

# **Policy for Child, Youth, and Vulnerable Adult Protection**

(Presbytery of New Harmony approved 8-18-20)

**(Any reference to employee and/or volunteer denotes an employee or volunteer for New Harmony Presbytery (NHP). Any reference to employee is a paid employee of NHP and any reference to volunteer denotes any adult in leadership and all those in Ordered Ministry of the Presbyterian Church (U.S.A.).)**

## **Purpose**

As people called to convey God's love to all people and develop trusting nurturing relationships with them, New Harmony Presbytery (NHP) recognizes the great responsibility we have to be accountable before God, the Church, and the community for the safety and well-being of children, youth, and vulnerable adults. We also recognize that establishing guidelines and maintaining standards for interactions with children, youth, and vulnerable adults will improve our ministry and protect some of the most vulnerable people we serve. Thus, failure to adhere to these guidelines and standards by any NHP employee or volunteer may result in disciplinary action, up to and including dismissal from their position of employment or volunteer service. However, nothing in this policy or in any other document or statement shall limit NHP's right to terminate any employee or remove a volunteer at will.

## **Policy**

It is the policy of the NHP that all congregational members, officers, nonmember employees and/or contractors, as well as volunteers of congregations, councils, and entities of the NHP are to maintain the strongest sense of integrity, safety, nurturing, and care involving all interactions with children, youth, and vulnerable adults.

## **The intention of this policy is:**

- To provide safe and secure environments for children, youth ("minors," defined as those less than 18 years of age), and vulnerable adults. Vulnerable adults include, but are not limited to, those who are unable to care for themselves and/or who lack mental capacity and the ability to consent.
- To protect minors and vulnerable adults from any incident or conduct or the risk of any incident or conduct that might cause physical, emotional, spiritual or sexual abuse, molestation, neglect or harm (see Prohibited Activities section below) while participating in activities of NHP.
- To guide NHP employees and volunteers in their required conduct while they work in and/or serve in any activities for or which include minors and/or vulnerable adults with the goal of preventing incidents and allegations of abuse.
- To protect employees and volunteers from unwarranted allegations of abuse.
- To provide a mechanism for victims and witnesses to make reports or express concerns and to respond to those reports and concerns and take appropriate subsequent actions.

## **Components of the Policy**

This policy addresses four components of protection:

1. Screening and selection of applicants for employment and volunteer service to rule out those with any record of prior abusive or other inappropriate behavior.
2. Training and supervising employees and volunteers.
3. Reporting allegations and concerns regarding protection issues related to minors and vulnerable adults.

#### 4. Responding to allegations and concerns that have been reported.

##### **Screening and selection of workers**

- All employees and volunteers of NHP who work with minors, and/or vulnerable adults shall sign a release form that allows NHP to conduct a background check.
- Each paid position shall have a job description that defines the responsibilities of the position and provides information on supervision and evaluation.
- Employees: Before hiring any employee for a position which includes supervision or custody of minors and/or vulnerable adults, NHP shall, through appropriate agents:
  - personally interview the applicant.
  - contact the applicant's references.
  - provide and explain this policy, have the applicant sign that they have received, read, understood, and intend to abide by the policy, and authorize a background check prior to employment.
  - conduct a background check that shall include the following: a verification of Social Security number; a criminal records screening in jurisdictions where the applicant has previously lived, including but not limited to sexual offender databases; a driving records screening (if/when the position involves driving others); and a credit records screening, (if/when the position involves finances).
  - obtain a negative (or negative dilute) result on a pre-employment drug screen, if a drug screen is thought to be advisable.
- Employees may also be subject to reasonable suspicion, post-accident, and random drug and alcohol testing, if indicated, during their employment.
- Volunteers: Before assigning a volunteer whose responsibilities include the supervision of minors and/or vulnerable adults, NHP shall, through appropriate agents:
  - interview the volunteer.
  - provide and explain this policy, have the applicant sign that they have received, read, understood, and intend to abide by the policy, and authorize a background check prior to volunteering.
  - conduct a background check that shall include the following components: a verification of Social Security number; a criminal records screening in jurisdictions where the applicant has previously lived, including but not limited to sexual offender databases and a driving records screening (if the position involves driving others).
  - obtain a negative (or negative dilute) result on a pre-employment drug screen, if a drug screen is thought to be advisable.
- Volunteers may be needed in an emergency to temporarily fill in for volunteers or employees who work with minors, and/or vulnerable adults. In this case, NHP will make every effort to select volunteers who have been previously screened.
- All background screening authorizations and results shall be maintained and kept by the Office Administrator. Adverse actions reported through the background screening shall be conveyed by the Office Administrator to the Stated Clerk, Associate Stated Clerk, and NHP Moderator for determination of employment or participation.

It is the responsibility of each employee and volunteer covered by this policy to report to their supervisor, as soon as possible, any subsequent arrest, conviction, treatment or proceeding that would have been disclosed in the background screening process. An employee's or volunteer's failure to report any such subsequent development will be considered a violation of this policy.

Information disclosed, or which is discovered before or after employment or volunteer service, begins does not automatically require adverse action against an applicant, employee or volunteer. Rather, a variety of factors such as the nature of the position, the nature of the information disclosed or learned, and the age of the applicant, employee, or volunteer when the incident or conduct occurred.

### **Prohibited Activities**

Prohibited Activities under this Policy include, but are not limited to:

- ◆ sexual abuse, molestation, misconduct or exploitation as outlined in the *Book of Order*;
  - ◆ physical assault, bodily harm or abuse;
  - ◆ rape or sexual assault;
  - ◆ sexual and other illegal or inappropriate harassment;
  - ◆ verbal, emotional and/or spiritual abuse;
  - ◆ abuse of authority and power including failure to exploiting relationships and failure to honor boundaries;
  - ◆ breaching Christian ethical principles by misusing a trust relationship to gain advantage over another for personal gratification, including violations of the Standards of Ethical Conduct (1988); and
  - ◆ misuse of technology, which includes using technology to send inappropriate messages to minors or vulnerable adults, contacting minors or vulnerable adults without knowledge or permission of their parents or guardians, and using technology to abuse, harass or otherwise adversely impact minors or vulnerable adults.
- ◆ The forms of prohibited behavior may include physical contact, gestures, spoken words, and/or written contact.)

### **Training and Supervising Workers**

The following practices shall be utilized in an effort to prevent any physical, emotional, spiritual or sexual harm to minors and/or vulnerable adults from occurring:

Conduct training: Employees and volunteers shall regularly review this policy, at least biennially, and will be required to participate in training or show documentation of training regarding safety or abuse prevention biennially.

Maintain the “two adult” rule: Ordinarily, two adults shall be present during all activities involving one or more minors and/or vulnerable adults. Every effort should be made for both adults to remain present during all activities.

Private conversations between an adult and a minor and/or vulnerable adult should always take place within sight of others (i.e. in the presence of others or in a public place). Counseling sessions with a minor and/or vulnerable adult should be held in a place where they are in view of others (i.e. with an open door or a door with a glass window). Parental consent and notification of the program supervisor is advised in any situation when an adult employee or volunteer will be alone with a minor and/or vulnerable adult.

Schedule adequate supervision: In addition to following the two-adult rule, adult supervision shall be maintained before and after activities until all minors and/or vulnerable adults are in the custody of their parents/guardians or another person authorized by their parents/guardians. In instances when minors may drive or carpool to the activity, adult leaders shall remain at the program event until the last minor leaves.

Approve overnight chaperones: All chaperones for overnight activities must be approved in advance by the responsible staff person and be in compliance with this policy.

Report suspicious behavior: Any inappropriate conduct or relationships between employees or volunteers and minors and/or vulnerable adults shall be reported immediately in accordance with the reporting procedures outlined below.

### **Reporting Obligations**

Pursuant to this policy, any employee, volunteer, or other adult participant in an NHP activity involving minors and/or vulnerable adults shall report any incident, activity, behavior, or evidence noticed that reasonably appears to indicate that Prohibited Activities have occurred or may occur, as directed by the *Book of Order* (G-4.0302). Persons making reports shall not be identified, without their permission, except as necessary in connection with any potential or pending ecclesial, legal action or criminal investigation. Reports should be made to the Stated Clerk, in addition to reporting mandated by state law.

### **Response to Allegations**

The following guiding principles shall apply:

- All allegations shall be taken seriously.
- All allegations shall be handled forthrightly with due respect for privacy and confidentiality.
- The alleged victim will be cared for and not held responsible in any way.
- Full cooperation will be given to church and civil authorities under the guidance of legal counsel and in accordance with the *Book of Order*.
- Both the alleged victim and the alleged perpetrator shall be treated fairly and with dignity. The care and safety of Minors and/or vulnerable adults is of foremost priority. The alleged perpetrator should not be confronted until the Minor, and/or vulnerable adult's safety has been ensured. As soon as a report is made, the alleged perpetrator should be temporarily removed from their duties pending resolution of the matter. Paid workers may be suspended with or without pay.

This policy is intended to assure families and those working with minors and/or vulnerable adults for NHP activities that Prohibited Activities shall not be tolerated in any form—physical, emotional, spiritual, or sexual. Effective prevention will reduce the risk of harm to our minors and vulnerable adults and reduce the threat of legal liability for our presbytery and its leaders. The aim of these guidelines is to assure a safe, loving, and welcoming experience for all.