

Trinity Lutheran Church and Preschool

Policy & Procedures

for the Prevention of

Child Abuse

Effective: September 1, 2019

POLICY

It is the purpose of the members, staff and volunteers of Trinity Lutheran Church and Preschool which it operates (Trinity) to provide a safe and secure environment for preschoolers, children, youth and minors with special needs entrusted to our care. We do this to encourage those preschoolers, children, youth, minors with special needs and their families to grow in their relationship with God and one another.

A safe and secure environment includes a formal, written policy to help prevent the occurrence of child abuse. The following policy and procedures are for the protection of our preschoolers, children, youth, minors with special needs, employees, volunteers and our entire church family at Trinity Lutheran Church and Preschool.

SCOPE

This policy shall apply to all current and future workers, compensated and/or volunteer, who will have the responsibility of working with or supervising the activities of preschoolers, children, youth, and minors with special needs.

DEFINITIONS

For the purpose of this policy, the following definitions shall apply: "Preschooler," "child," "children," "youth," and "minor" shall be

1. "Preschooler," "child," "children," "youth," and "minor with special needs" shall be defined as any individual *under* the age of eighteen (18) (or whose mental capacity is that of a minor).
2. "Adult" shall be defined as any individual at least eighteen (18) years of age.
3. "Worker" shall be defined as any adult who serves as a volunteer and/or paid person given the responsibility of working with or caring for minors.
4. "Teenage Worker" shall be defined as any worker at least fourteen (14) years old or older, but under the age of eighteen (18) enlisted to assist with the care of minors.
5. "Child Abuse" shall be defined as verbal, physical, emotional, or sexual abuse of a preschooler, child, youth, or minor.
6. "Criminal Background Check" (CBC) is the procedure customarily used by qualified agencies to check the background of adult volunteers for criminal activity.

DEFINITION OF CHILD SEXUAL ABUSE

Any sexual activity with a child - whether in the home by a caretaker, in a daycare situation, a foster/residential setting, or in any other setting, including on the street by a person unknown to the child. The abuser may be an adult, an adolescent, or another child.

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.

Child sexual abuse is criminal behavior that involves children in sexual behaviors for which they are not personally, socially, or developmentally ready.

Child sexual abuse includes behaviors that involve touching and non-touching aspects.

WORKER ENLISTMENT

1. All applicants for paid positions at Trinity Lutheran Church and Preschool must complete an **Employment Application**.
2. After an Employee Application is received prior employment, volunteer service and personal references will be checked.
3. Any applicant that has prior incidents of sexual misconduct or child abuse will not be allowed to serve in any capacity where they would have contact with minors.
4. National Criminal Background Checks will be performed on each applicant after the applicant has signed the authorization/waiver/indemnity form, and prior to being employed by Trinity. Annual National Criminal Background Checks will be performed on volunteers/staff. Only authorized named representatives of Trinity will have access to the criminal background check reports. The named representatives are: Director of the Preschool, Director of Operations, Office Manager, Children, Youth and Family Ministry Director, Council President, and Senior Pastor.

At the applicant's request, Trinity 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.

5. Adult occasional volunteers must also participate in the entire volunteer screening process. There are no exceptions to this rule. The complete process includes: National Criminal Background Check, viewing of the Child Abuse Prevention video and reading/signing off on the Policy and Procedures of Trinity Lutheran Church and Preschool.
6. Teenagers under eighteen (18) wanting to serve as teen workers in any capacity with activities, studies, or programs for preschoolers or children must complete a **Working With Minors – Teen Consent Form**. Teenagers are exempt from the National Criminal Background Check and viewing of the video.

EMPLOYEE/VOLUNTEER TRAINING

Each new worker will be given the legal definition of child abuse in writing, as well as the policy of Trinity on reporting of child abuse. New workers will also be required to view child abuse prevention video(s) and read the written materials available on this subject to help them gain an appreciation for the reality of the concern. This will help workers identify child abuse in the future if they see signs of it. Upon employment and annually, employees/volunteers must sign and date they have received, read, and understand Trinity's Policy and Procedures for the Prevention of Child Abuse.

NATIONAL CRIMINAL BACKGROUND CHECK AND AUTHORIZATION FORM

Employees, teachers of minors, and volunteers of activities or programs for minors of Trinity Lutheran Church and Preschool will be required to complete the **Acknowledgment and Authorization Form** providing personal and confidential information necessary to perform national criminal background check. While this process understandably trespasses into the privacy of our lives, the security of our children outweighs the personal invasion inherent with such investigation and disclosures. All personal information voluntarily disclosed, the results of all security background and reference checks, or the refusal of any person to participate in a program or activity in lieu of such disclosure requirements, will be maintained in the strictest confidence.

Whether disclosed voluntarily or by result of the security background check, the following items will automatically disqualify an employee/volunteer from participating in the leadership, sponsorship or supervising of any activities or programs with minors:

Any conviction for:

- Criminal homicide
- Aggravated assault
- Crimes related to the possession, use or sale of drugs or controlled substances
- Sexual abuse
- Sexual assault (rape)
- Aggravated sexual assault
- Injury to a child
- Incest
- Indecency with a child
- Inducing sexual conduct or sexual performance of a child
- Possession or promotion of child pornography
- The sale, distribution, or display of harmful material to a minor
- Employment harmful to children
- Abandonment or endangerment of a child
- Kidnapping or unlawful restraint
- Public lewdness or indecent exposure
- Enticing a child

All charges for the foregoing crimes, or charges or convictions or for any other crime not listed above, will be reviewed for interpretation of the criminal history record transcript and approved or disapproved by Trinity upon reviewing applicant transcripts. Only persons (as stated above) may view information obtained on the criminal history record transcript.

SPECIFIC ACTS AND OMISSIONS IN VIOLATION OF THE POLICY

The following acts of omissions are violations of this Policy and will not be tolerated or accepted during any activity or program and are to be immediately reported to the designated staff after the safety of the child, children, youth, or minor involved has been assured.

- Any direct observations or evidence of sexual activity in the presence of or in association with a minor.
- Any display or demonstration of sexual activity, abuse, insinuation of abuse, or evidence of abusive conduct towards a minor.
- Sexual advances or sexual activity of any kind between any person and a minor.
- Infliction or physically abusive behavior or bodily injury to a minor.
- Physical neglect of a minor, including failure to provide adequate supervision in relation to the activities of Trinity Lutheran Church and Preschool.
- Mental or emotional injury to a minor.
- The presence or possession of obscene or pornographic materials at any function of Trinity Lutheran Church and Preschool.
- The presence, possession, or being under the influence of any illegal or illicit drugs.
- The consumption of or being under the influence of illegal or illicit drugs or alcohol while leading or participating in a function for minors at Trinity Lutheran Church and Preschool.

WORKER SUPERVISION

There shall be two (2) Supervisory Adults on duty at all times when minors are present. This means no adult shall be left alone with a child, and requires a reasonable ratio of adult workers to be maintained in each situation involving the supervision of children.

CHILD ABUSE PREVENTION REPORTING

Any person having cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect shall report that the person's belief in accordance with this procedure. This is not only required as a condition of employment or volunteer position, but is also required by law. 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) shall be made to the local or state law enforcement agency by calling 911.

Such report shall:

1. Fully comply with the child abuse reporting statute.
2. The church shall also immediately contact the insurance company to report the occurrence, and shall contact its attorney.
3. In instances where child abuse is confirmed and a member of the ministerial staff is the perpetrator, the staff member's immediate supervisor shall be contacted and advised.
4. Upon the first suspicion of an instance of child abuse, the following steps shall be taken immediately:
 - a. Do not treat the suspicion as frivolous.
 - b. Commence the investigation immediately, and conclude it as soon as reasonably possible.
 - i. If a sponsor or volunteer of minors suspects a case of child abuse, he or she is required by law to report his/her suspicions within 24 hours to Missouri Department of Social Services (1-800-392-3738/<http://dss.mo.gov/cd/can.htm>). It is the policy of Trinity that it also be reported immediately to one of the authorized staff of Trinity.
 - ii. The authorized person receiving the initial report will be responsible for confirming the facts reported and the condition of the child as promptly as is reasonably possible, on the same day on which the first report was made. Use the "Reducing the Risk Application Checklist" to complete the church/staff responsibilities involved with the occurrence.
 - iii. Data concerning the child, name, address and other pertinent information shall be obtained through discussions with the initial reporter and other staff members. The name and address of the person responsible for the care of the child, if available, shall be obtained.
 - iv. After the information is secured, the Senior Pastor or Council President shall contact Missouri Department of Social Services (1-800-392-3738/<http://dss.mo.gov/cd/can.htm>).
 - c. Maintain confidentiality of the investigation as much as possible. Emphasize confidentiality of the victim and any accused.
 - d. Cooperate fully with law enforcement officials.

- e. Suspend any accused from the performance of duties involving children until the investigation has been completed.
 - f. Inform the victim and the victim's family of the steps that are being taken, and continue to keep them advised of the status of the investigations. If child abuse is confirmed, ask the victim and the victim's family what action they would like to take in the matter, and fully cooperate to address their request with the bounds of a legal and prudent response (Trinity's legal counsel should assist in this determination).
 - g. In instances where child abuse is confirmed, Trinity shall immediately dismiss the worker from that position.
 - h. In instances where the evidence is inconclusive, the church must take action depending on the strength of the evidence available and after consideration of the victim's family's request.
 - i. Trinity shall keep the congregation informed of the investigation with respect to matters which are not confidential, so that the congregation will hear about the investigation from within the church rather than from the news media.
5. Promptly take steps to plan for a response to the media and attempt to speak to the media only through one contact person so that Trinity can emphasize through the media to the public Trinity's position on child abuse, its concern for the victim, and the extensive steps the church is taking to address the present occurrence and to reduce the risk and provide a safe environment for other children.

Every allegation of sexual offense or molestation should be investigated promptly and thoroughly by officials and reported to the Trinity carrier immediately. If such allegation is factual, the relationship with the offender shall be terminated. It is unlikely the problem will ever be handled by relying on promises of the offender to reform. Failure to take remedial action will make a claim difficult to defend.

CONCLUSION

Trinity needs to be prepared! This is the legal reason for creating safety policies, but there's a deeper, more significant reason - to protect the children. Policies are only printed expressions of the value placed on children. If the only reason for safety policies is to protect the organization, Trinity will have missed God's love for children.

Some people may think that Trinity is too small or that Trinity "knows" everyone to worry about these safety problems. Remember it's much easier to make plans and develop safety policies as a means of prevention, rather than wait until they are needed as a reaction to an abuse case.

Some churches tend to take the biblical concept of trusting God to an extreme. They think nothing bad can happen to Christians. We must not be unwise regarding children's safety. There is no automatic protection from evil for the faithful. We're to watch and be ready. There will always be unforeseen circumstances that need to be handled. Therefore, Trinity should build into the walls of its ministry sturdy safety fire blocks.

Trinity Lutheran Church and Preschool adheres to “You Matter to God, You Matter To US” through the implementation of the above policy. Adoption of these provisions will enable Trinity Lutheran Church and Preschool to provide a more safe and secure environment for each individual of our church family and its guests.

Detached here:

I have read, understand and received a copy of Trinity Lutheran Church and Preschool's Policies and Procedures for the Prevention of Child Abuse. I understand that it is my responsibility to become familiar with and adhere to the information contained herein.

Signature: _____

Printed Name: _____

Date: _____