

# **CHILDREN/YOUTH/MINORS ABUSE PREVENTION POLICY**

FOR IMMANUEL LUTHERAN CHURCH, WASHINGTON, IOWA

## **Introduction**

To help protect Children/Youth/Minors, Paid Staff, and Volunteers **Immanuel Lutheran Church** has adopted the following Children/Youth/Minors Abuse Prevention Policy. It is important that all **Immanuel Lutheran Church** Paid Staff and Volunteers understand and implement these guidelines to help prevent sexual abuse, emotional abuse, or physical abuse against Children/Youth/Minors. The following includes the Purpose and Definitions for these guidelines, the outlines of Protection and Prevention, and an Acknowledgement to be signed by those people working with children.

## **Purpose**

These procedures are designed to reduce the risk of Children/Youth/Minors sexual abuse in order to:

1. Provide a safe and secure environment for Children/Youth/Minors, members, volunteers, visitors, and paid staff.
2. Assist **Immanuel Lutheran Church** in evaluating a person's suitability to supervise, oversee, and/or exert control over the activities of Children/Youth/Minors.
3. Satisfy the concerns of parents and staff members with a screening process for paid staff and volunteers.
4. Provide a system to respond to alleged victims of sexual abuse and their families, as well as the alleged perpetrator.
5. Reduce the possibility of false accusations of sexual abuse made against volunteers and paid staff.

## **Definitions**

The following terms used herein and are defined as follows:

1. *Paid Staff*: Any pastor, minister, preacher, cleric, or employee who is paid for his or her services.
2. *Children/Youth/Minors*: Any person who has not reached his/her 18th birthday.
3. *Adult*: Any person who has reached his/her 18th birthday.

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4. *Volunteer*: Means any unpaid person engaged in or involved in activities and who is entrusted with the care and supervision of Children/Youth/Minors or a person who directly oversees and/or exerts control or oversight over Children/Youth/Minors or adults.
5. *Administrator*: Person who will oversee applications, records, and all incidents administrative paperwork pertaining to Children/Youth/Minors Abuse Prevention Policy.
6. *Faith Formation*: Any supervised activities such as Sunday School, Confirmation, Vacation Bible School, etc.
7. *Sexual Abuse*: Any sexual contact with Children/Youth/Minors or an adult, including fondling private parts, oral, genital, or anal penetration, sexual intercourse, rape, suggestive sexual comments, exposing sexual organs, or allowing Children/Youth/Minors to witness sexual activity, including but not limited to any sexual conduct constituting a crime under Iowa or federal law, or any other form of sexual exploitation of any Children/Youth/Minors or adult. This includes but is not limited to unwelcome sexual remarks, jokes, advances, leering, whistling, or sexual gestures; sexual touching, molestation, assault, or other intimate physical contact; compelling another person to engage in a sexual act by threats, fear, or undue influence; and providing or displaying pornographic materials to another person.
8. *Emotional Abuse*: Verbal or nonverbal conduct including mental exploitation, degrading communication, or humiliating or threatening conduct that may or may not include bullying or as defined by state law.
9. *Physical Abuse*: Any physical contact intended to coerce or do harm, including but not limited to any hitting, spanking, or shaking.

## **Protection and Prevention**

### **Volunteer and Employee Screening Procedures**

The following screening procedures are to be used with paid staff and volunteers who are entrusted with the care and supervision of Children/Youth/Minors or a person who directly oversees and/or exerts control or oversight over Children/Youth/Minors. All information collected should be maintained in confidence.

1. *Employment Application and Volunteer Application*: Any Paid Staff and Volunteers who will work with Children/Youth/Minors must complete the Employment Application or the Volunteer Application as well as a Criminal Background Check. The release statement attached to the Application must be signed by the individual completing the Application to apply for and qualify for service.

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Our Employment Application includes questions regarding:

- Current and previous residence addresses.
- Current and previous employment, including addresses, dates, duties, titles, and reasons for leaving.
- Names and addresses of schools attended and degree(s) earned.
- References from previous employers and organizations that serve children.
- Pending criminal charges (where not prohibited by state law).
- Criminal history information.

Our Volunteer Application includes questions regarding:

- Current address.
- Criminal history information.

Applications include a statement, which the applicant should acknowledge in writing, certifying that statements provided in the application are true and complete, and any misrepresentation or omission may be grounds for rejection of the applicant or for dismissal if he or she is employed. This application should also authorize **Immanuel Lutheran Church** to contact any individual or organization listed in the application. The applicant will also sign a release for the church to perform a criminal background check with state and federal authorities.

2. Review all statements made in the application, paying specific attention to any gaps in time and irregular employment patterns or unexplained absences. Pursue these gaps with employers listed and in a subsequent interview.
3. Conduct interviews with qualified applicants.

If detrimental information is uncovered but the applicant remains desirable, discuss this information with the applicant. In the event the applicant is ultimately hired or accepted as a volunteer, document the reasons for overriding the detrimental information.

**Immanuel Lutheran Church** will always have more than one person conduct interviews.

4. Contact each of the Paid Staff and Volunteer applicant's references and ask for any information that might help determine the applicant's suitability for the position. If a response is not received within a reasonable period of time, follow up and keep notes if possible. **Immanuel Lutheran Church** reserves the right to contact additional references not listed.
5. Criminal Background Check: **Immanuel Lutheran Church** will conduct a criminal background check on all Paid Staff and Volunteers who are entrusted with the care and supervision of Children/Youth/Minors or a person who directly oversees and/or exerts control or oversight over Children/Youth/Minors. Criminal records checks and sexual offender

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registry checks will be conducted every five (5) years for Paid Staff and Volunteers who regularly work with or around Children/Youth/Minors. Appropriate state sex offender registrations will also be checked. Church Council will designate a person to review all background checks. The pastor of **Immanuel Lutheran Church** will also have access to the records.

6. Updating Records: Paid Staff and Volunteers will update their personal information (addresses, phones, insurance card, driver's license, driving record, etc.) when any change occurs, but in no event less than annually or not less than every five (5) years. Background checks will be repeated at the discretion of policy administrators. Paid Staff and Volunteers are required to update his/her criminal activity as soon as any charge has been filed. Administrator and the pastor will have access to a locked filing cabinet designated for Paid Staff and Volunteers' personal information and background checks.
7. Six (6) Month Rule: Those wishing to volunteer with Children/Youth/Minors must have been active members in the life of the congregation of **Immanuel Lutheran Church** for at least six (6) months and successfully completed the application and screening process. Those wishing to work with Children/Youth/Minors before the six (6) month period is up may do so after successful completion of the application and screening, while under the supervision and guidance of at least one Paid Staff member or Adult who is an approved volunteer in this congregation for at least six months, AND after approval of the Executive Committee or their designee, at the Executive Committee's sole discretion.
8. *Drivers Who Provide Transportation to Children/Youth/Minors.*  
Drivers must: *File Appendix A*
  - Must be 21 years of age or older.
  - Have completed the "Employment or Volunteer Application".
  - Have a valid driver's license.
  - Must have a D3 chauffeur's license to drive more than eight (8) passengers.
  - Have automobile insurance.
  - Driver and all passengers will wear seat belts, when available, while the vehicle is moving.
  - Not allow more passengers to ride in the vehicle than the capacity specified by the vehicle's manufacturer.
  - Not allow smoking in the vehicle while transporting Children/Youth/Minors.
  - Not text or use a cell phone while vehicle is in motion.
  - Not transport one child alone without advance written parental permission OR extenuating circumstance. In this case parent will be called at times of departure from the activity and arrival at the child's home or agreed upon destination will be documented.
  - Have a satisfactory driving record as verified by a Motor Vehicle Records check. The administrator will verify the record.

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**Documentation**

**Medical and/or Emergency Contact Information:** All Children/Youth/Minors who will participate in any activity of **Immanuel Lutheran Church** shall have a medical and emergency contact form on file prior to participation in any church activity.

**Emergency Procedures:** Each Paid Staff and Adult Volunteers shall read and certify that they understand **Immanuel Lutheran Church's** emergency and medical procedures. (See Appendices B through E).

**Training and Education of Congregation, Paid Staff, and Volunteers:** Members of Immanuel Lutheran Church will be provided with general orientation to the Children/Youth/Minors Abuse Prevention Policy and volunteer requirements.

Paid Staff and Volunteers will receive training annually on Children/Youth/Minors Abuse Prevention Policy and associated documents.

**Monitoring and Follow Up:** Children/Youth/Minors Abuse Prevention Policy and associated documents will be monitored and evaluated annually by the Executive Committee. Forms may be amended from time to time as needed to support their utility. Changes to Children/Youth/Minors Abuse Prevention Policy must be recommended by Executive Committee through Education and/or Fellowship and Youth Committees and approved by Immanuel Lutheran Council.

**Confidentiality**

Information obtained through the screening, application, reference check, interview, and criminal background check will be kept in confidence, unless otherwise required by law. All information discovered or obtained through the above-referenced means will be kept in a secure location and access to it will be restricted if possible. These materials will be archived.

**Supervision Procedures**

Unless an extenuating situation exists, **Immanuel Lutheran Church:**

1. Will have adequate number of screened and trained paid staff or volunteers present at events involving Children/Youth/Minors. Supervision will increase in proportion to the risk of the

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activity. A parent, guardian, or other person who helps in an already supervised Faith Formation or Vacation Bible School classroom on an irregular basis would be considered an occasional volunteer in a supervised situation and not be required to complete the screening process.

2. Will monitor facilities during activities involving children.
3. Will release Children/Youth/Minors only to a parent or guardian, or other as designated through written notice. Utilization of sign-in and sign-out sheets may be required for events off church property.
4. Will obtain written parental permission, including a signed Registration, Health Form, and Liability Waiver form and emergency contacts, before taking Children/Youth/Minors on trips and should provide information regarding the trip.
5. Will require that preschool aged children be accompanied to the restroom and a Paid Staff or Volunteer wait outside the facility to escort the child back to the activity. Whenever possible, the escort will be the same sex as the Children/Youth/Minors.

For the protection of all, Paid Staff and/or Volunteers should *never* be alone with a child in a bathroom with the door closed. Parents are strongly encouraged to have their children visit the bathroom prior to each class.

6. Will encourage Children/Youth/Minors to use a "buddy system" whenever Children/Youth/Minors go on trips off of **Immanuel Lutheran Church** property.
7. Will screen all Paid Staff and Volunteers and approve those individuals in advance for any overnight activities.
8. **Immanuel Lutheran Church** requires Children/Youth/Minors who take individual music or voice lessons must be accompanied by a parent, guardian, or responsible adult.

## **Behavioral Guidelines for Religious Organization Paid Staff and Volunteers**

All Paid Staff and Volunteers will observe the following guidelines:

1. Paid Staff and Volunteers shall not abuse Children/Youth/Minors in any way, including but not limited to physical abuse, verbal/mental abuse, emotional abuse, or sexual abuse of any kind.
2. Do not provide alcoholic beverages, tobacco, drugs, contraband, or anything that is prohibited by law to Children/Youth/Minors.

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3. Whenever possible, **Immanuel Lutheran Church** events that are co-educational will have both male and female chaperones. When traveling Children/Youth/Minors will be separated by gender.
4. Whenever possible, at least two adult paid staff or adult volunteers will be in the room when Children/Youth/Minors are present. Each such adult shall be at least five (5) years older than any child or youth he/she is supervising. Speaking to Children/Youth/Minors one-on-one should be done in public settings where paid staff or volunteers are in sight of other people.
5. Avoid all inappropriate touching with Children/Youth/Minors. All touching shall be based on the needs of the individual being touched, not on the needs of the Paid Staff or Volunteers. In the event Children/Youth/Minors initiate physical contact and/or inappropriate touching, it is appropriate to inform the Children/Youth/Minors that such touching is inappropriate.
6. Never engage in physical discipline of Children/Youth/Minors. Physical force may be used by an adult on a child or youth only to the extent necessary to restrain the individual under the following circumstances: (1) To quell a disturbance or prevent an act that threatens to harm another person; (2) to obtain possession of a weapon or other dangerous object in the possession of the child or youth; (3) for purposes of self-defense or defense of others; (4) to protect Children/Youth/Minors from self-inflicted harm.
7. If an inappropriate relationship is recognized developing between Children/Youth/Minors and Paid Staff, Volunteer, or an adult, maintain clear professional boundaries and refer the Children/Youth/Minors to another individual with supervisory authority.
8. If one-on-one pastoral care is necessary, avoid meeting in isolated environments.
9. Anyone who observes abuse of Children/Youth/Minors must take appropriate steps to immediately intervene and provide assistance. Report any inappropriate conduct to administrator, pastor, or Executive Committee of **Immanuel Lutheran Church** for handling.

## **Disqualification**

No person may be entrusted with the care and supervision of Children/Youth/Minors or may directly oversee and/or exert control or oversight over Children/Youth/Minors who has been convicted of the offenses outlined below, been on a probated sentence or received deferred adjudication for any offense outlined below, or has presently pending any criminal charges for any offense outlined below until a determination of guilt or innocence has been made, including any person who is presently on deferred adjudication. The following offenses disqualify a person from care, supervision, control, or oversight of Children/Youth/Minors:

1. Any offense against Children/Youth/Minors as defined by state law.

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2. A misdemeanor or felony offense as defined by state law that is classified as sexual assault, indecency with (a) Children/Youth/Minor or adult, assault of (a) Children/Youth/Minor or adult, injury to (a) Children/Youth/Minor or adult, abandoning or endangering a Children/Youth/Minor, sexual performance with a Children/Youth/Minor or adult, possession or promoting child pornography, enticing (a) Children/Youth/Minor, bigamy, incest, drug-related offenses, or family violence. We understand that extenuating circumstances exist which Immanuel Lutheran Church can investigate and take under consideration.

## **Accidental Injuries to Children/Youth/Minors**

In the event that Children/Youth/Minors are injured while under the care of **Immanuel Lutheran Church**, the following steps should be followed.

1. For minor injuries, scrapes, and bruises, Paid Staff and/or Volunteers will provide appropriate First Aid and will notify the Children/Youth/Minors' parent or guardian of the injury at the time the Children/Youth/Minors is/are picked up.
2. For injuries requiring medical treatment beyond simple First Aid, the Paid Staff or Volunteer will call the parent, guardian, or responsible adult. If warranted by circumstances, an ambulance will be called.
3. Once the Children/Youth/Minors receive appropriate medical attention, an incident report will be completed for the injuries requiring treatment.

## **Sexual Offender at Immanuel Lutheran Church**

**Immanuel Lutheran Church** may allow a person known to be a sexual offender to remain or become a member of the congregation but they must adhere to specific guidelines. However, first check with the offender's probation/parole officer for any restrictions regarding attending services or other functions where Children/Youth/Minors are present. Ask the probation/parole officer to put any restrictions in writing. If restrictions don't prohibit participation, implement the following guidelines.

1. A known sexual offender cannot physically participate in any of the Children/Youth/Minors programs in any way.
2. A known sexual offender can only participate in a predetermined service each week.
3. The identity of the sexual offender will be disclosed to the congregation's council.

## **Response to Sexual Abuse**



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**Immanuel Lutheran Church** will respond promptly to investigate any accusation of sexual abuse. All accusations of sexual abuse will be taken seriously. It is important to be appropriately respectful to the needs and feelings of those who allege sexual abuse and those who have been accused of sexual abuse.

When an allegation is made involving sexual abuse, the person reporting the complaint is to be told about the guidelines and the procedures to be followed. The president of the church council or an appointed person will begin investigating the allegations and may use the assistance of legal counsel or other consultants. If the president of the church council is the individual accused of sexual abuse, then the vice-president of the church council will conduct the investigation. The investigation will be conducted as follows:

1. Report the incident to appropriate authorities in accordance with the state mandatory reporting laws.
2. Report the matter to **Immanuel Lutheran Church** insurance carrier and the Bishop of the SE Iowa Synod.
3. Cooperate with authorities and the insurance carrier.
4. **Immanuel Lutheran Church** may suspend (with pay for Paid Staff) the alleged offender while a confidential investigation is being conducted.
5. During the investigation, an official of **Immanuel Lutheran Church** shall maintain contact with the alleged victim and his/her parents or legal guardian, and inform them of the actions taken and assist them in their process of healing.
6. An official of **Immanuel Lutheran Church** (and legal counsel or other consultants) may meet with the alleged perpetrator, the alleged victim, and any others with knowledge of relevant facts.
7. Communicate with criminal and civil legal counsel of **Immanuel Lutheran Church**.
8. Communicate with those affected by the ministry of the alleged perpetrator.
9. An official of **Immanuel Lutheran Church** (and legal counsel or other consultants) will then meet with the Congregational Council of **Immanuel Lutheran Church** and present a report on their investigation, which will include findings and recommendations of actions.
10. An official of **Immanuel Lutheran Church** will meet with the alleged perpetrator and notify him/her of the results of the investigation and recommendations for actions.

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- 11. An official of **Immanuel Lutheran Church** will meet with the alleged victim, along with his/her parents or guardians, and notify them of the results of the investigation and recommendations for actions.
  
- 12. Hire a consultant or assign a spokesperson to respond to media or prepare a statement for the media if the need shall arise, subject to the approval of **Immanuel Lutheran Church** attorney.

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Acknowledgment**

These policies have been designed to guide and assist Paid Staff and Volunteers when working with Children/Youth/Minors. The information establishes general practices and guidelines and should not be construed in any way as a contract of employment or continued employment. **Immanuel Lutheran Church** reserves the right to make changes in the content or application of this program and to implement those changes with or without notice.

The terms herein are defined for the purposes of the program and do not suppose or establish a legal relationship. These terms are not defined for the purposes of creating a legal relationship with the **Immanuel Lutheran Church** or any related or associated entity and instead are to be used with this document.

I have received a copy of the **Immanuel Lutheran Church** Children/Youth/Minors Abuse Prevention Policy. I understand it is my responsibility to become familiar with and adhere to the information contained herein. I understand that these policies are the property of the **Immanuel Lutheran Church**.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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