



Faith Lutheran Church
1000 Tates Creek Road
Lexington, KY

Child Safety Policy and Procedures

All persons are created in God's image and, as God's beloved, have the right to be treated with respect and dignity. Since children and youth are especially vulnerable to physical, sexual, and emotional abuse, we have put in place the following policies, procedures, and safeguards in order to protect the children and youth in our care, ***which is intended primarily to prevent abuse and neglect of children and youth by church staff and volunteers.*** All references to "child" and "children" should be understood to include youth under eighteen years of age (a.k.a. "minors").

Section 1 Child Protection

Child and youth protection requires several different types of programs, and our efforts combine elements of each of the following:

- Primary focus: to educate staff members and volunteers concerning the proper treatment of children and youth involved in congregational programs and to model appropriate parenting skills.
- Secondary focus: to provide programs aimed at preventing the occurrence or recurrence of abuse and neglect in families.

For the purposes of this document and under Kentucky law, an abused or neglected child is defined as one under the age of 18 whose health or welfare is harmed or threatened with harm by a caretaker who inflicts or allows to be inflicted on the child physical or emotional injury or sexual abuse or exploitation.¹

Our congregation's policy on child and youth safety and abuse prevention includes, but is not limited to, the following specific areas:

- **Parenting Skills**

¹ Kentucky Revised Statutes 600.020(1). The statutory definition also includes conduct creating the risk of harm, failure to care for a child, and engaging in a pattern of activities regarded as endangering a child. The definition given in this policy is not intended to provide an exhaustive listing of the means and methods of child abuse or neglect.

- ❖ When possible, we will provide classes for members of the church and community on sound parenting skills and child abuse prevention.
- **Training**
 - ❖ This “Child Safety Policy and Procedures” will be given to all clergy, paid staff, and volunteers. All staff and volunteers are required to consent to a criminal background check. (See Appendix A). In addition to the requirement that you read this Policy, additional training on issues of child abuse in church settings may be required for all clergy, paid staff, and volunteers who regularly supervise activities for youth and children (e.g., youth group leaders).
- **Communication and Supervision**
 - ❖ It is important that all paid staff be involved in regular, scheduled staff meetings to discuss prevention measures, policies, problems, and potential problems. While convicted or substantiated (in a child protective services investigation)² child abusers who are members of the congregation are to receive the pastoral care afforded any child of God, at no time is a known convicted or substantiated child abuser to be assigned to ministries with children or youth.
 - ❖ Communication(s) by staff or volunteers with children or youth, whether it be in-person oral communication or written paper or electronic communication, including text messages, emails, social media posts and shares, and any and all other messaging, shall be subject to mandatory production and review by the church Pastor and Council President, regardless of whether the device used in the communication was issued by the Church or whether the communication was sent or received during working or service hours. Communications that suggest, indicate, or imply a personal relationship of an adult nature between a child/youth and a staff member/volunteer are strictly prohibited, along with sharing explicit language and images, whether initiated by the child/youth or the staff member/volunteer. Failure of any adult to timely report to the Pastor, Council President, or a member of the Council Executive Committee such communications initiated by a child/youth will be grounds for termination or other sanction. The rule of thumb is: if you are not OK with your mother or other trusted superior seeing the message printed in the Sunday worship bulletin or on the front page of the local newspaper, then you should assume the communication is prohibited.

² In Kentucky, the Department for Community Based Services conducts investigations of child abuse or neglect.

- **Individual Counseling**

- ❖ One-on-one interactions with children and youth may on occasion be necessary and appropriate, though unless the purpose is to correct undesirable conduct or statements when time is of the essence, private one-on-one interactions are not favored. When deemed necessary, care must be taken that they be conducted in an environment that provides visibility to other adults. If at all possible, another adult is to have knowledge of staff member or volunteer's whereabouts and with whom they are meeting. Youth or children receiving individual counseling should be told they are free to discuss any aspects of the counseling process with a parent or other adult, especially if they are uncomfortable about anything that occurs in counseling.

- **Adult Presence**

- ❖ All church-sponsored or community groups of children or youth who meet at the church will have two or more leaders who are at least 18 years old present. (This policy is strongly encouraged, but not mandatory, for Sunday church school classes.) When the group includes both boys and girls, and parents are not present, it is strongly recommended that both male and female leaders be present. All youth group advisors must be at least 21 years of age and at least five years older than the oldest youth member.

- **Overnight Trips and Field Trips**

- ❖ In no circumstance is one adult to take a child or youth on an overnight outing alone. When a group is going on an overnight outing that includes both boys and girls, it is required that both male and female leaders/volunteers be present. An adult may not sleep in the same bed as a child unless it is their own child.

- **Open Door Policy**

- ❖ The parents or guardians of the children and youth served, as well as the clergy and administrative and professional staff of the church, have the right to visit

and observe the youth activity, classroom, or church-sponsored program at any time, unannounced.

- **Discipline Policy**

- ❖ Children and youth are expected to show respect for adults and for each other during all church activities. Under no circumstances will corporal punishment (defined as the deliberate infliction of physical pain on a minor by any means) be administered. Appropriate responses to inappropriate behavior include verbally reprimanding the child or youth, separating the child or youth from the group, notifying parents of the problem, and taking a disruptive child to a parent or a church staff member.

- **Background Checks and Hiring Policies**

- ❖ Background checks shall be made of all clergy, paid staff and volunteers who have regular responsibility for children or youth. All volunteers, clergy and church staff shall sign the *Prevention and Management of Child Abuse Statement* signifying that they have read and understand the congregation's policy.
- ❖ Background checks will be repeated every five years.
- ❖ Persons shall be eligible to be a volunteer with children or youth after six months of active church attendance.
- ❖ If a parent would like to assist a class or activity but has not had a background check, he/she must notify the paid staff. They may still assist, but at least one other authorized adult must be present at all times.
- ❖ If a staff member discovers through any method (fingerprint checks, county checks, self-disclosure, or otherwise) that a volunteer has been substantiated of child abuse or neglect or convicted of a felony, a misdemeanor, or a violation involving a minor, staff may, in consultation with the Pastor or Council President dismiss the volunteer or move the volunteer into a position that does not require unsupervised access to children.

Section II

Child Abuse Reporting Procedures

The purpose of child abuse reporting is to provide children and their families with an avenue to air their grievances, ensure that they will be heard and that appropriate action will be taken on their behalf. The intent of this church's policy is to be firm and fair without fostering an unnecessary climate of fear or the erroneous presumption of guilt.

If any adult knows or has reasonable cause to believe that a child has been neglected or abused, that adult has a statutory duty to make an oral report to one of the following authorities:

- The Kentucky Cabinet for Health and Family Services, Department for Community Based Services at **1-877-597-2331** or **1-800-752-6200**.
- **Local police or Kentucky State Police at 502-782-1800.**
- In the event of an emergency, call 911.
- Commonwealth attorney or county attorney.

Known or suspected abuse of a child or youth, under the care or control of a church staff member or volunteer, must be reported immediately to the pastoral staff or Council President. Complaints shall be investigated promptly. (See *Investigation* below.) Specific details of the incident must be documented in writing and retained. These reports are to contain the following information: name and age of child, name and address of the parent or caretaker, why you suspect the child is being abused or neglected, and any other helpful information, such as who else was present at the time the suspected abuse occurred.

Preliminary Investigation

Kentucky Law, KRS 620.040(4) prohibits interference by official agencies in the preliminary investigation of alleged child abuse. Pastoral staff or the Council President may conduct a limited initial investigation to determine whether there is sufficient information to warrant a report to authorities. Sufficient information includes the name and age of the alleged victim, the name of the alleged abuser, the basis for the report to pastoral staff or Council President (e.g. first-hand observation versus third-hand rumor), whether there was physical or emotional injury, whether the alleged victim, staff or volunteer were in sufficient proximity to one another for the abuse to have occurred, and whether there are other circumstances that cast significant doubt on the validity of the report. However, this limited investigation should be short in duration and aimed at whether there is reasonable cause to believe a child has been neglected or abused. If pastoral staff or the Council President believes that interviews with any involved

person or witness other than the reporter are necessary, legal counsel should be consulted. Once sufficient information is obtained to determine that a report to authorities is warranted, the preliminary investigation is over and the report must be made to appropriate authorities. If it is determined that a report will not be made to authorities, the reason for the decision should be documented.

The parent or guardian of the child, as well as the staff or volunteer against whom the allegation was made, should be notified in writing of the report. The reporter's identity should not be disclosed to the accused staff or volunteer, and the staff or volunteer should be told that he or she is to have no further contact with the child in question until further notice.

No other investigation may be conducted during the pendency of the official investigation by the department for Community Based services or law enforcement agency. This may take anywhere from two weeks to several months. Upon receiving notice from the investigating authority or the alleged abuser that the investigation has been concluded, staff, after consultation with legal counsel, may proceed with appropriate further investigation or other action.

If a formal complaint of child abuse is made, the following policies shall be followed:

- The synod shall be informed and the accused shall be temporarily removed from duties involving children while an investigation is held. A trained response team member shall be made available by the Bishop's office to assist congregations with investigations and pastoral care. This response team member shall determine the nature of the charge and whether suspension from work in the congregation during the investigation is warranted. The synod shall be kept informed of the course of the investigation.
- Pastoral resources shall be made available to the victim, the victim's family, the accused, the accused's family, and the congregation.
- Prompt report of any threat of civil litigation shall be made to the liability insurance company.
- If a charge has been made against a rostered staff person, the bishop shall not offer dimissory letters until the issue, following a full investigation, is resolved.
- All actions regarding the complaint shall be documented and kept on file.

Appendix A

Prevention and Management of Child Abuse

Following a review of the congregation's **Child Safety Policy and Procedures**, the form on the next page must be completed by all clergy and paid staff, and all volunteers who teach or work with children. This form also serves as an authorization for the church to conduct a background screening for those to whom an offer of employment or acceptance as a volunteer has been made, contingent upon the results of the background check. All information fields contained in the form on next page is required by ProtectMyMinistry.com, the service used to conduct criminal background checks. This form, and the report resulting from the search, will be maintained confidentially for at least one year, after which it may be shredded or otherwise confidentially disposed of. Background checks will be repeated for all staff and volunteer every five years.

Prevention and Management of Child Abuse

Please read and initial each statement below and answer item 3.

1. _____ I have read and I understand the policy *entitled* **Child Safety Policy and Procedures**.
2. _____ I agree to abide by the **Child Safety Policy and Procedures**. The following is confidential information which I understand will be used by the church to conduct a background check, including a check of criminal records.
3. Have you ever participated in, been accused or convicted of, or pleaded guilty or no contest to any abuse or sexual misconduct? _____ Yes _____ No
If so, please attach a written explanation of the circumstances.

All fields below must be completed for the background check.

Name _____
First Middle Last

All other names used _____

Social Security Number _____ Birthdate _____

Gender _____ Race/Ethnicity _____ Unknown _____

Driver's License State and Number _____

Phone Numbers _____
Please provide all phone numbers and indicate whether home or cell.

Email Address _____

Street Address _____

City, State, and Zip _____

Signature _____ Date _____