

**CHILD AND YOUTH  
ABUSE PREVENTION PROGRAM  
FOR UNITED LUTHERAN CHURCH**

**Adopted January 16, 2018**

# CHILD AND YOUTH ABUSE PREVENTION PROGRAM FOR UNITED LUTHERAN CHURCH

## Introduction

To help protect children, United Lutheran Church has adopted the following Child and Youth Abuse Prevention Program. It is important that all United Lutheran Church paid staff and volunteers understand and implement these guidelines to help prevent 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 abuse in order to:

1. Provide a safe and secure environment for children, youth, adults, members, volunteers, visitors, and paid staff.
2. Assist United 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 abuse and their families, as well as the alleged perpetrator.
5. Reduce the possibility of false accusations of abuse made against volunteers and paid staff.

## Definitions

The following terms used herein and are defined as follows:

1. *Paid Staff*: Any pastor, minister, preacher, cleric, or employee who is paid.
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*: Means 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.

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 form 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. *Child 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.

## **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.

1. *Employment Application and Volunteer Screening*: Any paid staff and volunteers who will work with a minor must complete the Employment Application and/or the Volunteer Screening. The release statement attached to the Application must be signed by the individual completing the Application to apply for and qualify for service.

Our Employment Application includes questions regarding:

- Current and previous residence addresses.
- Current and previous employment, including addresses, dates, duties, titles, and reasons for leaving.
- Names and addresses of schools attended and degree(s) earned.
- References from previous employers and organizations that serve children.
- Pending criminal charges (where not prohibited by state law).
- Criminal history information.

Our Volunteer Screening includes:

- Statement of compliance to follow United Church policies and guidelines and acknowledgement of receiving said policies.
- Approval for United Lutheran Church to conduct a background check of the volunteer on the National Sex Offender Public Website.

Applications include a statement, which the applicant should acknowledge in writing, certifying that statements provided in the application are true and complete, and any misrepresentation or omission may be grounds for rejection of the applicant or for dismissal if he or she is employed. This statement authorizes United Lutheran Church to contact any individual or organization listed in the application.

2. Review all statements made in the application, paying specific attention to any gaps in time and irregular employment patterns or unexplained absence. Pursue these gaps with employers listed and in a subsequent interview.
3. Conduct interviews with qualified applicants.

If detrimental information is uncovered but the applicant remains desirable, discuss this information with the applicant. In the event the applicant is ultimately hired or accepted as a volunteer, document the reasons for overriding the prior information.

Whenever possible, United Lutheran Church will have an associate participate in the interview.

4. Contact all listed references and employers for paid staff. Inquire as to the reason the applicant left and 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. *Criminal Background Check*: United Lutheran Church will conduct a criminal background check on all paid staff 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 periodically.

*Sexual Offender Background Check*: United Lutheran Church will conduct a sexual offender background check on all 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 sexual offender background checks will be updated periodically.

### **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, United 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 obtain written parental permission, including a signed medical treatment form and emergency contacts, before taking minors on trips and should provide information regarding the trip.
4. Will ensure there will always be more than two individuals in any vehicle transporting minors.
5. Will encourage minors to use a "buddy system" whenever minors go on trips off of United Lutheran Church property.
6. Will screen all paid staff and volunteers and approve those individuals in advance for any overnight activities.
7. 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 United Lutheran Church Paid Staff**

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, United 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, verbal/mental 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.
8. 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 United 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 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 United Lutheran Church**

United 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 three guidelines.

1. The Church Council and Pastor will meet with the known sexual offender to fully ascertain the nature of their offense.

2. A known sexual offender cannot participate in any of the child or youth programs in any way;
2. A known sexual offender can only participate in a predetermined service each week.

## **Response to Sexual Abuse**

United Lutheran Church will respond promptly to investigate any accusation of sexual abuse. All accusations of sexual 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 Pastor or an appointed person will begin investigating the allegations and may use the assistance of legal counsel or other consultants. If the Pastor is the individual accused of sexual abuse, then the Church Council President and/or Vice President will conduct the investigation. The investigation will be conducted as follows:

1. Report the incident to appropriate authorities in accordance with the state mandatory reporting laws.
2. Report the matter to United Lutheran Church's insurance carrier.
3. Cooperate with authorities and the insurance carrier.
4. United Lutheran Church may suspend (with pay for paid staff) the alleged offender while a confidential investigation is being conducted.
5. An official of United Lutheran Church (and legal counsel or other consultants) will then meet with the governing body of United Lutheran Church and present a report on their investigation, which will include findings and recommendations of actions.
6. An official and respective legal counsel of United 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 and respective legal counsel of United 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 and respective legal counsel of United 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 United 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 legal counsel of United 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 United Lutheran Church's attorney.

## **Child and Youth Abuse Prevention Program 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. United 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 United Lutheran Church or any related or associated entity and instead are to be used with this document.

I have received a copy of the United Lutheran Church Child and Youth Abuse Prevention Program. 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 United Lutheran Church.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## **Additional Volunteer Screening Permission**

As a volunteer entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors, I give my permission for United Lutheran Church to conduct a background check of myself on the National Sex Offender Public Website.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date