

WESTMINSTER PRESBYTERIAN CHURCH CHILD/YOUTH PROTECTION POLICY



PURPOSE

- To protect our children and their families from child abuse and/or sexual misconduct.
- To protect our teachers and staff from false accusations of child abuse and/or sexual misconduct.
- To safeguard the ministry of the church and to spare it from the devastation that can result from litigation.

DEFINITION OF CHILD ABUSE/NEGLECT

Physical injury by other than accidental means, injury resulting in a mental or emotional condition which is a result of abuse or neglect, negligent treatment, sexual abuse, maltreatment, mistreatment, non-treatment, exploitation or abandonment of a child under the age of 18 (16 Del. C. §902). Child sexual abuse is criminal behavior that involves a child in sexual behavior (both touching and non-touching) for which he/she is not personally, socially, or developmentally ready.

PRECAUTIONS AND DUE DILIGENCE

Although our Christian concern for children/youth makes us sad when any form of child abuse takes place anywhere, our major policy focus is to be certain that abuse does not occur within the framework of any of Westminster Presbyterian Church's programs or ministries to children/youth. This policy is intended to help our congregation make Westminster a safe and caring place.

In an effort to create a safe environment within our church, each church staff person and volunteer who works with the church's children/youth programs both regularly and occasionally, on or beyond the church grounds, will be screened and trained on child protection issues and practices.

One-year Rule: No person will be permitted to serve as volunteer staff unless he or she has been a member of the church for at least one year OR is recommended by two church members who have been members for at least one year.

ADMINISTRATION OF THE POLICY

The Personnel Committee of Session will be responsible for the administration of this policy.

PREVENTION

Westminster has the following policies and practices to lessen the likelihood of child abuse and neglect occurring.

SCREENING

Paid and volunteer staff that regularly has contact with children under the age of 18 at Westminster will be asked to complete a screening application (to be developed). The information provided will be available only to those authorized to participate in the screening process and will be used exclusively for that purpose. The completed forms will be kept in a secure place. In the event of an allegation of abuse/neglect, the form may be shown to other church leaders on a “need-to-know” basis.

Those considered for employment by Westminster and volunteers will also be asked to submit to a child sex abuse background check pursuant to 11 Del §8561 (g). (Paid staff employed after 1/1/2004 are already required to have these background checks.) The information provided will be available only to the Head of Staff, the Church Administrator, and the Personnel Committee Convener.

Acceptable candidates will be notified when they are approved to work with children and youth at Westminster and will be required to sign a statement that they have read, understood, and agree to abide by Westminster’s Child/Youth Protection Policy.

SUPERVISION OF CHILDREN AND YOUTH

Open door policy: Parents, volunteers, or staff of the church may visit and observe child or youth programs at any time.

Sign-in/Sign-out Procedure: Parents or other persons responsible for children, from infant through pre-school, will record via a sign-in procedure with the staff/volunteer on duty as to whom the child may be released. If the person picking up the child is unknown to the staff/volunteer person, a picture ID will be requested to verify the release person's identity. A child will not be released to a person not previously authorized via the sign-in procedure. The sign-in procedure will require an emergency contact number of the parents.

Bathroom Procedure for Preschool Children: If at all possible, the regular teacher should accompany children rather than a teen or parent helper. The adult may enter the bathroom, if the child needs assistance or supervision, but will not enter the stall with a child unless the child needs assistance or there is an emergency.

The outside bathroom door must be kept ajar when inside with children. If the child needs assistance or there is an emergency with any child, the stall door is to be left open. When taking a group to the bathroom and the adult is in the bathroom, have all the children remain inside until everyone has used the facilities, and then leave as a group.

Two-person preference: For classes through eighth grade, two staff/volunteers should be present in any classroom at all times. Where feasible, small windows should be installed in room and office doors to allow easy viewing of all activities.

Rule of three: At all times when there are children and adults present in the same room, there should always be a minimum of three persons present (two adults and one child/youth OR one adult & two children/youth).

A corollary of this rule is that at any time that an adult is having a private conversation with a youth/child (e.g. during a confirmation retreat where a pastor is discussing one's spiritual journey), it should only take place in an area with other adults/youth/children nearby.

If this is not feasible, then the door to the room should remain open to allow easy viewing.

Parental Permission Rule: Children and youth must have written parental permission for involvement in church-sponsored programs and activities away from the church location.

Trips and Retreats: There shall be at least two adults present for all trips, retreats, and other times that children or youth gather at or away from the church building. (At least three adults are preferable so that in the event of an emergency there will be adequate supervision.)

There shall be at least one adult of each gender present at co-ed overnight events. At single gender overnight events, at least one of the two or more adults present will be of the same gender as the children or youth. Parents will be made aware of housing accommodations.

In situations where two adults are not available per room where children or youth are staying overnight, no adult of a different gender should stay alone in a specific room with the children or youth. In those circumstances where adults are not staying in the rooms with the children or youth, special measures should be taken to assure the children's or youth's safety and supervision, such as adult hall monitors and periodic room checks by two adults of the same gender as those being checked out. The person in charge of each trip and /or retreat shall carry completed permission slips, including permission for emergency medical care and information on how to reach a parent or guardian in an emergency.

Transportation: The following rules apply when transportation by volunteers is being provided for children or youth for designated church activities from the church to a church sponsored event and back:

- The designated leader of the event must know the driver.

- The designated leader of the event will not permit any adult to drive who appears to be under the influence of alcohol or drugs.
- Driver must be at least 21 years of age.
- Driver must have a valid state driver's license for the vehicle being operated.
- Driver must have proof of insurance.
- Driver must be accompanied by at least two children or youth in the vehicle.
- Driver must have read and signed an acknowledgment form indicating that the Child Protection Policy has been read and will be followed.

A copy of the valid driver's license and insurance card must be filed with the Church Administrator, before a driver is approved to drive on church sponsored activities.

All drivers should be advised that in the event of an accident that (by insurance rules) his/her insurance company is considered primary and the Church's insurance company is secondary.

EDUCATION AND TRAINING OF PERSONS WHO WORK WITH CHILDREN AND YOUTH

The church shall provide regularly scheduled (at least annual) training focused on these policies and practices and other current issues related to child protection for those working with children and youth. Attendance at these sessions is required for those who have direct contact with children or youth in the church's ministry.

PROCEDURE FOR REPORTING ABUSE OF CHILDREN AND/OR YOUTH

When abuse/neglect is suspected by individuals outside the church family:

The care and safety of the victim and family is our first priority.

Any staff (volunteer or paid) is free to discuss areas of concern about abuse/neglect of a child with pastoral staff at any time. The pastoral staff should be shown any physical signs of abuse/neglect of a child within 24 hours, if possible. If there is a strong suspicion of abuse/neglect, it will be reported to the Head of Staff or the Church Administrator and Personnel Committee Convener immediately.

An immediate oral report will be made to the Division of Family Services by telephone (1-800-292-9582) or otherwise. Within 72 hours after the oral report, a completed Child Abuse/Neglect Mandatory Reporting Form shall be given to the regional office of the county of the child's residence (16 Del. C. § 904). The Church will not attempt to do an investigation. This will be done by professionals who are familiar with the required procedures.

The parent(s) or legal guardian of the victim will be notified by a pastoral staff member (Head of Staff preferably) and steps taken to assure the safety of the child or youth until the parent(s) arrive. **It is important to emphasize that the proper authorities must be notified even if the parent(s) do not wish the incident to be recorded.** If one or both of the parents is the alleged abuser, contact the proper authorities and follow their advice about notification of the parents.

When church staff (volunteer or paid) is suspected of being the abuser:

Anyone who suspects abuse by volunteer or paid staff is to report it to a pastoral staff member. If possible, the responsible pastoral staff member should be shown the physical signs of abuse. If there is a strong suspicion of abuse/neglect, it will be reported to the Head of Staff or the Church Administrator and Personnel Committee Convener immediately.

An immediate oral report shall be made to the Child Protective Services by telephone (1-800-292-9582) or otherwise. Within 72 hours after the oral report, a completed Child Abuse/Neglect Mandatory Reporting Form shall be given to the regional office of the county of the child's residence (16 Del. C. §904). Do not attempt an investigation. This will be done by professionals who are familiar with the required procedures.

The parent(s) of the victim will be notified by a pastoral staff member (Head of Staff preferably) and steps taken to assure the safety of the child or youth until the parent(s) arrive. It is again important to emphasize that the proper authorities must be notified even if the parent(s) do not wish the incident to be recorded.

Next, the pastor will tell the accused that a report has been made. That volunteer or paid staff member will be temporarily relieved of his or her duties, pending investigation of the charges. If a paid staff member, a decision will be made to either maintain or suspend his or her salary until the allegations are cleared or substantiated. The church will cooperate fully with all legal authorities as required by law. Any contact with the media should be handled by a pre-determined spokesperson. Care will be taken to safeguard the privacy and confidentiality of all involved. The spokesperson should generally convey that the matter is under investigation and any comments made prior to the investigation would be premature.

Westminster's insurance company will be notified.

All reports should be documented in writing and brought to the attention of the Head of Staff or the Church Administrator and Personnel Committee Convener. The care and safety of the victim and family is of first priority.

Once someone has been found to have a problem of abuse/neglect, the church is willing to assist the individual to begin breaking the cycle of abuse/neglect.

Failure to Report

Knowing and willful failure to report suspected child abuse/neglect shall result in fines or imprisonment by the State of Delaware (16 Del. C. §909). A family or professional relationship will not relieve a person of the obligation to report suspected Child Abuse/Neglect (16 Del. C. §908). Use of force that goes beyond "reasonable and moderate" punishment will not excuse the obligation to report suspected child abuse/neglect (11 Del. C. §468).

Protection of Workers

Staff and others participating in making reports are protected and immune from civil or criminal liability when they report actual or suspected abuse/neglect so long as they act in good faith (16 Del. C. §06).

DISCIPLINE

No Violation

If an investigation of a reported or suspected occurrence of child or youth abuse reveals no abuse occurred, the accused volunteer or employee, and the complaining party, will be informed that a thorough investigation has been conducted and there is no basis to substantiate the report or suspicion of child abuse. The employee will be reinstated in good standing including back pay and benefits, if suspended during the investigation.

Violation

If an investigation of a reported or suspected occurrence of child or youth abuse reveals that a volunteer has engaged in a form of child abuse, that volunteer will be prohibited from working directly with children or youth in any of the church's ministries.

If an investigation of a reported or suspected occurrence of child or youth abuse reveals that an employee has engaged in a form of child abuse, that employee will be subject to immediate termination. The employee may appeal this action to the Personnel Committee. After review, the decision of the Personnel Committee is binding.

Policy Administration

The administration of this policy rests with the Session of Westminster Presbyterian Church. The Session has assigned the oversight of this policy to the Personnel Committee of the Session.