

**CHILD AND YOUTH
SAFETY POLICY
FOR ELIM LUTHERAN CHURCH**

**Adopted 10/13/2011
By the Leadership Team**

Introduction

To help protect children, Elim Lutheran Church has adopted the following Child and Youth Safety Policy. It is important that all Elim Lutheran Church paid staff and volunteers understand and implement this policy to help prevent abuse against children. The following includes the Purpose and Definitions for this policy, the outlines of Protection and Prevention, and an Acknowledgement to be signed by persons working with children.

Purpose

The purpose of this Safety Policy is to:

1. Provide a safe and secure environment for children and youth through the implementation of this policy.
2. Assist Elim in evaluating a person's suitability to supervise, oversee, and/or exert control over the activities of children and youth.
3. Provide a system to respond to alleged victims of sexual abuse and their families, as well as the alleged perpetrator.
4. Reduce the possibility of false accusations of sexual abuse made against volunteers and paid staff.

Definitions

The following terms used herein 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.
3. *Adult*: Any person who has reached his/her 18th birthday.
4. *Volunteer*: Any unpaid person who is entrusted with the care and supervision of minors or who directly oversees and/or exerts control or oversight over minors.

5. *Sexual Abuse*: Includes but is not limited to the employment, use, persuasion, inducement, enticement, or coercion by an adult of any minor 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 sexual stimulation for the involved minor or adult, or as defined by California law. Sexual abuse also includes, but is not limited to the following conduct by an adult directed at a minor: 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.
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 as defined in this policy. All information collected should be maintained in confidence.

1. *Employment Application and Volunteer Record*: Paid staff and volunteers must complete the Employment Application and/or the Volunteer Record which are attached to this policy and incorporated herein. (The Employment Application and the Volunteer Record are hereafter interchangeably referred to as the "Application.") The release statement attached to the Application must be signed by the individual completing the Application to apply for and qualify for service.

The Application includes 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 Elim Lutheran Church to contact any individual or organization listed in the application.

2. Paid staff will review all statements made in the Application and where applicable, paying specific attention to any gaps in time and irregular employment patterns or unexplained absence. Paid staff will pursue these gaps with employers listed and in a subsequent interview.
3. Paid staff will conduct employment interviews with qualified applicants. If detrimental information is uncovered but the applicant remains desirable, paid staff will discuss this information with the applicant. In the event the applicant is ultimately hired or accepted as a volunteer, paid staff will document in writing the reasons for determining that employment or acceptance is appropriate.
4. Paid staff will contact references and employers for applicants for paid staff positions. Inquire as to the reason the applicant left and ask for any information that might help

determine the applicant's suitability for the position, and document and retain responses received.

5. *Criminal Background Check:* Paid staff will conduct a criminal background check on all paid staff and volunteers who are entrusted with the care and supervision of minors. Elim Lutheran Church will conduct a criminal background check on volunteers as is determined necessary and reasonable by the pastoral staff in consultation with the personnel committee and as funding makes possible. All criminal background checks will be updated periodically.

Confidentiality

Information obtained through screening, application, reference check, interview, and criminal background checks 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 to paid staff and personnel committee.

Supervision Procedures

Paid staff and/or volunteers who have been properly screened and trained:

1. Will be present at events involving minors. Supervision will be commensurate to the risk of the activity.
2. Will supervise the release of minors only to a parent or guardian as appropriate for the age of the participants and the activity.
3. Will obtain written parental permission, including a signed medical treatment form and emergency contacts, before taking minors on trips off of Elim property.
4. Will accompany children in Kindergarten and younger to the restroom and will wait outside the restroom to escort the child back to the activity. Whenever possible, the escort will be the same sex as the minor.
5. Will encourage minors to use a "buddy system" whenever minors go on trips off Elim property.
6. Information will be provided to parents/guardians prior to all trips and will include: name and contact information of person in charge during the trip; other adults going, itinerary, address and phone number of destination(s) and other pertinent information. Parents/guardians will be notified of any changes to this information.

Behavioral Guidelines for Paid Staff and Volunteers

Paid staff and volunteers will:

1. Not provide alcoholic beverages, tobacco, drugs, contraband, or anything that is prohibited by law to minors.
2. Seek to provide both male and female chaperones at co-educational events involving minors.
3. Meet with a minor one-on-one in public settings only, or where paid staff or volunteers are in sight of other people. Doors should be left open when any paid staff or volunteer is in a room alone with a minor or minors.
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.
6. Never abuse minors in any way, including but not limited to physical abuse, verbal/mental abuse, emotional abuse, and sexual abuse of any kind.

7. Maintain clear professional boundaries. Any inappropriate physical or sexual conduct or statement by a minor should immediately be reported to paid staff, or if directed at paid staff, should be reported to other paid staff.
8. Immediately intervene to prevent any abuse of a minor. After taking steps to secure the minor from any further abuse, report the abuse to paid staff. Paid staff will report abuse to the proper authorities and to the personnel committee of Elim.

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.

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, possession or promoting child pornography, enticing a minor, bigamy, incest, drug-related offenses, or family violence.

Elim shall determine, in its sole discretion, whether or not to grant any person's application to serve as a volunteer as defined herein.

Sexual Offender at Elim Lutheran Church

Elim 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. Elim will first check with the offender's probation/parole officer for any restrictions regarding attending services or other functions where children are present. Elim will also ask the probation/parole officer to put any restrictions in writing. If restrictions don't prohibit participation, Elim may choose to implement the following guidelines, after consulting current laws:

1. 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; 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 Sexual Abuse

Elim 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 Personnel Committee or an appointed person will investigate the allegations and may use the assistance of legal counsel or other consultants. If a member of the Personnel Committee is the individual accused of sexual abuse, then another person on the Personnel Committee, or an appointed person, will conduct the investigation. The investigation will be conducted as follows:

1. Report the incident to appropriate authorities in accordance with any applicable state mandatory reporting laws.
2. Report the matter to Elim Lutheran Church's insurance carrier.
3. Cooperate with authorities and the insurance carrier.
4. Elim Lutheran Church may suspend (with pay for paid staff) the alleged offender while a confidential investigation is being conducted.
5. A member of the personnel committee of Elim (and legal counsel or other consultants) will then meet with the Leadership Team and present a report on the investigation, which will include findings and recommendations of actions.
6. An official of Elim will meet with the alleged perpetrator and notify him/her of the results of the investigation and recommendations for actions.
7. An official of Elim 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 Elim 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.
10. Communicate with criminal and civil legal counsel of Elim.
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 Leadership Team.

-----Keep this copy for your records-----

Child and Youth Safety 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. Elim 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 the Elim Lutheran Church or any related or associated entity and instead are to be used with this document.

I have received a copy of the Elim Lutheran Church's Child and Youth Safety 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 the Elim Lutheran Church.

Print Name

Signature

Date

Witness Print Name

Signature

Date

Attachments:

1. CYF Volunteer Record
2. Background Check Release
3. Adult Medical Release

----Return this copy----

Child and Youth Safety 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. Elim 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 the Elim Lutheran Church or any related or associated entity and instead are to be used with this document.

I have received a copy of the Elim Lutheran Church's Child and Youth Safety 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 the Elim Lutheran Church.

Print Name

Signature

Date

Witness Print Name

Signature

Date

Attachments:

1. CYF Volunteer Record
2. Background Check Release
3. Adult Medical Release