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Followers of Jesus Christ

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**Safeguarding God's Children
SAFE Policy and Procedures
Adopted by Church Council on
August 15, 2017**

Christ Lutheran Church - SAFE Policy and Procedures

Introduction

Relationships among people are at the foundation of Christian ministry and, as such, are central to the life of the church. Defining healthy and safe relationships through guidelines, policies and codes of conduct is not meant, in any way, to undermine the strength and importance of personal interaction in our ministries. Rather, it is to assist in more clearly defining behaviors and practices that allow the church to more fully demonstrate its love and compassion for children, youth, developmentally disabled individuals, and care receivers in sincere and genuine relationships.

I. SAFE Policy Goals – These policies and procedures were approved by the Christ Lutheran Church Council on June 12, 2012. These policies and procedures were implemented to promote the safety of all staff, volunteers, members, and participants of Christ Lutheran Church and church sponsored activities.

- To help ensure that our church is a safe place for all, especially for children, youth, developmentally disabled, and care receivers.
- To protect the staff and volunteers of our church from potential false allegations or abuse.
- To lower our church's legal risk by establishing a program that meets the test of reasonable care.
- To design a program that meets the above goals while maintaining the integrity of church programs and staffing needs.

II. General Definitions

A. Minors

A “Child” is defined as anyone under the age of 12 years old. A “Youth” is defined as anyone who is at least 12 years old, but not yet 18 years old. A youth may also be an individual who is 18 years old or older, but still in high school. Developmentally disabled individuals are also covered in this policy. The term “Minor” encompasses Children, Youth, and developmentally disabled individuals.

B. Care Receivers

A care receiver is defined as anyone who might receive care from the Visitation Team or on behalf of team but a church member. For example: elderly, hospitalized, homebound, those experiencing ill health and need assistance.

C. Church Personnel Who Work with Minors and Care Receivers

For purposes of this policy, the following are included in the definition of *Church Personnel Who Work with Minors and Care Receivers*:

- All clergy whether stipendiary, non-stipendiary, or who otherwise are engaged in ministry or service to the church
- All paid or contracted Church Personnel
- All persons who supervise (or assist with supervising) Minors/Care Receivers, in ministries, programs or activities
- All persons who provide transportation to Minors/Care Receivers in a vehicle
- All council or committee members or other members of similar decision-making groups who have the authority to approve the creation of ministries, programs or activities for Minors/Care Receivers

Examples of Church Personnel Who Work with Minors and Care Receivers include, but are not limited to:

- Lay youth ministers
- Volunteer leaders who work with Minors/Care Receivers
- Choir directors/assistants/musicians who work with Minors/Care Receivers
- All persons (paid or volunteer) who work or assist in the nursery
- Sunday School teachers, VBS volunteers, confirmation mentor guides, confirmation mentors, Compassion Team, etc.
- All staff, whether a volunteer or paid, at church camps
- Adults who participate in overnight activities with Minors/Care Receivers

Church Personnel Who Work with Minors does not include:

- Minors who volunteer

Although these volunteers are not individually bound by this policy, it is incumbent upon the Program Coordinator to provide supervision, and ensure that this policy, if applicable, is followed in the programs.

C. Types of Abuse

- Physical abuse is a non-accidental injury, which is intentionally inflicted upon a Child/Youth and Care Receivers.
- Sexual abuse perpetrated by an adult is any contact or activity of a sexual nature that occurs between a Minor/Care Receiver and an adult. This includes any activity, which is meant to arouse or gratify the sexual desires of the adult or Minor. The abuser may be an adult or another Minor.
- Sexual abuse perpetrated by another Minor is any contact or activity of a sexual nature that occurs between a Minor and another Minor when there is no consent, when consent is not possible, or when one Minor has power over the other Minor. This includes any activity which is meant to arouse or gratify the sexual desires of any of the Minors.
- Emotional abuse is mental or emotional injury to a Minor/Care Receiver that results in an observable and material impairment in the Minor's growth, development or psychological functioning.
- Neglect is the failure to provide for a Minor/Care Receiver's basic needs or the failure to protect a Minor from harm.
- Economic exploitation is the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a Minor/Care Receiver's belongings or money.

III. Worker Screening Procedures

- A. All Church Personnel Who Work with Minors/Care Receivers, following training and orientation in CLC SAFE Policy and Procedures shall sign an agreement to:
- Follow said policies
 - Disclose convictions/guilty pleas/pleas of no contest or no lo contestar for crimes other than minor traffic offenses
 - Sign a release authorizing background, and, if applicable, motor vehicle record checks (MVR records will be checked every three years, if the subject person is still transporting Minors.)
 - Church Personnel Who Work with Minors/Care Receivers must be retrained every five years.

Records will be maintained in a confidential manner, for the period of time that the subject person is working with Minors/Care Receivers at CLC, plus five years.

Those who have been convicted of or have pleaded guilty or no contest to physical or sexual abuse will NOT be allowed to work with Minors/Care Receivers.

- B. All Church Personnel Who Work with Minors/Care Receivers, with the exception of VBS volunteers and confirmation mentors, shall meet the following screening requirements: *
- All Church Personnel who work with Minors/Care Receivers shall complete an application.

- Identity shall be confirmed with a copy of a state driver's license or other photographic identification kept on file.
- The application form shall request three references, which may be checked in the discretion of the Program Coordinator. References may be checked by phone, letter, or e-mail.
- SAFE Policy and Procedures will be reviewed and the applicant will acknowledge receipt and intent to comply by their signature. Certification training class is required within the year (90-120 minutes) and certification is good for five years.
- Background checks will be completed, and rechecked every five years. (*Sex offender registry check only*)

Exceptions may be made for occasional or substitute volunteers by the Program Directors (church staff affiliated with that specific ministry) and/or the church clergy. Other matters and personal questions may be directed to the Senior Pastor and decided upon at the Senior Pastor's discretion.

- C. VBS volunteers, confirmation mentors, and compassion team members shall complete an application, and shall be required to review SAFE Policy and Procedures, acknowledge receipt and intent to comply by their signature. No background check is required.

IV. Guidelines for a Safe Environment

Christian ministry is a ministry that may involve physical touch and emotional closeness. Those who work with people know the value of an affirming hug and the need for people to have other people with whom they can share confidences, especially when they are hurting. The Christian community affirms that touching one another and sharing emotional burdens are important means of communicating God's love. Christ Lutheran Church encourages appropriate touch; however, at the same time it prohibits inappropriate touch or other means of sexual exploitation.

A. Appropriate Touch

- Use of touch must be gentle and passive, not aggressive
- Use of touch should be conscious and not haphazard. The touch should be one that gently reminds a Minor/Care Receivers in correction, quiets a Minor/Care Receivers in pain, or affirms a Minor/Care Receivers in a positive manner.
- Use of touch should be limited to placing a hand on a Minor/Care Receivers shoulders, hands, arms, head, and upper back.
- Appropriate touch is done in group settings. Touching one another by hugging, holding hands (with Children), or putting an arm around the shoulders are reassuring gestures that show you care.

- One way to keep touch from being misinterpreted by a single Minor is to show the same genuine affection to many Minors/Care Receivers.
- For Children under age three, appropriate touch will include lifting, carrying, consoling, holding, and rocking. Church Personnel Who Work with Minors under the age of three will often be required to change diapers and/or clothes, and assist with personal hygiene such as blowing noses, washing hands, and using the restroom.

B. Inappropriate Touch

- Use of touch must be non-demanding. This means that hugs and kisses should not be asked for or by workers, and they should not be forced upon a person.
- Avoid touch in situations that could be misinterpreted as sexual advances. For example, touching while in the water is inappropriate because it is hidden.
- Sexual touch, defined as contact with penis, vagina, buttocks, breast or chest area, whether under or over the clothing, and kissing, is never allowed.
- Inappropriate sexually explicit conversation is not allowed.
- Showing sexually explicit material to Minor/Care Receivers is not allowed.
- No discussion of the leader's own sexual experience is allowed.
- Church Personnel holding older Minors on the lap or carrying Minors on the shoulders is not appropriate.
- A Minor/Care Receivers must never be struck for the purpose of discipline or for any other reasons.

It is the responsibility of the adult in charge to stop any touching or behavior that is repetitive, seems inappropriate, or may be interpreted as sexual harassment (i.e., jokes, sexually oriented comments, innuendo, gestures, drawings, and notes). The help of another responsible adult should be requested if a Minor/Care Receiver is behaving (touching or speaking) in a way that is making the adult leader uncomfortable and they are unsure as to how to handle the situation.

C. Two Adult Rule

- Two unrelated adults must be present during all church activities involving Minors. A roaming coordinator can count as one adult as long as there is an "open" environment (door remains open).
- Parents must sign in with a waiver note at bottom indicating they acknowledge and agree that there may only be one nursery attendant on duty.
- Two adult leaders must be present for overnight stays. For groups of both sexes one leader must be a male and one a female.
- A staff person is required to attend all mission trips.

- “Youth Volunteers” may be used and will count as an adult for purpose of this rule, but only in conjunction with adult supervision and only in activities involving Children.
- There may be times when this rule is waived due to unexpected circumstances (e.g., one leader is unable to attend at the last minute or one leaders has to leave the room to attend to another matter or find a parent).
- This rule may be waived if not practicable during transportation, but a single leader/driver should not be alone in a vehicle with a single Minor unless a parent has given written permission.

D. Classrooms – Unimpeded visibility into a classroom is accomplished through:

- Classroom doors with windows, or when relying on roaming Church Personnel as second adult, door must remain open.
- Random visits to all classrooms by the Program Coordinator or his/her designee.
- Parents of Minors, clergy and/or administrative and professional staff of the church have the right to visit any program at any time unannounced.

E. Parental Permission – Written parental or custodial permission is mandatory for:

- The rare occasion when there is a legitimate reason to depart from the “Two Adult Rule” when known in advance. Prior to the occasion, the Program Coordinator must be notified and he/she must first obtain the consent of the Minor’s parent or guardian.
- All counseling of a Minor.
- All off-site programs and events.
- All overnight events (a permission form must be completed for each event).
- All mission trips.

F. Bathroom Breaks:

- For Children who are not potty-trained:
 - The Church Personnel Who Works with Minors may be required to change diapers, clothing, assist with using the restroom and have other types of contact that would be inappropriate for older Minors. The Church Personnel Who Works with Minors may attend to the needs of the Child, but should make every effort to have another Church Personnel Who Works with Minors present and observing the interaction.
- For Children who are potty-trained (through Kindergarten):
 - The Church Personnel Who Works with Minors should escort the Child to the bathroom, but should not go in the bathroom with the Child, except in the case of an emergency.

- Bathroom doors should remain open. Children should be encouraged to close stall doors themselves.
- If Child needs assistance, the leader should be in visual contact with another leader while assisting the Child.
- If the Church Personnel Who Works with Minors needs to go into the bathroom, a second adult should be present.
- Minors older than Kindergarteners should go to the bathroom by themselves. In the event of an emergency, an adult Church Personnel Who Works with Minors may assist them using the same rules set forth above.

G. Overnight and Day Trips

- Written permission by a parent/guardian with a medical release form is mandatory.
- Two adult leaders are required for all events away from church premises.
- Adults and Minors should never be together in a one-on-one situation in isolation.
- The buddy system should be implemented, whenever possible.
- When possible, one male and one female leader should accompany mixed groups.
- The following apply to overnight trips:
 - Mixed groups on an overnight trip require one male and one female leader.
 - Adults must respect Minor's right to privacy and personal boundaries while showering and changing.
 - Adults must not share a bed with a Minor.
 - Adults should avoid being in a bedroom alone with a Minor.

H. Security – Adult leaders are responsible for the safety and security of those in their program while at the church or away from the church.

- All leaders should be aware of other scheduled activities taking place in the area at the same time.
- All leaders should be alert for strangers in the vicinity.
- Supervision of Minors will be maintained before and after events until all involved are in the custody of a parent or legal guardian.
- All activities and play must be supervised.

I. Nursery

- A procedure to clearly identify the Child and the Child's parent or guardian must be used without exception.

J. Sign In/Out Procedures

- For all activities involving Minors under 5th grade, where parents will not be present, a sign in/out procedure will be used. A parent or guardian must sign or initial a sign in sheet before a Minor may be left at an activity, and a parent or guardian must sign or initial a sign out sheet before the Minor will be released to the parent or guardian. ***If you are in the 5th/6th grade class and would like the option to sign in and out, please let your teacher know; however, it is not mandatory.*

K. Transportation

- All drivers must complete the CLC Volunteer Driver form, consent to a Motor Vehicle records check, and be approved by the Program Director.
- Program Coordinator's Responsibilities (the staff person involved)
 - Inspect all vehicles, driver's licenses, and proof of insurance.
 - Require all drivers to complete the CLC Volunteer Driver/Auto Form (sample attached, as may be amended)
 - Familiarize the drivers with church-owned/leased vehicles; especially safety systems.
 - Use his/her discretion in determining whether or not a vehicle and/or the driver are road worthy.
 - Know the drivers under his/her directive.
 - Must ensure that the group is in the capable hands of one or more adults (minimum age 21) when not traveling with the group personally.
 - Secure written parental permission for all Minors being transported on each trip.
 - Leave the following information with the church office:
 - Names of those traveling
 - Dates and times of departure and return
 - Destination
 - Planned stop
 - Planned arrival
 - Phone contact numbers
 - Any other pertinent information

L. VisitationTeam visit

- Prior approved visitation schedule
- Written follow up report to Pastor/team
- Share any concerns with Pastor/team

ANY VIOLATION OF THESE GUIDELINES MUST BE REPORTED TO THE APPROPRIATE PROGRAM COORDINATOR IMMEDIATELY AND WILL BE INVESTIGATED.

V. Responsibilities

A. Program Coordinator's Supervisory Responsibilities

- To adequately supervise all leaders to ensure that CLC *SAFE Policy and Procedures* are implemented.
- To make periodic random classroom visits and inspect all areas where adults and Minors are together for periods of time, remaining aware of areas where abuse might occur.
- To take appropriate action on all complaints and accusations immediately whether presented by staff, adult leaders, parents, or Minors.
- To document all complaints and subsequent disciplinary action in writing.

B. Christ Lutheran Church Executive Committee's SAFE Policy and Procedures Supervisory Responsibilities

- To ensure that all Church Personnel Who Work with Minors/Care Receivers are trained on the CLC *SAFE Policy and Procedures*.
- To ensure that the CLC *SAFE Policy and Procedures* are being followed.
- To ensure that all forms are completed and on file for all positions.

VI. Reporting

A. Who should Report

- Mandatory reporters – The Colorado Revised Statutes lists those professionals who are required by law to report child/elderly. This includes clergy members and school employees.
- Permissive reporters – All other persons are permitted by law to report suspected abuse but are not required to do so. Permissive reporters will not be penalized by the state for not reporting instances of child abuse/elderly, but they can be sued by any victim for failure to report if they do not report reasonable suspicions. Church Personnel Who Work with Minors/Care Receivers (other than clergy members and school employees) are permissive reporters are required by this policy to follow the reporting procedures herein.

B. When to Report

- When a Minor/Care Receiver alleges abuse and there is no apparent reason to believe the Minor/Care Receiver is being untruthful.
- When an employee or volunteer has reason to believe abuse has occurred.
- When a perpetrator confesses physical or sexual abuse.
- If in doubt, a report should be made to the Program Coordinator.

C. Immunity from Liability

Any report is confidential. *Persons making good faith reports of suspected abuse or neglect are immune from any liability, both civil and criminal unless a court determines that such person's behavior was willful, wanton, and malicious. (C.R.S. 19-3-309)*

D. Reporting Procedure:

- The adult leader working with a suspected victim of sexual abuse must immediately notify the Program Coordinator in which the Minor/Care Receiver is participating. It is advisable to write down the specifics of the situation as soon as possible.
- The Program Coordinator, after receiving the report, will contact the Senior Pastor. Together, they may, in the judgment of the Senior Pastor, contact Douglas County Social Services for their assessment of whether or not the facts in the case warrant an official report.
 - If the answer is "yes," there is sufficient reason to believe that abuse has taken place – then a report will be filed.
 - If the answer is "no", there is no need to file a report. The Program Coordinator must record in writing the reporting person's name, date and time, and a recap of the conversation.
 - If a consensus of opinion is not reached, or if the Senior Pastor determines that there is not a need to contact Douglas County Social Services, then the Program Coordinator will inform the reporting person that he or she may report unilaterally to the authorities if he or she still believe reasonable suspicion exists. The Program Coordinator or the Senior Pastor may also report unilaterally if he or she believes that reasonable suspicion exists.
- If the Program Coordinator is the accused, then the report shall be made to the Senior Pastor. If the Senior Pastor is the accused, the report shall be made to the Synodical Bishop or his or her representative.

VII. Response to Allegations of Abuse

In the unfortunate case of an allegation of sexual abuse CLC has determined that our first priority must be the care and safety of the victim. The Program Coordinator or other appropriate staff person will take prompt and immediate action as follows:

A. The Victim and Family

- Respond to and acknowledge the victim's pain and that of his or her family.
- Ensure the Minor/Care Receiver is in a safe environment before the accused is confronted.
- Promptly notify the Minor's parent/guardian in accordance with the directions of the relevant state or local agency.
- Work with the Minor/Care Receiver, his or her family and the reporting person when follow-up is needed.
- Do not admit liability, arrange counseling, or seek to negotiate a settlement. This may void insurance coverage and might be seen as an attempt to hinder prosecution.

B. The Church

- Notify the Senior Pastor.
- Notify the Synodical Bishop.
- Consult the church's attorney.
- Notify the liability insurance company. Let it be noted that written and verbal reports to insurers are generally non-privileged. Information provided may be divulged in subsequent criminal prosecutions or civil suits.
- If appropriate, designate one spokesperson for the Church to speak with the media and the congregation in a discrete, informed and diplomatic manner. CLC's position statement on (I deleted child since we are encompassing child/care receiver) sexual abuse, including the policies and established safeguards of the church, should be presented. **Approval of the Executive Committee of the church council and Senior Pastor is required before communicating with the media or congregation at-large.**

C. Government Authorities

- Cooperate to the extent of the law with any legal reporting requirement.
- Cooperate with state and local authorities in the investigation and possible prosecution of such allegation with the presence and guidance of the church attorney.

D. The Accused

- The Senior Pastor will determine whether the accused be relieved, or placed on paid administrative leave of absence, of all his or her duties until the investigation is finished, and will determine when/if reinstatement will occur.
- The church will treat the accused with dignity and support.

E. Confidentiality of Information

Accusations of sexual misconduct shall never be taken lightly or disregarded and allowed to circulate without concern for the integrity and reputation of the accuser, the accused, and of Christ Lutheran Church. Accusations should be dealt with as matters of highest confidentiality to the extent possible, both before and after they have been submitted to appropriate authorities as outlined above. All parties should be advised that while confidentiality will be respected to the extent possible, it cannot be guaranteed. In addition, disclosure to the congregation, and/or media, when appropriate, of accusations and the Church's response may be made in a sensitive and thoughtful manner. The parties involved will be advised and consulted prior to disclosure to the congregation and/or media.

F. General Guidelines

- Do take the allegation seriously.
- Do not prejudge the situation.
- Do not attempt an in-depth investigation. Leave this to professionals.
- Do not deny the incident occurred, in the face of clear evidence to the contrary.
- Do not minimize the incident (i.e., "it only happened once")
- Do not present the accused as a repentant sinner who has been rehabilitated.
- Do not blame the victim or the victim's family.
- Do not admit liability.
- Do not provide in-house counseling.
- Do not spell out details of accusations in public interviews.
- Do influence public opinion positively by emphasizing the precautions that were taken and the policies that were implemented.

