

# Westlake Methodist Church

## Policy for the Protection of Children, Youth and Adults

“As God who called you is holy, be holy yourselves in all your conduct.”  
1 Peter 1:15 NSRV

“Tend the flock of God that is your charge, not under compulsion, but willingly, not for sordid gain, but eagerly, nor lord it over those in your charge, but be examples to the flock.” 1 Peter 5:2 NSRV

“You know that we who teach shall be judged with greater strictness.”  
James 2:1 NSRV

WESTLAKE UNITED METHODIST CHURCH  
POLICY FOR THE PROTECTION OF CHILD/YOUTH/ADULTS

**MISSION STATEMENT**

The mission of Westlake United Methodist Church is to foster among all persons the commitment to love God and neighbor and to follow the teaching and example of Christ in their daily lives. We welcome all as we gather for worship, study, service and fellowship. Our goals are to be a healing and caring influence in our congregation and the broader world, to develop an active ministry for all ages, and to provide facilities that help to fulfill and expand our mission.

**Introduction**

Westlake United Methodist Church is a spiritual community, which takes extremely seriously its responsibility to provide a safe and nurturing environment for children and youth who participate in our ministries. All volunteers and employees who assist in these ministries are expected to nurture our children and youth in the Christian faith and foster the spiritual development of individuals and families in our church community.

In our church community where children and youth are encouraged to be involved, we cannot ignore the reality that problems may occur. We must face this challenge to protect our children and youth with the spirit of Jesus and rejoice that we can make a difference in their lives. The following statements reflect the commitment of Westlake United Methodist Church to provide a safe environment for all children, youth, and adults who participate in church sponsored ministries.

In this effort to provide a safe environment, this church requires all church workers to commit themselves to this policy adopted by the Administrative Board. In doing so, church workers will be asked to provide personal employment information, review the church policy, attend training, and understand that they will be under the supervision of their respective leaders. Please, embrace this policy with your love for our most precious resource.... our children and youth.

## **Statement of Purpose**

The purpose of this policy is to protect children, youth, and adults who participate in WUMC ministries to and activities for children and youth. This policy addresses issues of safety in the context of WUMC child/youth programming. The goal of this policy is to establish and maintain standards intended to ensure all persons involved in such programs are safe from abuse. This policy will be re-evaluated annually.

## **Application of the Policy**

This policy applies to WUMC church workers, including volunteers and paid staff. It applies to all children and youth ministries, activities, gatherings, meetings, trips, sleeping situations, campouts and outings conducted by WUMC and its volunteers, and/or paid staff. These events include but are not limited to Sunday School, UMYF, Child Care, Conference and District sponsored events and camps. This Policy does **not** apply to Westlake UMC Preschool, which is governed by specifically applicable Texas laws concerning reporting of child abuse.

## I. Definitions

As used in this Policy, the following definitions shall be applied:

*Adult* – A person 18 years of age or older.

*Abuse* – WUMC adopts the definition of abuse codified in Section 261.001(1) of the Texas Family Code, a copy of which is attached.

*Child(ren)* – A person who has not graduated from fifth grade or a vulnerable adult.

*Church Activity* – All WUMC children/youth ministries and activities but excluding the Westlake UMC Preschool.

*Church Worker* – A person with direct contact and supervision of children/youth including WUMC paid staff and volunteers, but excluding a parent who is not otherwise a paid staff or volunteer and excluding a person who is an employee of an independent contractor.

*Coeducational* – Involving both male and female participants.

*Facility* – Includes WUMC buildings and grounds.

*Field trips* – Activities conducted away from the facility.

*Nursery* – refers to any child or church activity for children younger than kindergarten age and children who are not enrolled in kindergarten.

*Paid Staff* – employees of WUMC, but not including employees of Westlake UMC Preschool.

*Supervise* – To care for an individual or group of children/youth during a church activity, including the responsibility to be aware of the location, safety and activity of each child/youth and other church workers during the church activity.

*Training* – Time spent in workshops; reviewing self-instructional material; or participating in planned learning opportunities provided by a director, other staff, consultants, or persons knowledgeable in the training topics.

*Volunteer* – An unpaid person selected by WUMC to have direct contact with and supervise children/youth.

*Vulnerable Adult* –An adult suffering from a mental, psychological, cognitive, and/or physical impairment(s) which tends to make him as vulnerable as a child/youth and whose condition is made known to WUMC by a guardian.

*Youth* – A person who has graduated from fifth grade and who is younger than 18 years of age or a person older than 18 years of age if that person is currently enrolled in high school or a vulnerable adult.

*WUMC* – Westlake United Methodist Church

*The singular includes the plural, the masculine includes the feminine.*

## **II. Recruiting and Selecting Church Workers**

A. All church workers must complete an Employment or Volunteer Application Form prior to having contact with and supervising children/youth at WUMC.

B. All church workers must submit to a criminal background check, which includes a check of the church worker's driving record. The criminal background check will be renewed every three (3) years for each church worker still employed by or volunteering with WUMC. If a person is arrested after being approved on his or her background check, the arrest and its circumstances will be reported immediately to the Senior Pastor.

C. All personal and work-related references listed on the Employment or Volunteer Application by the church worker candidate will be contacted by the appropriate supervisor and documentation of references will be maintained by WUMC. The appropriate supervisor or committee will be responsible for reviewing all employment applications and references.

D. All documentation related to a church worker's criminal background check will be maintained in a safe and secure manner in order to ensure that the information remains confidential. The custodians of the criminal background check documentation will be the senior pastor, and at least one member or designee of the Pastor Parish Relations Committee (collectively, the "custodians"). The custodians shall determine the appropriate action to take on a volunteer or employee application based on their review of the results of the criminal background check. However, in no event will anyone who has

been convicted of, or plead guilty or no contest to, any form of abuse or neglect, be allowed to work with children/youth at WUMC. The custodians may maintain a list of persons for whom background checks have been obtained, which list will also include the date the background check was received, and may share that list with a church worker on a need-to-know basis, *e.g.*, a church worker who is responsible for recruiting Sunday School teachers may have access to the list to verify that a background check has been renewed per Paragraph II B., Page 5, above on a person volunteering to teach a children's Sunday School class.

E. A church worker who leads, organizes, or has primary responsibility for a church activity must be at least 21 years of age, have at least one year of experience in a leadership role, and must be at least five (5) years older than the children/youth with whom he or she has contact during a church activity.

F. A church worker who is younger than 18 years of age must be at least five (5) years older than the children with whom he or she has contact during a church activity.

G. If the leader or organizer of a church activity for youth allows a church worker to participate in the church activity who is not at least five years older than any of the youth involved in the church activity, then the leader or organizer must take appropriate measures to closely monitor and regulate that church worker's contacts with the youth.

H. Church workers must attend an orientation and/or training session on safety and abuse prevention.

### **III. Procedures for Church Workers' Contacts with Children/Youth**

#### **A. Procedures applicable to all church activities.**

1. It shall be the responsibility of the church worker that organizes and/or leads the church activity to ensure that all of the principles and procedures contained in this policy are followed.
2. For the protection of the children, youth, and church workers, children/youth should not be left alone with a church worker or be out of the sight of a second church worker while engaged in a church activity.

3. As a general rule, at least two church workers should be assigned to any church activity.
4. One-to-one or small group activities with only one church worker should be allowed only under the following circumstances:
  - a. Verbal notification and approval must be obtained from the child/youth's parent or guardian and these meetings and activities should only occur in public places or open areas of the church.
  - b. WUMC recognizes that children/youth may seek guidance on personal matters from church workers. If a child/youth indicates a desire to meet alone with a church worker, the church worker will notify another church worker that the one-to-one meeting is occurring and ask that the second church worker remain in the vicinity of the meeting room until the one-to-one meeting is concluded.
5. The ratios of church worker to child/youth that WUMC strives for are:
  - Children (ages 0-2) 1:6
  - Children (ages 3-5) 1:8
  - Children/Youth (ages 6-11) 1:10
  - Youth (ages 12-17) 1:10
6. If at all possible in coeducational groups, both male and female church workers should be present. It is recommended that these church workers should not consist solely of a married couple.
7. Parents/guardians should always have access to and be welcome to visit a church activity.
8. No church worker may have possession of tobacco products, alcoholic beverages, illegal drugs or weapons during any church activity, nor may the church worker be under the influence of alcohol or any illegal drug(s) during a church activity.

**B. Procedures for On-Site Church Activities.**

All meeting rooms at WUMC used by children/youth shall have a window in the door or the door should remain open when a child/youth is present.

C. Procedures for Off-Site Church Activities.

1. a. When transporting children to a church activity, if there will be only one church worker in the vehicle with the children, reasonable attempts will be made by the church worker before transporting the children to contact each child's parent or guardian in order to obtain permission for the single church worker to transport the child. It is not acceptable for one church worker to transport only one child to a church activity, unless the child's parent or guardian gives prior, written permission for that particular church worker to transport the child alone to the church activity.

1.b. It is an acceptable exception to the two church-worker policy set out in Section A. 3., above, when transporting more than one youth to a church activity within the Austin metropolitan area, for there to be only one church worker in the vehicle with the youth. When transporting a single youth to a church activity, or when transporting more than one youth to a church activity outside the Austin metropolitan area, if there will be only one church worker in the vehicle with the youth, reasonable attempts will be made by a church worker to contact each youth's parent or guardian in order to obtain permission for the youth to be transported by one church worker. This permission may be incorporated into the Permission Form discussed in the next paragraph.

2. Permission Forms are required for children participating in any church activity away from WUMC facilities. Permission Forms are required for all youth participating in any church activity away from WUMC facilities that involves either travel outside the Austin metropolitan area or an overnight stay. Only a Medical Release Form is required for a youth activity away from WUMC facilities that is within the Austin metropolitan area and does not involve an overnight stay. The forms must be in the possession of a church worker accompanying the child/youth in the same vehicle. The Permission Forms should include:

- Full name and address of child/youth
- Planned time of departure and return
- Description of activity
- Intended destination(s)
- Parent/Guardian emergency contact information
- Special information as needed

- Permission for transport by single church worker, if appropriate.
- Parent/Guardian signature.
- Medical Release (which may be maintained on file for up to one year)

3. Any person driving children/youth for an off-site church activity, other than a parent or guardian transporting only his/her own child/youth, shall be a church worker or an independent contractor hired by WUMC to drive for that off-site activity. All drivers for off-site church activity must be licensed, insured, at least 21 years of age and meet the standards set by WUMC.

4. A church worker driving a privately-owned or church-owned vehicle is responsible for ensuring that each child/youth being transported in the vehicle for an off-site church activity is properly buckled in with his/her own safety belt prior to departure and at all times while the vehicle is in motion.

5. A vehicle used to transport children/youth for a church activity must have a valid state inspection sticker and vehicle registration.

6. A church worker shall not permit a child 12 years old or younger to ride in the passenger front seat of a vehicle that is equipped with an enabled passenger air bag.

7. Whenever possible, no less than two church workers should share sleeping quarters with children/youth during an off-site church activity. As an alternative, church workers should have sleeping quarters in close proximity to the children/youth. The church worker sharing or in close proximity to the children/youth sleeping quarters should be the same sex as the children/youth sleeping in that area.

8. Church workers should monitor anyone who participates in or interacts with children/youth during an off-site church activity, especially those persons who are not part of the church group, i.e., persons for whom the church worker does not have a Permission Form.

9. The church worker leading the off-site church activity shall establish appropriate numerical grouping guidelines (i.e., buddy system) for the activity, giving due consideration to the ages of the children/youth, the event, the location and all other relevant information known by the leader.

#### D. Childcare Identification Procedures

1. The procedures in this section shall be followed for all church activities involving nursery children and may be applied for other children/youth church activities.
2. Children shall be released only to a properly identified and preauthorized person.
3. When leaving a child in the care of a church worker, the parent/guardian is responsible for leaving written information indicating where the parent/guardian can be located in case of emergency.
4. Parents/guardians must sign-in their child for every church activity. The sign-in sheet should include:
  - Date and time child is left in care of church worker
  - Child's name
  - Parent/guardian name
  - Location of parent/guardian during childcare, such as sanctuary, room 111, gym, etc.
  - Expected time of parent/guardian's return
  - Who is authorized to pick up the child, if different from parent/guardian.
  - If a particular individual is not authorized to pick up a child, the parent/guardian must notify the church worker of that fact in writing at the time the child is left in the care of the church worker.
5. A person picking up a child may be asked to show the church worker a photo identification or some other acceptable form of identification.

### **IV. REPORTING, RESPONDING TO AND CLOSURE OF CHILD ABUSE INCIDENTS**

#### A. Overview Concerning Reporting, Responding and Closure of Child Abuse

WUMC is dedicated to maintaining a wholesome Christian environment in which our children/youth may learn, grow, and develop. We are also responsible for helping our

staff and volunteers – through training – to properly respond to situations of suspected or actual abuse. Although we pray abuse would never happen, it is prudent to help church workers be prepared and protect themselves as well as our children/youth. We acknowledge that reporting suspected child abuse reflects a caring, moral obligation of each person individually and is not an act of disloyalty. Reporting suspected abuse should take precedence over any fear of personal or legal recrimination.

WUMC is committed to providing training to enable church workers to become aware of signs and symptoms of abuse and WUMC procedures for reporting the same. The basic procedure which church workers should follow if they suspect abuse is to make a confidential oral report to at least two of the designated persons at WUMC. All reports will need to be documented, but oral notification is the first step. Then, for the protection of everyone involved, the church worker should not discuss the details of the suspected abuse with any person who is not part of the reporting and investigation of the suspected abuse. Maintaining confidentiality will allow an investigation to proceed without bias and will prevent damage to innocent persons. Any public statement, especially to the media, must be made by the WUMC Pastor, a spokesperson from the Executive Committee, or by the designed Conference office.

#### B. Guiding Principles for Reporting Suspected Child Abuse

1. WUMC does not condone or tolerate any form of abuse.
2. WUMC recognizes it is obligated to comply with all applicable state and federal laws.
3. WUMC recognizes its obligation for mutual accountability, which includes training church workers to be aware of the types of behavior that are inappropriate with children/ youth and reporting questionable behavior to the proper individuals.
4. WUMC recognizes each person's moral obligation for personal responsibility.
5. The United Methodist Discipline and any Annual Conference policies that pertain to reporting procedures shall be followed.
6. Any church worker involved in reporting child abuse or suspicious behavior may seek the advice of legal counsel and the insurance company, as necessary.

7. All allegations of abuse will be taken seriously.

C. Procedures for Reporting Suspected Child Abuse Within WUMC

1. A church worker that has cause to believe that a child participating in a church activity has been adversely affected by abuse or neglect by any person shall immediately notify and give an oral report concerning the incident(s)/observations to at least two of the following persons:

- A WUMC Pastor
- The Director of Youth Ministries
- The Director of Children's Ministries
- The employee responsible for that area of ministry
- The Nursery Supervisor
- The Chairperson of the Pastor/Parish Relations Committee
- The Chairperson of the Trustees

2. The church worker making the report of abuse and the persons receiving the report, should then complete the Report of Suspected Incident of Child Abuse.

3. In the cases of clergy sexual misconduct or diaconal sexual misconduct the policies of the Southwest Texas Annual Conference shall be followed.

4. If a church worker observes suspicious behavior or behavior in conflict with church policies, but is uncertain if the behavior involves abuse or neglect, the church worker should notify and report the matter to two of the persons designated herein. The two persons receiving the report of suspicious behavior or behavior in conflict with church policies will determine together the appropriate action to take, including but not limited to requesting the assistance of a Response Team, contacting church legal counsel, the church insurer and/or the state authorities to obtain advice, and/or following the procedure established in this Policy for reporting abuse. The persons designated herein to receive reports shall liberally interpret allegations of suspicious behavior or behavior in conflict with church policies, and if possible to do so acting in good faith, err on the side of over-reporting rather than under-reporting suspected abuse. WUMC acknowledges that the law in Texas provides immunity from civil or criminal

liability for a person *acting in good faith* who reports or assists in the investigation of a report of alleged child abuse or neglect.

D. Procedures for Response Team

1. If there is an allegation of abuse, a Response Team will be formed within 24 hours of receipt of the initial report. The Response Team will be made up of at least the following three individuals (and shall always be composed of an odd number of persons): one pastor, the chairperson of the Pastor/Parish Relations Committee and a mental health professional. The Response team will take the following steps:

- The Response Team will file a report with Child Protective Services within 24 hours of its formation.
- The Response Team will seek and follow the advice of legal counsel and the bishop (or the bishop's designated representative).
- The Response Team will appoint a single spokesperson from among its members. The spokesperson must present the church's position regarding abuse clearly, including the policies and procedures established in this policy. This spokesperson will be the only one to communicate to the press, the congregation and the authorities.
- The Response Team is to protect the privacy, confidentiality and dignity of the victim and the accused as completely as possible.

2. The Response Team may do the following:

- Remove the child or youth from the situation, observing the Two Adult Rule.
- Remove the accused church worker from contact with children/youth.
- Determine the eligibility of the church worker to continue in that area of ministry.
- Request that a pastor offer appropriate counseling to all involved.
- Prepare a public response with the help of a professional, if necessary. The text of the prepared public statement should be used to answer the press and to convey news to the congregation while ensuring the privacy and confidentiality of all involved.
- Prepare a congregational letter to inform the congregation of the known facts, without names of accused or victim, actions taken thus far by the church and others, further actions that may occur.

3. The Response Team **must**:

- Document all findings and all efforts in the investigation
- Cooperate with local and state civil authorities
- Notify affected parents
- Maintain records of allegations for 20 years, in a secure location.
- Not engage in denial, minimization, prejudice or blame.
- Not prejudge the situation, but take the allegations seriously and reach out to the victim, the victim's family, the accused and the family of the accused.
- Maintain a binder containing all procedural documentation to include:
  1. Points of contact (WUMC phone numbers, agency phone numbers, and WUMC insurance carrier)
  2. Copies of State or Local Policy
  3. Report and documentation forms
  4. The investigation process documentation
  5. Confidentiality considerations
  6. Ministry guidelines

4. If the designated persons who receive a report of suspicious behavior or behavior inconsistent with church policy request that a Response Team be created to determine the appropriate action to be taken, the Response Team may individually interview principles themselves or designate other persons who may be more appropriate in the specific instance (Pastor, teacher, etc.). When the fact-finding phase is complete, team members should convene and determine if reporting to outside agencies is warranted.

E. Closure

1. The Response Team is responsible for development of closure commensurate with the event. Closure should be commensurate with the severity of the harm, discord, or suffering caused to the victim and within the church. The more public the event, the more public the closure should be. Likewise, the more private the event, the more private the closure may be.

2. The Response Team should determine the appropriate closure for the accused, based on the investigation. This closure is intended for healing within the church body, and is distinctly independent of any legal proceedings against the accused, and/or any actions taken by WUMC.

3. The goal in closure should be Christian love toward all persons, and healing of the congregation. The dignity and worth of the individual should always be respected.

4. At a time deemed appropriate by the Response Team, a congregational meeting may be called. The purpose of the meeting is to calm and comfort. Notice of the meeting should be delivered to all members of the congregation. The meeting may be led by the pastor, the lay leader of the Response Team, the District Superintendent, a qualified counselor, and/or trained group facilitators. The agenda could include prayer and invocation, the facts without names, question and answer time, small group time, and prayer time.

#### F. Continuing Ministry

WUMC recognizes that many in its congregation and community may have been or may in the future be traumatized by abuse. WUMC will minister to these individuals by developing support ministries for those suffering as a result of child abuse or the fear of child abuse. The Continuing Ministries may include: Educational Ministries with programs on child abuse recognition and prevention; and/or Support Ministries, including individual counseling for victims, abuser, their families, financial support for those seeking counseling outside of church, and programs with children/youth aimed at restoring their trust in the church and its workers.





**Texas Family Code**  
**Section 261.001**  
**Definition of Abuse**

“Abuse” includes the following acts or omissions by a person:

(A) mental or emotional injury to a child that results in an observable and material impairment in the child’s growth, development, or psychological functioning;

(B) causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child’s growth, development, or psychological functioning;

(C) physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian, or managing or possessory conservator that does not expose the child to a substantial risk of harm;

(D) failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child;

(E) sex conduct harmful to a child’s mental, emotional, or physical welfare;

(F) failure to make a reasonable effort to prevent sexual conduct harmful to a child;

(G) compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01, Penal Code;

(H) causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene as defined by Section 43.21 Penal Code, or pornographic;

(I) the current use by a person of a controlled substance as defined by Chapter 481, Health and Safety Code, in a manner or to the extent that the use results in physical, mental, or emotional injury to a child; or

(J) causing, expressly permitting, or encouraging a child to use a controlled substance as defined by Chapter 481, Health and Safety Code.