one-on-one should be done in public settings where paid staff or volunteers are in sight of other people.
4. Avoid all inappropriate touching with minors. All touching shall be based on the needs of the individual being touched, not on the needs of the volunteer or paid staff. In the event a minor initiates physical contact and/or inappropriate touching, it is appropriate to inform the minor that such touching is inappropriate.
5. Never engage in physical discipline of a minor. Volunteers and paid staff shall not abuse minors in any way, including but not limited to physical abuse, emotional abuse, and sexual abuse of any kind.
6. If you recognize an inappropriate relationship developing between a minor and adult, maintain clear professional boundaries and refer the minor to another individual with supervisory authority.
7. If one-on-one pastoral care is necessary, avoid meeting in isolated environments. One-to-one counseling with a student should always occur in a public place – never alone in a car or in a private place.
8. Driving alone with a student of the opposite sex should be avoided at all times if possible. In extenuating circumstances, it is possible that such rides might be reasonably allowed, but only after obtaining the advance knowledge and permission of the parent/guardian. However, this should be a rare exception. Whenever adults transport children in private automobiles, record should be made noting the driver and passengers in each vehicle. Upon completion of a Youth Release Form, youth may be allowed to transport other youth to and from **ST. JOHN'S LUTHERAN CHURCH** activities. In such instances parents will be notified and must give authorization.
9. Anyone who observes abuse of a minor will take appropriate steps to immediately intervene and provide assistance. Report any inappropriate conduct to the proper authorities and officials of **ST. JOHN'S LUTHERAN CHURCH** for handling.

Disqualification

No person may be entrusted with the care and supervision of minors or may directly oversee and/or exert control or oversight over minors who has been convicted of the offenses outlined below, been on a probated sentence or received deferred adjudication for any offense outlined below or has presently pending any criminal charges for any offense outlined below until a determination of guilt or innocence has been made, including any person who is presently on deferred adjudication. The following offenses disqualify a person from care, supervision, control, or oversight of minors:

1. Any offense against minors as defined by state or federal law.
2. A misdemeanor or felony offense as defined by state law that is classified as sexual assault, indecency with a minor or adult, assault of a minor or adult, injury to a minor or adult, abandoning or endangering a minor, sexual performance with a minor or adult, possession or promoting child pornography, enticing a minor, bigamy, incest, drug-related offenses, or family violence.
3. A prior criminal history of an offense against minors.

Sexual Offender at ST. JOHN'S LUTHERAN CHURCH

ST. JOHN'S LUTHERAN CHURCH may allow a person known to be a sexual offender to remain or become a member of the congregation, but they must adhere to specific guidelines.

However, first check with the offender's probation/parole officer for any restrictions regarding attending services or other functions where children are present. Ask the probation/parole officer to put any restrictions in writing. If restrictions don't prohibit participation, implement the following four guidelines.

1. A known sexual offender cannot participate in any of the children or youth programs in any way;
2. A known sexual offender can only participate in a predetermined service each week; and
3. A known sexual offender must report in and be assigned to an escort who will accompany him or her at all times.
4. The identity of the sexual offender will be disclosed to the congregation.

Response to Abuse

ST. JOHN'S LUTHERAN CHURCH will respond promptly to investigate any accusation of abuse. Accusations of abuse will be taken seriously. It is important to be appropriately respectful to the needs and feelings of those who allege sexual abuse *and* those who have been accused of sexual abuse.

When an allegation is made involving sexual abuse, the person reporting the complaint is to be told about the guidelines and the procedures to be followed. The Senior Pastor or an appointed person will begin investigating the allegations and may use the assistance of legal counsel or other consultants. The North Carolina Synod should be informed in all cases of a rostered staff member being accused. The investigation will be conducted as follows:

1. Report the incident to appropriate authorities in accordance with the state mandatory reporting laws. The Congregation Council Executive Committee and the Personnel Team Chair will be informed of any allegations as well.
2. Report the matter to **ST. JOHN'S LUTHERAN CHURCH's** insurance carrier, and the North Carolina Synod as necessary.
3. Cooperate with authorities and the insurance carrier.
4. **ST. JOHN'S LUTHERAN CHURCH** may suspend (with pay for paid staff) the alleged offender while a confidential investigation is being conducted.
5. An official of **ST. JOHN'S LUTHERAN CHURCH** (and legal counsel or other consultants) will then meet with the governing body of **ST. JOHN'S LUTHERAN CHURCH** and present a report on their investigation, which will include findings and recommendations of actions.
6. An official of **ST. JOHN'S LUTHERAN CHURCH** will meet with the alleged perpetrator and notify him/her of the results of the investigation and recommendations for actions.
7. An official of **ST. JOHN'S LUTHERAN CHURCH** will meet with the alleged victim, along with his/her parents or guardians, and notify them of the results of the investigation and recommendations for actions.
8. During the investigation, an official of **ST. JOHN'S LUTHERAN CHURCH** shall maintain contact with the alleged victim and his/her parents or legal guardian and inform them of the actions taken and assist them in their process of healing.
9. An official of **ST. JOHN'S LUTHERAN CHURCH** (and legal counsel or other consultants) may meet with the alleged perpetrator, the alleged victim, and any others with knowledge of relevant facts.
10. Communicate with criminal and civil legal counsel of **ST. JOHN'S LUTHERAN CHURCH**.

11. Communicate with those affected by the ministry of the alleged perpetrator.
12. Hire a consultant or assign a spokesperson to respond to media or prepare a statement for the media if the need shall arise, subject to the approval of **ST. JOHN'S LUTHERAN CHURCH's** attorney.

Child and Youth Abuse Prevention Policy Acknowledgment

These guidelines have been designed to guide and assist you when working with minors. The information establishes general practices and guidelines and should not be construed in any way as a contract of employment or continued employment. **ST. JOHN'S LUTHERAN CHURCH** reserves the right to make changes in the content or application of this program and to implement those changes with or without notice.

The terms defined herein are defined for the purposes of the program and do not suppose or establish a legal relationship. These terms are not defined for the purposes of creating a legal relationship with **ST. JOHN'S LUTHERAN CHURCH** or any related or associated entity and instead are to be used with this document.

I have received a copy of the **ST. JOHN'S LUTHERAN CHURCH** Child and Youth Abuse Prevention Policy. I understand it is my responsibility to become familiar with and adhere to the information contained herein. I understand that these policies are the property of **ST. JOHN'S LUTHERAN CHURCH**.

Print Name

Signature

Date

(_____) _____
Phone Number and Email

Please Note: All persons working with Children and Youth will be required to participate in and complete the Safe Gatherings online two-hour training, reference check, and background check process. Any new volunteer working with any children under the age of 18 must be in good standing with **ST. JOHN'S LUTHERAN CHURCH**, must have completed this Volunteer Screening form and must have passed the Safe Gatherings training, reference checks, and background checks before engaging in any volunteer position in any children or youth program at **ST. JOHN'S LUTHERAN CHURCH**.

_____ Please initial here if you have completed the Safe Gatherings Training and Procedures

Please return this form in a sealed envelope to our Church Administrator with your name clearly written on the outside.

CHILD ABUSE AND NEGLECT REPORTING FORM

Name of Reporter _____

Relationship of Reporter to child _____

Date and time when Reporter became aware of possible abuse or neglect _____

Circumstances under which Reporter became aware of possible abuse or neglect

Name of alleged victim child/children, as well as other children in home:

DOB/AGE _____

DOB/AGE _____

Home Address: _____ Home Phone _____

Name of parents or other adult caretakers with whom the child lives:

Name of school or day care where victim child and any siblings attend:

Place of employment of parents or caretakers (include telephone number and hours of employment if known) _____

Description of the alleged child abuse or neglect: _____

Names of witnesses who heard the child's statement, observed the physical condition of the child, or have additional information:

Phone # _____

Phone # _____

Phone # _____

Names of relatives of the family: _____

Date and time when this information was reported to DSS or law enforcement _____

Name of individual to whom the report was made _____

Name of person who called in the report _____

Names and titles of any individuals within the organization who were notified of the report:

Please use the back of this sheet of paper if extra space is needed for any of the above answers.

**ST. JOHN'S LUTHERAN CHURCH
CHILD YOUTH PROTECTION AND ABUSE PREVENTION POLICY
Procedure for Ministry Group and Committee Chairs**

The Child Protection & Abuse Prevention Policy and Safe Gathering Procedures are required for all positions that have any contact with minors attending any program at **ST. JOHN'S LUTHERAN CHURCH**. These positions include, but are not limited to:

Youth	Confirmation Instructors and Adult Leaders Middle School Youth Advisors High School Youth Advisors Athletic Team Coaches (Basketball, etc.) Trip/Retreat Adult Leaders Barnabas Mentors and Staff
Children	Sunday School Teachers Vacation Bible School Volunteers Kingdom Kids & EPIC Volunteers
Worship Ministry	Order of St. John's Volunteers Nursery Attendants Children's Worship Volunteers

**OUTSIDE ORGANIZATIONS AFFILIATED WITH ST. JOHN'S LUTHERAN CHURCH INVOLVING
CHILDREN UNDER THE AGE OF 18 YEARS**

Boy Scouts Cub Scouts Girl Scouts

It is expected that these partner organizations abide by their own child protection policies and thereby do not fall under the guise of this policy unless this policy is stricter than the policies of these partner organizations.