

**CHILD AND YOUTH  
ABUSE PREVENTION POLICY  
FOR  
ZION'S EVANGELICAL LUTHERAN CHURCH**

**Adopted June 28, 2011**

# I. Preface

## Introduction

To help protect children, Zion's Evangelical Lutheran Church (hereafter referred to as “Zion’s”) has adopted the following Child and Youth Abuse Prevention Policy. It is important that all Zion's staff and volunteers understand and implement these guidelines to help prevent 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 abuse in order to:

1. Provide a safe and secure environment for children, youth, adults, members, volunteers, visitors, and staff.
2. Assist Zion's in evaluating a person's suitability to supervise, oversee, and/or exert control over the activities of children and youth.
3. Satisfy the concerns of parents and staff members with a screening process for staff and volunteers.
4. Provide a system to respond to alleged victim(s) of abuse and their families, as well as the alleged perpetrator(s).
5. Reduce the possibility of false accusations of abuse made against volunteers and staff.

## Definitions

The following terms used herein and are defined as follows:

1. *Staff*: Any pastor, minister, preacher, cleric, or employee who is paid by **Zion's**.
2. *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 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.

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 may include but 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. *Child 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.

7. *Parishioner*: An individual who attends a church, regardless of their membership status.

## II. Protection and Prevention

### Volunteer and Employee Screening Procedures

The following screening procedures are to be used with 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 will be maintained in confidence.

1. *Employment Application and Volunteer Application:* Any staff and volunteers who will work with a minor 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.

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 or current criminal investigations.
- Criminal history information.
- Authorization to work in the United States.

Our Volunteer Application includes questions regarding:

- Current address.
- Volunteer experience.
- Criminal history information.
- Personal references.

Applications include a statement, which the applicant shall 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 of volunteer or employee. This statement authorizes Zion's 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.

If detrimental information is uncovered but the applicant remains desirable, discuss this information with the applicant. If detrimental information is uncovered and it is determined the applicant is not desirable, the reason for disqualification will be communicated to 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, Zion's will have a staff member participate in the interview.

4. Contact all listed references for volunteers. Contact each of the 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.

5. Contact all listed references and employers for 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.

6. *Criminal Background Check:* Zion's will conduct a criminal background check on all staff and adult 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 criminal background checks will be updated periodically, generally every three years.

Our Criminal Background Check Application includes questions regarding:

- Name and any alias(es).
- Current mailing address.
- Date of birth.
- Social security number.

Database searches will include:

- National Criminal File.
- National Sex Offender Registry

7. *Six-Month Rule:* **Zion's reserves the right to require** all volunteers to have been a parishioner of Zion's for six months and have reviewed and signed the Child and Youth Abuse Prevention Policy.

## **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. These materials will be archived.

## **Supervision Procedures**

Unless an extenuating situation exists, Zion's:

1. Will have adequate number of staff or volunteers present at events involving minors. Supervision will increase in proportion to the risk of the activity.
2. Will monitor facilities during activities involving children.
3. Will release minors only to a parent or guardian unless otherwise instructed by legal guardian to release or restrict the release to a limited set of individuals.

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. Will provide at least one staff or volunteer to accompany minors during transportation. staff
6. Will require that young children be accompanied to the restroom and the staff or volunteer wait outside the facility to escort the child back to the activity when the restroom is physically removed, or their entrance(s) are not clearly observable, from the location of the activity. Whenever possible, the escort will be the same sex as the minor.
7. Will encourage minors to use a "buddy system" whenever minors go on trips off of Zion's property.
8. Will screen all staff and volunteers and approve those individuals in advance for any overnight activities.
9. Will seek to create an environment in which any minor at any time, without special permission, may speak with any staff or volunteer to discuss any problems he or she is having.

## **Behavioral Guidelines**

All volunteers and 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, Zion's co-educational events have male and female chaperones.
3. Speaking to a minor or minors one-on-one should be done in public settings where staff or volunteers are in sight of other people.
4. Inappropriate touching is not allowed. All touching shall be based on the needs of the individual being touched (e.g., changing of a diaper or in the event of an emergency). In the event a minor initiates inappropriate touching, it is appropriate to inform the minor that such touching is inappropriate.
5. Never engage in physical discipline of a minor. If a minor's poor behavior cannot be remedied with non-physical methods, the volunteer or staff should involve the parent or guardian as soon as possible. Volunteers and 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 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 Zion's for handling.

## **Disqualification**

No person may be entrusted with the care and supervision of minors 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 as defined by state law.
2. A misdemeanor or felony offense as defined by state 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.

## **Sexual Offender at Zion's**

Zion's 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, Zion's will first check with the offender's probation/parole officer for any restrictions regarding attending services or other functions where children are present. If there are any restrictions, Zion's will ask the probation/parole officer to put those restrictions in writing. If restrictions do not prohibit participation, the following three guidelines will be adhered to.

1. A known sexual offender cannot participate in any of the child or youth programs in any way.
2. A known sexual offender must report in and be assigned to an escort who will accompany him or her at all times; if an escort cannot be found, the offender is prohibited from access and/or participation.
3. The identity of the sexual offender will be disclosed to the congregation.

### **III. Response to Abuse**

Zion's will respond promptly to investigate any accusation of abuse. All accusations of abuse will be taken seriously. It is important to be appropriately respectful to the needs and feelings of those who allege abuse and those who have been accused of abuse.

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

1. Report the incident to appropriate authorities in accordance with state reporting laws.
2. Report the incident to the parent(s) or guardian(s) of any involved minor(s).
3. Report the matter to Zion's insurance carrier.
4. Cooperate with authorities and the insurance carrier.
5. Zion's may suspend (with pay for staff) the alleged offender while a confidential investigation is being conducted.
6. An official of Zion's (and legal counsel or other consultants) will then meet with the governing body of Zion's and present a report on their investigation, which will include findings and recommendations of actions.
7. An official of Zion's will meet with the alleged perpetrator and notify him/her of the results of the investigation and recommendations for actions.
8. An official of Zion's will meet with the parent(s) or guardian(s) of the alleged victim, along with the alleged victim at the parent(s) or guardian(s) discretion, and notify them of the results of the investigation and recommendations for actions.
9. During the investigation, an official of Zion's 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.
10. An official of Zion's (and legal counsel or other consultants) may meet with the alleged perpetrator, the alleged victim, and any others with knowledge of relevant facts.
11. Communicate with criminal and civil legal counsel of Zion's.
12. Communicate with those affected by the actions of the alleged perpetrator. Care should be taken to keep information confidential unless otherwise required.
13. Hire a consultant or assign a spokesperson to respond to media or prepare a statement for the media if the need shall arise, in consultation with Zion's attorney and Zion's council.

## **Child and Youth Abuse Prevention Policy Acknowledgment**

These guidelines have been designed to guide and assist you when working with minors. The information establishes general practices and guidelines and should not be construed in any way as a contract of employment or continued employment. Zion's reserves the right to make changes in the content or application of this policy and to implement those changes with or without notice.

The terms defined herein are defined for the purposes of the policy and do not suppose or establish a legal relationship. These terms are not defined for the purposes of creating a legal relationship with the Zion's or any related or associated entity and instead are to be used with this document.

I have received a copy of the Zion's Child and Youth 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 Zion's.

\_\_\_\_\_  
Printed name of staff member or volunteer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed name of parent or guardian, if volunteer is not an adult

\_\_\_\_\_  
Signature of parent or guardian

\_\_\_\_\_  
Date