

# **INFANTS, CHILDREN AND YOUTH SAFETY POLICY**

## **FOR ST.PETER LUTHERAN CHURCH**

### **Introduction**

To help protect children, St. Peter Lutheran Church has adopted the following Infants, Children and Youth Safety Policy. It is important that all St. Peter Lutheran Church paid staff and volunteers understand and implement these guidelines to help prevent sexual and emotional abuse against children. 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 child sexual and emotional abuse in order to:

1. Provide a safe and secure environment for Infants, children, youth, adults, members, volunteers, visitors, and paid staff.
2. Assist St. Peter Lutheran Church in evaluating a person's suitability to supervise, oversee, and/or exert control over the activities of Infants, children, youth and adults with disabilities.
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 or contract worker who is paid by St. Peter Lutheran Church.
2. *Infants/Children/Youth/Minor*: Any person who has not reached his/her 18th birthday or the age of majority as defined by state law.
3. *Adult*: Any person who has reached his/her 18th birthday or as defined by state law.
4. *Volunteer*: Means any unpaid person who is regularly or consistently engaged in or involved in activities and who is entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors or adults.

5. *Sexual Abuse*: The employment, use, persuasion, inducement, enticement, or coercion of any minor or adult to engage in, or assist any other person to engage in, any sexually explicit conduct or any simulation of such conduct for the purpose of producing any visual depiction of such conduct or rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of minor or adult, or incest with a minor or adult, or as defined by federal and state law. This includes and is not limited to unwelcome sexual remarks, jokes, advances, leering, whistling, or sexual gestures; sexual touching, fondling, molestation, assault, or other intimate physical contact; compelling another person to engage in a sexual act by threats or fear or undue influence; and providing or displaying pornographic materials to another person.

6. *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.

## **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 minors or a person who directly oversees and/or exerts control or oversight over minors. All information collected should be maintained in confidence.

1. *Employment Application and Volunteer Application*: Any paid staff and adult volunteers (18 years of age and above) who will work with a minor and/or an adult with disabilities must complete the Employment Application and/or the Volunteer Application. The release statement attached to the Application must be signed by the individual completing the Application to apply for and qualify for service. Any volunteer under the age of 18 will be required to complete a form, along with their parent/guardian giving permission to volunteer at St. Peter

Our Employment Application includes questions regarding:

- ☐ Current and previous residence addresses (up to last 7 years)
- ☐ 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 / or organizations that serve children.
- ☐ Pending criminal charges (where not prohibited by state law).
- ☐ 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 statement authorizes St. Peter Lutheran Church to contact any individual or organization listed in the application.

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

3. Conduct interviews with qualified applicants for employment.

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 prior information.

Whenever possible, St. Peter Lutheran Church will have an associate participate in the interview.

4. Contact all listed references and employers for paid staff. Inquire as to the reason the applicant left 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.

5. *Criminal Background Check*: St. Peter Lutheran Church will conduct a criminal background check on all paid staff and volunteers who are entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors and or adults with disabilities. All criminal background checks will be updated periodically.

6. *Policy Acknowledgment*: All volunteers will be required to have reviewed and signed the Infants, Children and Youth Safety Policy Acknowledgement.

## **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, St. Peter Lutheran Church:

1. Will have adequate number of screened and trained paid staff or volunteers present at St Peter sponsored events involving minors and/or adults with disabilities. Supervision will increase in proportion to the risk of the activity.
2. Will monitor facilities during activities involving children.
3. Will utilize sign in and sign out sheets in the nursery and thereby release those minors only to a parent or guardian, or other designated care giver. Child information forms will include a spot to list people who are approved to pick up children from the nursery.
4. Will obtain written parental permission, including a signed medical treatment form and emergency contacts, before taking minors on trips and should provide information regarding the trip.
5. When staff or volunteers are transporting minors in vehicles there should not be a one adult to one child / youth ratio, there should always be at least 2 youth / children in the vehicle. For the purposes of driving youth as a St. Peter staff member or volunteer, the adult shall be a person over the age of 21.
6. Will require that young children be accompanied to the restroom by a paid staff member or volunteer wait outside the facility, unless the child needs assistance. There should not be a one to one ratio, young children should be taken to the restroom in groups of 2 or more. Parent volunteers who have not undergone a background check will not be allowed to take children, other than their own, to the restroom. Children who are deemed old enough to go to the bathroom without an adult will have another child of the same age and gender accompany them.
7. Will encourage minors to use a "buddy system" whenever minors go on trips off of St. Peter Lutheran Church property.
8. Will screen all paid staff and volunteers and approve those individuals in advance for any overnight activities. Two or more adults must be involved in any church-sponsored overnight activities involving children and youth. If both male and female children or youth are in attendance, the respective adult supervision must include, at least, both one adult male and female. For the purposes of overnight trips an adult shall be a person over the age of 21.
9. Staff or volunteers must remain at their assigned post until all youth in their care have been picked up by an authorized person.
11. For our purposes volunteers for St. Peter will become a volunteer once arriving at church or once the event is scheduled to begin until the event is over. Any time prior to their volunteer duties starting, they are simply a parent, teacher or other member of the congregation.

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

All volunteers and paid staff will observe the following guidelines:

1. Do not provide alcoholic beverages, tobacco, drugs, contraband, or anything that is prohibited by law to minors.
2. To the extent possible, St. Peter Lutheran Church events that are co-educational will have both male and female chaperones.
3. Whenever possible, at least two unrelated paid staff or volunteers will be in the room when minors or adults with disabilities are present. Doors will be left fully open if one adult needs to leave the room temporarily and during arrival to the class or event before both adults are present. Speaking to a minor or minors one-on-one should be done in public settings.
4. Avoid all inappropriate touching with minors. All touching shall be based on the needs of the individual being touched, not on the needs of the volunteer or paid staff. In the event a minor initiates physical contact and/or inappropriate touching, it is appropriate to inform the minor that such touching is inappropriate.
5. Never engage in physical discipline of a minor. Volunteers and paid staff shall not abuse minors in any way, including but not limited to physical abuse, verbal/mental abuse, emotional abuse, and sexual abuse of any kind.
6. If you recognize an inappropriate relationship developing between a minor and adult, maintain clear professional boundaries and refer the minor to another individual with supervisory authority.
7. If one-on-one pastoral care or counseling with a youth is necessary, avoid meeting in isolated environments.
8. Anyone who observes abuse of a minor will take appropriate steps to immediately intervene and provide assistance. Report any inappropriate conduct to the proper authorities and officials of St. Peter Lutheran Church for handling.
9. Any staff or volunteer of St. Peter who is transporting youth to a church related event shall abide by all traffic laws.
10. For purposes of providing transportation to and from a church sponsored event, volunteers must be 21 years of age or older.
11. Anyone providing transportation of youth to and from a church event will be required to provide proof of insurance and a valid driver's license. Once youth arrive at an event, transportation will be provided

## **Disqualification**

No person may be entrusted with the care and supervision of minors or adults with disabilities or may directly oversee and/or exert control or oversight over 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 minors:

1. Any offense against minors or adults with disabilities as defined by Iowa law.
2. A misdemeanor or felony offense as defined by Iowa law that is classified as sexual assault, indecency with a minor or adult, assault of a minor or adult, injury to a minor or adult, abandoning or endangering a minor, sexual performance with a minor or adult, possession or promoting child pornography, enticing a minor, bigamy, incest, drug-related offenses, or family violence.
3. A prior criminal history of an offense against minors or adults with disabilities.

## **Sexual Offender at St. Peter Lutheran Church**

St. Peter 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 are present. Ask the probation/parole officer to put any restrictions in writing. A known sexual offender cannot participate in any of the child or youth programs in any way, nor can the sexual offender hold any leadership roles.

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## **Response to Sexual or Emotional Abuse**

St. Peter 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 Pastor or a Council appointed person will begin investigating the allegations and may use the assistance of legal counsel or other consultants. If the Pastor is the individual accused of sexual abuse, then the Council President or a Council appointed person will conduct the investigation. The investigation will be conducted as follows:

1. The State of Iowa requires child care providers to report known or suspected child abuse to the Department of Human Services and/or a child protective agency by telephone immediately or as soon as practically possible, and in writing within 24 hours. A child protective agency is “a police or sheriff’s department, a county probation department or a county welfare department.” Reasonable suspicion means, “It is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his or her training and experience, suspect child abuse. Persons who report in good faith are immune from civil or criminal liability. An official of St. Peter Lutheran Church must ensure that the alleged victim’s parent or legal guardian is immediately informed that possible abuse or molestation has occurred.
2. Report the matter to St. Peter Lutheran Church’s insurance carrier.
3. Cooperate with authorities and the insurance carrier.
4. St. Peter Lutheran Church may suspend (with pay for paid staff) the alleged offender while a confidential investigation is being conducted.
5. An appointed official of St. Peter Lutheran Church (and legal counsel or other consultants) will then meet with St. Peter Lutheran Church Council and present a report on their investigation, which will include findings and recommendations of actions.
6. An appointed official of St. Peter Lutheran Church will meet with the alleged perpetrator and notify him/her of the results of the investigation and recommendations for actions.
7. An appointed official of St. Peter 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.
8. During the investigation, an official of St. Peter 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.
9. An appointed official of St. Peter 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.

10. Communicate with criminal and civil legal counsel of St. Peter Lutheran Church.
11. Communicate with those affected by the ministry of the alleged perpetrator.
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 St. Peter Lutheran's attorney.