

Bethel Lutheran Church Policy for Creating a Safe Community

Adopted May 10, 2005, by the Church Council of Bethel Lutheran Church,
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A Commitment to Safe Community

Bethel Lutheran Church is committed to providing the safest possible ministry environment for both children and adults. We recognize the spiritual and public trust given to this faith community and seek to nurture and protect all who are involved in our ministry programs. Accordingly, we will maintain official policies and procedures designed to prevent abuse and harassment while at the same time providing a high level of care for our staff and ministry volunteers. The church council will review these policies and procedures annually to ensure compliance to changes in civil law.

Bethel's vision for safe community includes:

- 1. Providing a setting where children are physically and emotionally safe*
- 2. Providing a setting where parents are assured of their child's safety*
- 3. Providing a setting where staff and volunteers are equipped, supported and held accountable as they lead and nurture those they work with.*

Background

The Safe Community Task Force, authorized by the Church Council of Bethel Lutheran Church, has worked to develop policies and procedures to keep our congregation a safe sanctuary for our children and youth. Fortunately our work was not initiated in response to problems within our congregation, but was prompted by an awareness of situations arising in other churches where there has been abuse of children by paid and volunteer child and youth workers. The advice of expert authors of the Church Law and Tax Report, among others, has shaped our response and assured us that measures designed to protect our children and youth may also help protect our congregation from unfounded charges and legal liability. These policies and procedures are designed to enhance our service to Christ. This goal will direct our implementation and future modification of these policies and procedures.

Leading social service agencies in our society have taken similar steps with good results. Among them are scouting and youth sports organizations, and YMCA and YWCA. The experience of other congregations which have adopted similar policies is positive. We of Bethel Lutheran Church are motivated because we are entrusted with the spiritual, educational and moral development of our children and youth.

Our policy is adapted from *Creating a Safe Community*, written by Hope Lutheran Church (ELCA) in San Mateo, CA.; *Child Abuse Prevention Policy*, published by the Church Mutual Insurance Company; *Policies & Procedures for the Prevention of Child Abuse*, published by Hahn-Upchurch Insurance Services and *Creating a Safe Environment*, written by St. Luke Lutheran Church, Sunnyvale, CA.



The Safe Community Policy is intended solely for the use of Bethel Lutheran Church in performing its functions as a religious body. It is not a contract, agreement, promise, or undertaking by the Church to do or refrain from doing anything. It is not intended that the policy be imposed as rigid law, binding the Church or others; rather, the policy must be interpreted and applied compassionately in accordance with the theological and Biblical principles of the Gospel. Any actions or decisions by the Church in connection with the policy are to be undertaken at the Church's sole discretion, in accordance with the theology and ecclesiology of the ELCA, and in the exercise of Bethel Lutheran Church's constitutional rights as a religious body.

The Safe Community Policy was developed for the child/youth ministry programs of Bethel Lutheran Church, not including Bethel's School. The staff of Bethel Lutheran School operates under its own specially developed procedural and behavioral standards which are in accordance with its status as a state-licensed child care facility.

Creating a Safe Community

We have developed a fourfold strategy to help ensure that the children entrusted to us are safe at our church, that parents are assured of their safety, and that adults who work with them are equipped, protected, supported, and held accountable. Since our staff and volunteers are often in situations where they are working and talking with youth, they may be the first ones to recognize a problem or concern facing a child. Our policy, therefore, is designed not only to protect families but also to provide our volunteers and staff with resources to help them report suspected abuse. Our strategy involves a plan for:

Worker selection

Worker training, including Standards of Behavior

Reporting of suspected abuse

Record keeping

What is abuse?

There are four types of child abuse.

Physical abuse is the deliberate physical injuring of a child.

Sexual abuse is any sexual activity with a child. The abuser may be an adult, an adolescent, or another child, provided the abuser is four years older than the victim. Child sexual abuse may be violent or non-violent. All child sexual abuse is an exploitation of a child's vulnerability and powerlessness in which the abuser is fully responsible for the action.

Emotional abuse is maltreatment which causes low self-esteem in a child, undue fear or anxiety, or other damage to a child's well-being caused by such acts as angry fault finding, humiliating and belittling a child for mistakes or failures, and deliberate inattention to a child's emotional needs.

Neglect is not providing food, clothing, shelter, health care, psychological nurturing, education, supervision, or other basic necessities.

Worker Selection: We Want To Make Sure This Is A Good Match!

All who work on behalf of Bethel Lutheran Church with any children and/or youth will be properly selected, screened, trained, and supervised, not only to minimize the risk of child abuse at Bethel by volunteer or paid workers, but also to honor Bethel's commitment to helping people discover their God-given gifts and apply them in God's service.

Primary Screening Procedures

Primary screening procedures are established for workers who, in the normal course of their duties, are expected to be alone for any period of time with one or more children, or work in a supervisory capacity on our campus. This includes, but is not limited to, all paid staff, pastors, associates in ministry, administrative assistants, secretaries, directors of Christian education, family ministry, youth workers and directors, Sunday School and confirmation leaders and teachers, nursery staff and volunteers, choir directors, and custodial workers.

When selecting child/youth workers, we cannot guarantee that an individual will be an effective and safe youth leader, but the selection process helps us gather information to make an informed decision. Therefore, we ask that:

1. Volunteers be regular attendees in the congregation for at least six months before applying for a position in which they are expected to be alone for any period of time with one or more children. Exceptions can be approved by supervisor if he or she has prior knowledge of the prospective volunteer.
2. Volunteers and staff complete the Child/Youth Worker Registration forms before they begin work with children or youth.
3. Potential child and youth workers provide two references who are acquainted with the

- applicant's work with children and youth.
4. The direct supervisor of the program area in which the applicant has interest will conduct an interview with the potential worker. Standard interview questions will be developed to be used in personal interviews with volunteer applicants after reviewing the application, **checking all references, and receiving a criminal background check report.** Interview sheets will be filled out with the results of the interview and kept in the employee personnel file or volunteer file, along with the reference checks and the application. (Criminal background check reports are not allowed to be kept more than thirty (30) days after receipt.) A separate file will be maintained permanently on each worker, whether paid or a volunteer.
 5. Volunteers and staff, age 18 and over, participating in Bethel's child or youth ministries shall be checked through the California Department of Justice and through the FBI for convictions for sexual or physical abuse, felony drug convictions, and felony convictions for violent crimes. No one will be accepted who has had a criminal sexual or physical abuse violation.
 6. All information will be kept in strict confidence. See **Record Keeping** for rules regarding record access and security. The volunteer roster will be reviewed annually or as needed by the Safe Community Task Force.
 7. Any employee or volunteer working with minors will be photographed and the picture will be kept in the worker's file. Photographs will be updated every 2 years or as deemed necessary.
 8. At the applicant's request, Bethel Lutheran Church shall allow the applicant to review his/her criminal history record transcript at the church, but in no event shall the church allow the applicant to retain and/or copy his/her transcript.

Secondary Screening Procedures

Secondary screening procedures are established for workers who are not expected to be alone with children. This includes, but is not limited to, some VBS leaders and workers, Sunday School and Kid Connection helpers. For that individual, we ask that:

1. Potential workers complete the Child/Youth Worker Registration forms.
2. The direct supervisor of the program area in which the applicant has interest conduct an interview with the potential worker.

Expectations of Volunteers and Staff

Each volunteer or staff member working with youth at Bethel Lutheran Church is expected to

1. Be a role model for youth
2. Organize meaningful experiences
3. Adhere to the specific guidelines developed for his/her position
4. Sign Bethel's Participation Covenant for Child and Youth workers and volunteers

Supervising Child and Youth Workers

The direct supervisor of program areas in each of the following categories will be as follows:

Lead Pastor - Ministry & Executive staff

Congregational Life Pastor - Confirmation leaders

Director of Youth Ministries - Youth leaders, chaperones, drivers

Director of Child & Family Ministries - Sunday School, mid-week program, VBS staff, nursery caregivers

Directors of Music Ministries - Choir directors, musicians

Parish Administrator - Support/Office staff

Training Staff and Volunteers Who Work With Children and Youth

Volunteers and staff who have been accepted to work with youth in a primary capacity will receive training which includes:

1. A description of the background of the issue and why churches need to be involved
2. A description of Bethel's Safe Community Policy, including the procedure defined for reporting suspected abuse
3. An explanation of the expectations of persons who work with children and youth
4. Basic information about child abuse and neglect so that these persons can understand the issues and be alert to signs of abuse in the children and youth with whom they work.

Attendance at one training session at least every two years will be required.

Standards of Behavior

In addition to the above expectations, Bethel Lutheran Church has developed Standards of Behavior for all individuals working with children and youth on behalf of our church. The standards are designed to protect youth, adults, families, and the church.

1. Two-Adult Rule

The two-adult rule is our goal when working with children and youth. Situations in which an adult is completely alone with one or more children are to be avoided. Authorized volunteers or staff will be permitted to oversee small groups of youth or children. During Sunday School, Confirmation, mid-week programs, VBS, etc., an adult present in a supervisory role, making unscheduled visits into class and meeting rooms, serves as a second adult. Planned individual contact outside the church building should occur only in public places and with the prior consent of the minor and parent or guardian.

2. Positive Discipline

Discipline used in church activities should be positive, respectful, and caring. Physical punishment and emotional abuse are not permitted. Volunteers and staff should be alert to the physical and emotional health of the children and youth with whom they work.

3. Open Door Policy

Staff and volunteers should work with youth in reasonably open places where others are welcome to enter - not behind closed or locked doors. Parents and guardians are always welcome to attend classes, rehearsals, practices, programs, meetings, and events.

4. Counseling

Counseling should be as confidential as possible without sacrificing safety. In counseling sessions with minors, parental permission shall be obtained prior to a minister or leader meeting privately with a minor, or the two adult rule shall be used in that instance, or the session shall be held in a public place. Prior permission may be granted by parents to cover a particular time period (i.e., a school year) for their child to receive counseling from a particular minister.

5. Transportation

Transportation to and from events is the responsibility of the families. Drivers under 18 will not be permitted to drive other minors unless prior written approval has been obtained from the parent or guardian. Safety of the child is always the paramount consideration. Anyone asked to drive to or from an event must provide a copy of the Driver's License, Registration and Insurance card annually to be kept on file. Any time there is a change to this information, drivers are asked to provide an updated copy to Bethel.

6. Respect of Privacy

Adult leaders and staff need to respect the privacy of minors and intrude only insofar as health and safety require. Situations requiring privacy include using rest rooms, changing

clothes, and taking showers. Adults need to protect their own privacy in similar situations.

7. *Overnight Accommodations*

A minimum of two adult leaders should be present at any overnight activity. If youth participants include males and females, the adult leaders will be males and females. When minors and adults must share a tent, bedroom, or hotel room for the sake of safety and/or cost-efficiency, parents will be informed ahead of time. An adult should not occupy the same bed as a minor.

8. *Housing*

When private homes are used for overnight events, the program staff member will make final approval of all adults involved as hosts, hostesses, and chaperones. At least two youth will be assigned to each home.

9. *Sexual/Physical Activity/Abuse*

No sexual activity is permitted between adults and minors. Sexual comments or jokes, the showing of sexual material, the exposure of sexual parts of the minor's body and/or the adult's body or other sexual behaviors is prohibited. The following acts or behaviors are prohibited:

- a. Infliction of physically abusive behavior or bodily injury to a minor.
- b. Physical neglect of a minor, including failure to provide adequate supervision in relation to the activities of Bethel Lutheran Church.
- c. Mental or emotional injury to a minor.

10. *Tobacco and Alcohol*

While supervising children and youth on behalf of Bethel Lutheran Church, adult leaders and staff should refrain from the use of tobacco and alcohol.

11. *Illegal Substances and Firearms*

The use or possession of illegal substances and/or firearms while supervising children on behalf of Bethel Lutheran Church is strictly prohibited.

Reporting Suspected Abuse

According to California's Child Abuse and Neglect Reporting Act, only specially trained individuals, including "child care custodians," are required to report suspected child abuse.

Because volunteers are not child care custodians as defined in the Child Abuse and Neglect Reporting Act, **volunteers are not mandated reporters. However, any individual who has reason to suspect abuse**, or is aware of a potentially unsafe condition that could lead to abuse, should immediately report that information to the leader of the program in which the child participates, or to the Lead Pastor. If the concern is with the leader or Lead Pastor, the concern should be brought to that leader's supervisor, or to the Congregation President. The individual may be asked to complete a written report describing the basis for his or her concern. In addition, anyone may report suspected abuse to Child Protective Services. Non-accusatory reports (reports that identify the victim of abuse or neglect whether or not the person responsible for the abuse or neglect is known) may be made to the local or state law enforcement agency by calling 911 or Child Protective Services.

A review of the reported abuse or potentially unsafe condition will be conducted by the following: The Lead Pastor, the direct supervisor of the area of ministry involved, the staff member to whom the report was initially made (if not one of the above), and a council member designated by the Council President. These individuals may consult with others, including legal counsel, as needed.

The outcome of their decision will be documented and kept in a locked file in the Lead Pastor's

office.

Record Keeping

The following materials will be kept on file for all persons covered by the Safe Community Policy:

1. Child/Youth Worker Registration forms, including documentation of interview and references
2. Documentation of training, for primary workers
3. Results of criminal records check, for primary workers

Security of Records

Records on child/youth workers will be kept in a locked file in the Lead Pastor's office. They will be available only to direct supervisors of the program areas *on a need-to-know basis*. Access is only with permission of the Lead Pastor, who is our "Custodian of Records."

Responsibility for Maintaining Records

Direct Supervisor of Program Areas -

Each direct supervisor of program areas covered by the Safe Community Policy will do the following:

For each child/youth worker under his or her supervision, collect and compile the materials to be kept on file (with the exception of results of the criminal records check) and give these to the Custodian of Records for filing.

When requested, provide the Council Human Resources Advisor with a list of all child/youth workers under his or her supervision.

Policy Compliance

The Council Human Resources Advisor will conduct an annual audit on or before September 15 and January 15 to ensure that all responsible personnel are compliant with this policy.

Insurance

The church shall obtain a sufficient level of liability insurance coverage that would cover child abuse and sexual misconduct claims. If available, the church should have the levels of coverage which are required for limited immunity.

Questions and Answers

Task Force

Who is the Safe Community Task Force?

The Safe Community Task Force is made up of the Lead Pastor, Pastor of Congregational Life, Youth Director, Children's Ministry Coordinator, and the Parish Administrator.

What are the Task Force's Responsibilities?

The Task Force is responsible for developing policies and procedures to keep our congregation a safe sanctuary for our children and youth. They will update these as needed periodically based on experience and changes in legal or insurance regulations. They will develop or identify training materials and hold training sessions for staff and volunteers. They also will review the volunteer roster at least once per year.

How often will the Task Force meet?

The Task Force will meet at least twice per year to review processes, plan training sessions and

review volunteer rosters.

People Covered

Who should go through the Safe Community Program? All adults and youth who work with children and youth on an ongoing basis should take part in the program.

What about the one-time volunteer? People do not need to go through the process if: (1) they are working with youth or children on a one-time basis; and (2) a staff member or volunteer who has gone through the process is also present. Volunteers who have not gone through the Safe Community program should not be put in situations where they will work alone with children and without supervision.

What if volunteers or staff say they have had background checks and/or youth protection training as part of their jobs or experience in other programs? Results of criminal records checks are confidential and, therefore, cannot be shared among agencies. The potential worker must authorize another criminal records check for his/her work at Bethel. Youth protection training, however, may be transferable, subject to the approval of Bethel's trainer.

The Process

Why do we have to do a Criminal Records Check on volunteers?

We require the Criminal Records Check because it provides essential information about the applicant's background. We also require it because it protects the congregation. Here's how.

It's easy - it takes only a few moments of the volunteer's time to authorize the check and the Department of Justice performs it at no cost for non-profit organizations. There is a nominal fee (currently \$24) for the nationwide FBI background check as well as a fee (currently \$10) for processing through the Sheriff's office. These fees will be paid by Bethel.

Requiring a Criminal Records Check is a powerful deterrent to the career abuser. Career abusers look for places where they can have easy access to children. With so many other community organizations doing careful screening, churches without screening policies may be at an increased risk.

Insurance companies are increasingly requiring churches to complete these checks in order to obtain insurance. Bethel's insurance will begin requiring nationwide background checks on all staff and volunteers working with children June 1, 2005, and will exclude coverage on any incidents involving a worker who had a previous conviction of sexual abuse, a record of which is publicly available through a background check.

Why do we need to fingerprint workers?

The fingerprints are just another form of identification on the form that authorizes the Criminal Records Check. They say that the name you signed to the authorization form is really you. The Department of Justice destroys the authorization form, including fingerprints, within six months after the requested information is sent to Bethel. Fingerprints do not remain on file at the Department of Justice.

How much time should we give staff/volunteers to complete the program? Ideally, individuals would not work with children until they attend the training and their records have been received and assessed. However, due to scheduling realities, this might not be possible. Bethel will schedule training opportunities such that workers may attend within six months of the time they begin their work.

What about retraining? A condensed retraining will be part of each ministry's annual orientation program. A full, two-hour training event will be scheduled each fall for new

workers, and at other times throughout the year, as needed. All workers shall attend the full, two-hour training every other year.

Timeline

What is the timeline for adoption and implementation of this policy?

April 2005 – Policy submitted to Bethel Council for approval.

April – May 2005 - Policy will be made available to the congregation for review.

May 2005 – Forums to review policy with interested congregation members and to answer questions.

June 2005 – Vote at Congregational meeting to affirm the policy.

Summer 2005 – Begin implementation with background checks of staff and volunteers in preparation for program year beginning in fall 2005.