

# Safe At First Child and Youth Protection Policy

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# **SAFE @ FIRST CHILD AND YOUTH PROTECTION POLICY**

## **I. PURPOSE, APPLICABILITY, SCOPE AND POLICY TERMS**

### **Purpose**

This policy is intended:

1. To be faithful to our baptismal vows as we seek to welcome children and remove stumbling blocks
2. To provide a safe and secure environment for children and youth at FPCRH.
3. To protect children and youth from sexual, physical, and emotional abuse while participating in FPCRH activities.
4. To provide a mechanism to deal with reported concerns and subsequent actions.
5. To guide FPCRH as an institution in the conduct of its employees and volunteers and prevent incidents and allegations of child abuse.
6. To protect adult volunteers and employees from unwarranted allegations of child abuse.
7. Persons subject to the "Safety at First" Policy are also subject to the requirements of the more comprehensive requirements of the "Sexual Misconduct" policy.

This policy addresses five components of child and youth protection:

1. Screening applications for employment and volunteer service for a history of behavior potentially detrimental to children and youth.
2. Training both employees and volunteers and children and youth in the child and youth protection policy and in appropriate supervision and chaperoning.
3. Reporting allegations and/or concerns regarding child and youth protection issues.
4. Responding to allegations and/or concerns regarding child and youth protection issues.
5. Addressing known offenders as members of FPCRH.

### **Applicability**

This policy applies to persons including FPCRH employees and volunteers participating in all children and youth programs of FPCRH, including but not limited to:

- Sunday school classes
- Worship Care
- Children and youth fellowship programs
- Weekday School
- Children and youth choirs

- Church sponsored retreats, mission trips, etc.
- Vacation Church Camp
- Ministry Center and sponsored activities
- Church sponsored athletic teams
- Cub Scouts, Boy Scouts, Girl Scouts
- Outreach, community service, etc.
- Nurseries and child care

## **Scope**

### Who is Covered by this Policy?

1. This policy supersedes all prior FPCRH child and youth protection policy statements.
2. All employees of First Presbyterian Church are governed by this policy which relates specifically to Personnel Manual's reference to "Child Protection Policy." With regard to any employee(s) of FPCRH, perceived conflicts or ambiguities in interpretation and application of this policy shall be resolved by the Personnel Committee and Head of Staff.
3. Generally, FPCRH does not directly control independent contractors; however, all independent contractors who work with FPCRH children and youth are governed by this policy.

### What Does the Policy Require?

1. All employees and volunteers shall abide by the Code of Conduct
2. Each person must assume responsibility for his/her own actions in working with children and youth and for attending training offered on child and youth protection.
3. An individual may be terminated from employment and/or volunteer service for failure to observe and abide by this policy. This action may be taken regardless of the outcome of any investigation if the Head of Staff, Personnel Committee, or Christian Education Committee determines that the Child and Youth Protection Policy and procedures have not been followed.

## **Outside Groups Using FPCRH Facilities**

All leaders of non-FPCRH sponsored groups and events using FPCRH facilities, which have direct supervision of children and youth, are expected to adhere to these policies. Upon receipt of the policy from FPCRH, the leaders must review the Child and Youth Protection Policy and sign the Outside Group Leaders Release Form to acknowledge their review of it and to confirm their agreement to follow the policy. This includes but is not limited to

groups such as AA, ALANON, NA, CODA, Birthday Parties scheduled in the Ministry Center, etc.

Given the nature of the outside groups that use FPCRH facilities, FPCRH will not perform background checks, seek personal and professional references, review employment records, or obtain civil and criminal records for such groups. Leaders of outside groups will be invited to attend FPCRH's frequently scheduled training classes and are expected to conduct their own due diligence in this regard.

**Policy Terms (glossary):**

Employee – Any person who works for salary or wages at First Presbyterian Church of Rock Hill (FPCRH)

Volunteer – Any person who gives of their time and participates in a FPCRH sponsored activity.

Leader – An adult member designated by the sponsoring organization, with responsibility for children and/or youth. The adult must be a minimum of 18 years of age and at least 4 years older than the oldest child or youth they supervise. Leaders of overnight trips must be at least 25 years of age.

Church Sponsored Activity – Includes any and all gatherings that arise from FPCRH-generated worship, educational, fellowship, administrative, pastoral, mission or recreational events. These events include on-campus and off-campus gatherings.

Child or Youth – Persons under 18 years old and considered a minor under the law. This term shall also include legally incompetent persons.

Head of Staff – The Pastor of FPCRH.

Child and Youth Protection Review and Implementation Committee – A Committee appointed by the Christian Education Committee which regularly reviews concerns, provides appropriate feedback, and assists in the implementation of Child and Youth Protection Policy

Child Abuse – A non-accidental injury or pattern of injuries to a child. Child abuse may include:

Neglect – Occurs when the adults responsible for the well-being of a child fail to provide for the child. Neglect may include not giving food, clothing, shelter; failure to keep children clean; lack of supervision and withholding medical care

Physical Abuse – An injury or pattern of injuries that happen to a child that are not accidental. These injuries may include beatings, burns, bruises, bites, welts, strangulation, broken bones, or death.

Sexual Abuse – Sexual abuse is the sexual assault or exploitation of children. Sexual abuse may consist of numerous acts over a long period of time or a single incident. Children can be victimized from infancy through adolescence. Typically, the perpetrator keeps the child from disclosing the abuse through intimidation, threats, and rewards.

Emotional Abuse – Chronic and persistent acts by an adult that endanger the mental health or emotional development of a child including rejection, ignoring, terrorizing, corrupting, constant criticism, mean remarks, insults and giving little or no love, guidance and support.

Spiritual Abuse – Using religious references to shame or by guilt to motivate a child into a particular action or behavior.

## **II. SCREENING OF EMPLOYEES AND VOLUNTEERS**

- A. Personal interviews, application forms, personal and professional references, employment records, national background checks (both criminal and civil) are required for all employees. National background checks will be done on FPCRH volunteers. Information gained by these means will be used to determine eligibility to work with children and youth.
- B. Interviews, reference checks, employment records, and criminal and civil background checks, are to be documented in writing, and become confidential church property. These records will not be released to any party except with the written approval of the Head of Staff. These records will be made available to the employee or volunteer, but not a candidate for employment, if a written request is made to the Head of Staff.
- C. In addition, all current and potential employees and volunteers will be required to sign the Employee and Volunteer Ministry Application Form at the beginning of their service and again every six years when background checks are renewed. This statement is a supplement to the personal applications, and is maintained in the employee's personnel file or in departmental notebooks of volunteer forms. The Employee and Volunteer Ministry Application Form must include the following question: "Have you ever been accused of, participated in, or convicted of sexual misconduct?"
- D. For employees: Any candidate for employment who has a past conviction of or pending proceeding addressing an allegation of child abuse or neglect cannot be employed by FPCRH without the express written approval of the Session through a recommendation of the Personnel Committee, including the Head of Staff. The Personnel Committee, including the Head of Staff, will consider the available information related to the circumstances of the situation in order to make a determination about the employment of the individual in question.

Active substance abuse or a conviction for any of the following will automatically disqualify an individual from employment with children or youth: pedophilic behavior, incest, rape, assaults, indecent exposure, pornography, sodomy or abuse of minor.

- E. For Volunteers: Any candidate for volunteer service who has a past conviction of or pending proceeding addressing an allegation of child abuse or neglect cannot work with children and youth at FPCRH. Active substance abuse or conviction for any of the following will automatically disqualify an individual from volunteer service with children and youth: pedophilic behavior, incest, rape, assaults, indecent exposure, pornography, sodomy, or abuse of a minor. The Christian Education Committee will inform any volunteer applicant denied the opportunity to serve with children and youth the reason(s) for disqualification and how to access information relevant to the decision.

### **III. SUPERVISION**

- A. Adults are to avoid being in a one-child, one-adult situation. If it is necessary for a child to get home after an event, an effort should be made to contact the family and inform them of the situation before transporting the child. This rule can be eased if other adults are close by and can visually observe activities at all times. For example, it is permissible for one adult driver to transport several children and youth in a single vehicle in a convoy of vehicles traveling to or from an event.
- B. When one-on-one interactions between children and youth and employee/volunteers are necessary (e.g. in emergency situations or occasions of pastoral care), care must be taken to conduct the meeting in an environment that provides visibility by other adults. Another adult must have knowledge of the employee/volunteer's whereabouts and with whom they are meeting.
- C. No minor should be alone with only one adult on church premises or in any church-sponsored activity unless in a counseling situation. In situations where it is necessary for an adult to be alone with a child (i.e. emergency situations and pastoral care occasions) the adult should notify another adult before and after the period during which he/she is alone with the child.

#### **Open Door Policy**

Doors to rooms in which children and youth are present are to remain open. If noise increases to a level that disturbs other classes, the door may be shut as long as there is clear glass in at least half the door, and nothing impedes vision through the glass. Employees and volunteers are expected to avoid any situation in which they could be alone with one child or youth out of sight of others except in emergency situations. This is to protect:

- A. children against situations in which abuse might occur, and
- B. adults against false accusations of child abuse.

## **Six Months Policy**

Any person in a leadership position with children or youth must have been a member of FPCRH for at least six months. Any exceptions must be approved by the Christian Education Committee for each specific volunteer opportunity. No exceptions will be granted for overnight situations.

## **Training for Adults**

All employees, all church officers, and any volunteers, who work with children and youth, are required to attend a training session, or a previously recorded training session, and sign the relevant documents regarding child and youth protection. The church will offer regular training opportunities. This foundational training will include the following:

- The need for the Child Protection Policy
- Definition of child abuse
- Preconditions for child sexual abuse to occur
- Definition of inappropriate conduct
- Church policies governing working with children and youth
- Open Door Policy
- Procedures for reporting allegations and/or concerns regarding child and youth protection issues
- Procedures for responding to allegations and/or concerns regarding child and youth protection issues
- Supervising and chaperoning children and/or youth

Following successful completion of the above training and approval of their application, employees and volunteers may be deemed eligible to work with children and youth at FPCRH. This eligibility must be renewed annually by submittal of a Recommitment Form. Training sessions must be renewed every three years and background checks will be renewed every six years.

## **Code of Conduct**

1. FPCRH and volunteers will not verbally, emotionally, physically or sexually abuse children.
2. FPCRH employees and volunteers will not discipline children by use of physical punishment or by failing to provide the necessities of care.
3. FPCRH employees and volunteers may use physical restraint only in situations necessary to protect the child or others from harm.
4. FPCRH employees and volunteers will provide proper supervision and exercise sound judgment in providing a safe environment at all times.

5. FPCRH employees and volunteers will avoid situations during programs where they would be alone with a single child and cannot be observed or monitored by others. As adults supervise children, they should space themselves in a way that other adults can see them.
6. Restroom Supervision:
  - FPCRH employees and volunteers will always use proper supervision when children are using public bathrooms to ensure their safety.
  - FPCRH employees and volunteers will make sure suspicious or unknown individuals are not occupying the restroom before allowing children to use the facilities.
  - If FPCRH employees and volunteers are assisting younger children, doors to the facility must remain open.
7. FPCRH employees and volunteers will respect the rights of children and youth not to be touched in ways that make them feel uncomfortable, and their right to say no. Adults will discourage children from touching others in an inappropriate manner.
8. FPCRH employees and volunteers should be alert to the physical and emotional state of children entering the program. Any signs of injury or possible child abuse must be reported to the Head of Staff of FPCRH.
9. FPCRH employees and volunteers should release children only to the authorized parent, guardian, or other individual authorized by the parent or guardian.
10. Using, possessing, or being under the influence of alcohol or illegal drugs, or being impaired by legally prescribed drugs during church working hours or church sponsored programs is prohibited.
11. Smoking is allowed only in designated areas. Smoking or use of tobacco during church programs is prohibited.
12. Profanity, inappropriate language or jokes, and any kind of harassment in the presence of children or parents is prohibited.
13. FPCRH employees and volunteers will not share inappropriate details of their personal life or ask children to share inappropriate details through any form of communication: written, verbal, or electronic.
14. FPCRH employees and adult volunteers may not date program participants under 18 years of age.
15. FPCRH employees and volunteers are required to read, sign and adhere to all policies related to identifying, documenting, and reporting child abuse and attend training sessions on the subject, as instructed by a supervisor.
16. FPCRH employees and volunteers are required to report to the Head of Staff any circumstances that under this policy affect their ability to work with children and youth.



## **IV. REPORTING**

The law and this FPCRH policy make the responsibility for reporting Child Abuse and Suspicions of Child Abuse very clear. See Section IV and V of this policy for guidance and direction regarding reporting of and responding to Child Abuse and Suspicions of Child Abuse.

### **A. Allegations**

1. Every employees and volunteer of First Presbyterian Church of Rock Hill is required to report any situation which presents a suspicion that child abuse may have occurred. Such report shall be made to the Head of Staff and/or clerk of session. In cases where the Head of Staff is the accused, the report should be made to the Clerk of Presbytery.
2. Any report of child abuse made by a child about their care by a parent, guardian, youth, adult, or FPCRH staff employee or volunteer, despite how unlikely such report may seem, must be relayed to the Head of Staff, who will inform their families.
3. The Head of Staff shall, as required by law, report the situation to the York County Department of Social Services or other local authorities for investigation.
4. All concerns and reporting shall be kept confidential.

### **B. Concerns**

From time to time issues arise regarding the conduct of our children, youth and adults at FPCRH, the Children and Youth Ministry Programs and the adults involved in Children and Youth Ministry that are not clearly abuse related issues but impinge upon child and youth protection and safety, but that may require attention and review. Sometimes patterns and trends of a questionable nature may be noticed. This section provides a means to report such issues other than Child Abuse in a manner that will assure the issues, patterns, or trends are recorded for subsequent review, addressed, and resolved.

Examples of issues reported might include:

- A. child and youth safety such as transportation issues, behavior issues, safe swimming conduct, etc., during Children and Youth Ministry activities
- B. inappropriate conduct by adults during FPCRH sponsored activities such as inappropriate language, dress, conduct, safety, leadership, discipline, substance abuse, etc.
- C. inappropriate conduct by children or youth during FPCRH sponsored activities such as inappropriate language, dress, conduct, safety, leadership, discipline, substance abuse, etc.
- D. lack of adherence to the Child and Youth Protection Policy

- E. observations of inappropriate class or group conduct or activities during FPCRH sponsored events for Children and Youth
- F. potentially inadequate, inappropriate, or unwise leadership of children and youth Ministry Activities.

1. All adults, youth and children are encouraged to report any issues which are to be reported as soon as possible to the responsible adult leadership at the time the issue is observed. It is important to bring issues of safety to the attention of responsible adults as soon as possible. Such notification may be oral.
2. When it is appropriate or more comfortable, anyone who wishes to have a concern addressed is encouraged to bring the issue to the attention of the Head of Staff either verbally or in writing. All members are encouraged to be responsible in identifying issues, and it is desirable that such concerns bear the name of the originator.

## **V. RESPONDING**

### **A. Allegations**

In the event of an allegation of child abuse, the following procedures shall be followed at First Presbyterian Church of Rock Hill:

1. Every allegation shall be taken seriously. Adequate care, respect, and confidentiality shall be offered to alleged victims and perpetrators until the allegation is substantiated or cleared.
2. The Head of Staff will immediately contact the FPCRH attorney and liability insurance carrier.
3. In consultation with the FPCRH attorney the following may be appropriate:
  - a. The Head of Staff may notify the parent(s) or legal guardian of the alleged victim.
  - b. The Head of Staff may notify the accused individual.
4. Written documentation, relating to the matter, shall be kept in a confidential file.
  - a. The Head of Staff and/or the Personnel Committee may complete an internal investigation in addition to that which will be carried out by the authorities, following the required notifications.
  - b. An individual accused of child abuse may be placed on leave from his/her responsibilities at the discretion of the Head of Staff or Personnel Committee. For employees, this may be with or without pay.
  - c. To protect the child or youth from further possible abuse or harassment, FPCRH will prohibit the accused individual access to the alleged victim and other children and youth in ministries sponsored by FPCRH.
  - d. In the event of an unsubstantiated allegation, the Head of Staff or the Personnel Committee will make a determination as to whether the individual will be allowed to return to work as an employee or volunteer of the Church. They will consider the

individual's likely effectiveness in working with children/youth following an allegation and investigation of child abuse. An employee has the right to appeal the decision to the Personnel Committee. A volunteer has the right to appeal the decision to the Clerk of Session who will address the situation with the Session in the appropriate time and manner.

5. FPCRH employees and volunteers are expected to cooperate fully with the investigation authorities, such as the Child Protective Services Unit of the Department of Social Services, with guidance from the FPCRH attorney.
6. ALL FPCRH employees and volunteers will refer any inquiries regarding the situation to the Head of Staff. The Head of Staff, or his/her designee, shall be the only person authorized to release any information regarding an allegation except where the law requires others to release information, such as to protective services investigator or a police officer.
7. All FPCRH employees and volunteers are expected to avoid denial, minimization, or blame during the period of investigation of the allegation.

#### **B. Concerns**

1. Every report of a concern regarding the children or youth of FPCRH shall be evaluated to determine if it in fact represents a report or a suspicion of Child Abuse. Such concerns will be processed as described by this policy.
2. The Child and Youth Protection Steering Committee shall evaluate any report of a concern related to a child and youth protection and safety, even if it does not fall under the legal definition of abuse or its suspicion, to assure proper follow up on the issue.

#### **VI. Addressing Known Offenders who are Members**

At First Presbyterian Church of Rock Hill, we seek to live in covenant with God and with one another and to be a redemptive community to all who are members. We also acknowledge that redemptive action and responsible action can, at times, be in tension or even in seeming opposition. We embrace this fact as a natural part of seeking to be the church in the world.

We adopt these procedures for ministering to those among us who are known offenders of children and youth while maintaining our focus on protecting the children and youth of our church.

1. Known offenders are required to make their status and any terms of probation known to the Head of Staff
2. The Head of Staff will appoint a group of 3-5 elders to establish appropriate boundaries, in writing, governing the life of the offender within the church, including areas on campus where he/she may go unaccompanied. The Session will receive training in protection of children and youth and in dealing with known offenders. No decision made by this group will conflict with any provisions of the FPCRH Child and Youth Protection Policy.

3. The known offender will give written acknowledgment and acceptance of FPCRH's Child and Youth Protection Policy and of the boundaries imposed.
4. At no time is a known offender to be assigned to the ministries with children and youth.
5. At no time is a known offender to congregate with children and youth.
6. At no time is a known offender allowed in areas of the church or grounds dedicated to children and youth or in use primarily by children and youth.
7. As circumstances warrant, the Head of Staff may identify a known offender to church employees and volunteers whose ministries should be informed of this fact.
8. Known offenders will receive the normal pastoral care afforded any member.
9. Should a known offender disregard the terms established in this policy, or should a known offender disregard any boundaries or conditions set by the Head of Staff and his/her appointed group, the violation will be handled through the Rules of Discipline in the Constitution of the Presbyterian Church (U.S.A.).