

Child Protection Policy

PREAMBLE

When the children of Christian parents are baptized in a Christian congregation, they “are made members of the church, the body of Christ, and joined to Christ’s ministry of love, peace, and justice” (the *Book of Common Worship*). As part of the service, adult members of the congregation are asked the following question: “Do you, as members of the church of Jesus Christ, promise to guide and nurture these children by word and deed, with love and prayer, encouraging them to know and follow Christ and to be faithful members of his church?” This amounts to a covenant between God and the adult members of a congregation to provide for the Christian education and nurture of the children in our care.

Consistent with its understanding of this covenant, the Personnel Committee of Westminster Presbyterian Church authored a policy to address the safety of the children in our spiritual and physical care. It seems to be a great tragedy of our time that such a policy is necessary, yet this is the context within which we minister to our community. We find comfort in the prayer for newly baptized infants and children from the *Book of Common Worship*: “Ever-living God, in Your mercy You promised to be not only our God, but also the God of our children. We thank You for receiving these children by baptism. Keep them always in Your love. Guide them as they grow in faith. Protect them in all the dangers and temptations of life. Bring them to confess Jesus Christ as their Lord and Savior and be His faithful disciples to their life’s end; in the name of Jesus Christ. Amen.”

Out of gratitude for God’s gift of childhood in our midst, we offer to future generations of children and their parents the sacrifice of our own adult selfishness and the covenant of responsible care outlined in the following child safety policy. The Lord Jesus said, “Let the children come to Me, do not hinder them; for to such belongs the kingdom of God” (Mark 10:14).

Policy Acknowledgment

I HEREBY ACKNOWLEDGE that I have received and read a copy of the Child Protection Policy of Westminster Presbyterian Church. I understand that my failure to comply with any of the policies and procedures contained therein will be grounds for my exclusion from working with the children and youth of the church, termination of my employment by the church/and/or denial of use of the church’s facilities by my organization.

Signature _____

Name (Please Print) _____

Date _____

Section I - PURPOSE

Westminster Presbyterian Church has a program to reduce the risk of child abuse in order to:

- Provide a safe and secure environment for the children of our faith community,
- Reduce the possibility of false accusations against Clergy, Staff, or Volunteers, and
- Reduce the legal risk and liability of the church.

Section II - MISSION

The members of Westminster Presbyterian Church (WPC) are committed to ensuring the safety, welfare, and protection of all children and youth participating in the activities and programs of WPC, and from abuse or harassment of any form: be it physical, mental, emotional or sexual. During each baptism of an infant, child, or adult into this covenant of faith, the members of this church pledge to uphold that person in the Spirit of Christ and to teach, strengthen and support the individual's relationship with the household of God. To preserve the integrity of each person within our house of faith;, to protect our children, teachers, and our church body, and to facilitate the prevention of child abuse, Westminster Presbyterian Church of Arlington, Texas, institutes the following policies and procedures pertaining to the prevention and reporting of physical/,mental, emotional or sexual child abuse. No child or youth shall be subjected to the preventable risk of any form of abuse or harassment by WPC employees, teachers or volunteers while on the WPC property or while engaged in WPC activities or programs regardless of location. This Policy and the procedures it implements seek to uphold our commitment to the safety and sanctity of the children and youth of WPC, whether members or guests.

Section III - POLICY

A. All WPC activities and programs, regardless of location, involving children or youth, will be subject to the following policy:

1. No person will be hired or otherwise retained as a teacher or volunteer leader of children or youth until a security background check has been completed and the screening process has been completed.
2. As often as practicable, two adults will be assigned to supervise or lead all activities involving children. In some activities, while only one teacher or staff member will be responsible for a class or group of children, other precautions have been taken for the child's or children's safety.
3. A volunteer who is not a WPC member or has been a member for less than six months, will be paired with someone who has been a WPC member for longer than six months and who has passed the background screening.
4. Minors who help in children's programs must complete an Information Form to be kept on file. Background checks may be conducted on minors aged 14 and older.
5. WPC will not tolerate or accept any act or omission as specifically described in Section VI - PROHIBITED ACTS.
6. Upon accusation, the accused is entitled to prompt and fair disposition of such serious charges and to receive procedural due process.
7. Any violation of the policy shall be reported in accordance with Section VII - REPORTING VIOLATION POLICY.

B. It is the responsibility of the Personnel Committee to ensure implementation and maintenance of the policy.

Section IV - PREVENTION PROCESS

The Prevention Process includes the following:

A. Background Verification Information

1. Employees, teachers of children and youth, and volunteers for child and youth activities or programs of WPC will be required to provide personal and confidential information necessary to facilitate security background checks and reference checks on each individual. While this process understandably trespasses into the privacy of the individual, the security of our children and youth outweighs the personal invasion inherent with such investigation and disclosures. All personal information voluntarily disclosed, the results of all security background and reference checks or the instance of refusal by any person to participate in a program or activity in lieu of providing such disclosure will be maintained in strictest confidence.
2. Character references will be provided on the Information Form for Children or Youth Work, and will be checked by the Director of Youth and Children, Personnel Committee or their designee(s) if needed.
3. Security background checks, including a search for criminal history, will be coordinated by the Moderator of the Session, hereinafter referred to as the Moderator, or by the Designated Person (Director of Youth and Children), a person named by the Moderator to act in such capacity, through the appropriate agency or agencies. The results of the security background checks will be reviewed by the Moderator or Designated Person (Director of Youth and Children). If the background check is returned with a "Not Clear" status, the Moderator will report the results to the applicant. If the applicant withdraws his/her application for working with children or youth, the Moderator shall then determine what, if any, pastoral response should be made. If the applicant continues to pursue working with children or youth, the Moderator shall confer with the Clerk of the Session and the Personnel Committee. Considering the information and guidance provided at such a conference, the Moderator shall determine the appropriate pastoral response.
4. The Moderator or the Designated Person (Director of Youth and Children) shall maintain and make available as necessary a list of those persons approved to work with children and youth.
5. WPC shall accept Background Verification Information from any other PCUSA church whose policies are in accordance with child protection policies of Grace Presbytery. WPC shall also accept the background checks performed by any Independent School District within the DFW metro area.

6. B. Screening

1. Initial screening will be done during a personal interview conducted by a member(s) of the Personnel Committee or their designee(s).
2. Final screening will be accomplished through the Information Form follow-up.

C. Orientation

1. Initial orientation will be given at the screening interview.
2. Each employee and volunteer working with children and/or youth will be provided a copy of the WPC Child Safety Policy.

3. Each employee and volunteer working with children and/or youth will attend an annual policy refresher briefing provided by WPC.

D. Confidentiality

1. The Church Office will maintain a secured storage facility for all documents providing information on an applicant's background verification, screening, orientation and disqualification, including Information Forms and results of reference checks conducted by the Personnel Committee.
2. Security background checks will be updated periodically.

E. Disqualification

Whether disclosed voluntarily or discovered through the security background check or the screening process, the following shall disqualify a person from participating in the leadership or sponsorship of any activity or program involving children or youth:

Any open indictment alleging the offense of, or any conviction for: murder; aggravated assault; sexual abuse; sexual assault (rape); aggravated sexual assault; injury to a child; incest; indecency with a child; inducing sexual conduct or sexual performance of a child; possession or promotion of child pornography; sale, distribution, or display of harmful material to a minor; employment harmful to children; or abandonment or endangering of a child. If a school district has them on a "do not hire or sub" listing.

F. Dispute

If an applicant disputes information that appears in his or her criminal history record transcript, he or she may appeal through the Texas Department of Safety. See Appendix A.

G. Supervision

In addition to items listed in Section III, the following supervisory procedures must be followed:

1. Windows on classroom doors must be kept clear of visual obstructions.
2. The church nursery will use procedures to positively identify those to whom children may be released.

Section V - RESPONSE TO AN OUTCRY THAT IS NOT A VIOLATION OF POLICY

An "outcry" occurs when a person tells another person about an incident of abuse. If someone reports an incident to a WPC staff member or volunteer an Incident Report Form shall be completed whether the incident violates WPC policy or not. The report will then be given to the Moderator or Designated Person who will notify the appropriate authorities. An outcry that is not a violation of WPC policy may occur in the following ways:

1. A child or youth reports abuse by a parent.
2. A child or youth reports an incident of abuse which occurred outside of WPC facilities, activities or programs.
3. A volunteer or staff person suspects child abuse.

Section VI - PROHIBITED ACTS

A. The following acts are prohibited and will not be tolerated or accepted at or during any WPC facility, activity or program. Any observations or personal knowledge of such violations must be immediately

reported to the Moderator or Designated Person, but only after the safety of the child, children or youth(s) involved has been assured.

B. Prohibited acts are:

1. Any display or demonstration of sexual activity, abuse, insinuation of abuse, or evidence of abusive conduct towards a child or youth;
2. Sexual advances or sexual activity of any kind between any adult and a child or youth;
3. Infliction of physically abusive behavior or bodily injury to a child or youth
4. Physical neglect of a child, children or youth, including failure to provide adequate supervision in relation to the activities of WPC
5. Causing mental or emotional injury to a child, children or youth
6. Possessing obscene or pornographic materials
7. Possessing or being under the influence of any illegal drugs and
8. Consuming or being under the influence of alcohol while leading or participating in a children's or youth function of WPC.

SECTION VII - REPORTING VIOLATION OF POLICY

A. Anyone who observes or is made aware of any illegal actions perpetrated against children or youth at WPC must report such incidents to the police as required by law.

B. In order to maintain an environment free of destructive acts toward all children and youth, the staff, employees, teachers, parents and volunteers of WPC must be aware of their individual responsibility to report any questionable circumstance, observation, act, omission, or situation thought to be in violation of this Policy. All questions or concerns of any suspected abusive behavior or harassment shall be directed to the Moderator or Designated Person.

C. In the event anyone witnesses an occurrence in violation of this Policy, that person will be asked to complete an Incident Report. Anyone who witnesses such an occurrence should consider the following to insure the security of the child, children or youth involved and to protect against physical, emotional or psychological injury; to all persons involved.

D. In the event a child or youth reports abusive conduct; while engaged in a church sponsored activity or any activity involving the staff, employees, teachers, parents and volunteers of WPC, regardless of where the conduct occurred, the person initially contacted by the child should contact the Moderator or Designated Person and complete an Incident Report Form. Record verbatim in the Incident Report the specific words first spoken by the child or youth and the conduct and demeanor observed concerning the incident.

E. The following are the steps to take in case of any occurrence of a violation of the Policy:

1. Personally secure the safety of the child, children, or youth.
2. Report the incident immediately to the Moderator or Designated Person.
3. Do not leave the child, children, or youth alone to report the incident.
4. Do not personally confront the alleged or accused violator of the policy.
5. The Moderator or Designated Person will notify the police immediately.
6. The person witnessing the violation or the person initially contacted by a child reporting a violation will complete an Incident Report Form.

7. The Moderator or Designated Person will have discretion to consult with others as needed concerning the Incident Report.
8. The Moderator or Designated Person will be solely responsible for all communications on behalf of the church including that with parents and civil authorities.
9. A Response Team shall be available and shall comprise three to five discrete persons who understand the issue of confidentiality. Those persons shall have access to a spokesperson to the media, an attorney, and counselors for both the alleged victim and alleged abuser.

Section VIII - RESPONSE TO ALLEGATIONS OF VIOLATIONS OF POLICY

When an allegation is made, the Moderator or Designated Person will contact the police immediately. The Response Team will be notified. The Response Team will ensure that pastoral care needs are addressed and will notify the accused and the accuser that they have the right to retain their own counsel. The church will not provide counsel for anyone. The Response Team will prepare a position statement for the media and will work with the Presbytery and the church's insurance company.

Section IX - CONSEQUENCES OF VIOLATION

- A. Any person accused of committing a Prohibited Act (see Section VI - PROHIBITED ACTS), whether a staff member, employee, member or volunteer, will immediately be suspended from participation in all children and youth activities and programs of WPC. Such suspension shall continue during any investigation by the church or law enforcement or child protection agencies.
- B. Any person found to have committed a Prohibited Act (see Section VI - PROHIBITED ACTS) shall be prohibited from future participation in all children and youth activities and programs of WPC. If the person is a staff member or employee, such conduct will also result in termination of employment.
- C. As required by Texas law, all reports of abuse will be timely forwarded to the appropriate law enforcement authorities. Such reporting must be accomplished as a part of complying with this Child Safety Policy.
- D. Failure to timely report a Prohibited Act to the Moderator or Designated Person shall be considered a procedural violation of this Child Safety Policy and shall be grounds for termination of employment of a staff member or employee and suspension and dismissal from participation in all children and youth activities and programs of WPC by any person.

APPENDIX A - APPEAL OF CRIMINAL HISTORY RECORD

If an applicant disputes information that appears in his or her criminal history record transcript, he/she may appeal through the Texas Department of Safety. He/she must follow the procedure to review personal criminal history records, which includes getting fingerprints and sending the prints along with the appropriate form and fee to the Department of Public Safety. If it is determined that the record is indeed the applicant's own criminal record, and the applicant feels that there is a mistake in the criminal record, a letter should be written specifying the area of concern. An investigation will be conducted to determine whether or not an error has been made. This letter should be addressed to:

Texas Department of Public Safety
 Error Resolution Department
 P.O. Box 15999
 Austin, Texas 78761-5999

APPENDIX B - DEFINITIONS

According to the 1995-96 Texas Family Code, Section 261.001, "abuse" is defined as the following acts or omissions by a person:

- A. mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development, or psychological functioning;
- B. causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child's growth, development, or psychological functioning;
- C. physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian, or managing or possessory conservator, that does not expose the child to a substantial risk of harm;
- D. failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child.;
- E. Sexual conduct harmful to a child's mental, emotional, or physical welfare;
- F. failure to make a reasonable effort to prevent sexual conduct harmful to a child;
- G. compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01, Penal Code; or
- H. causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene as defined by Section 43.21, Penal Code, or pornographic.

"Neglect" includes:

- A. the leaving of a child in a situation where the child would be exposed to a substantial risk of physical or mental harm, without arranging for necessary care for the child, and the demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the child;
- B. the following acts or omissions by a person:
 - (i) placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child;
 - (ii) failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child.

APPENDIX C - SIGNS OF CHILD ABUSE AND MOLESTATION

I. It is very important that caution and good sense be used in identifying and reporting suspected cases of child abuse/molestation. Consultation with the Moderator or Designated Person is recommended before making a report if there is doubt of validity.

II. To correctly determine non-accidental injuries, staff workers must be familiar with signs of abuse. Some of the more common signs may include the following:

A. Physical indicators

1. Unexplained lacerations and bruises
2. Nightmares
3. Irritation, pain, or injury to the genitals
4. Difficulty with urination
5. Discomfort when sitting
6. Torn or bloody underclothing
7. Venereal disease

B. Behavioral indicators

1. Anxiety when approaching church or nursery area
2. Nervous or hostile behavior towards adults
3. Sexual self-consciousness beyond what is expected for the age of the child
4. "Acting out" sexual behavior
5. Withdrawal from church activities and friends

C. Verbal indicators

1. "I don't like (a particular church worker/adult)"
2. "(A particular individual) does things to me when we are alone."
3. "I don't like to be alone with (a particular individual)."
4. "(A particular individual) fooled around with me."

Information Form for Children or Youth Worker

Westminster Presbyterian Church, Arlington, Texas

This form is to be completed by applicants for all compensated positions and also by any volunteers applying for positions involving the supervision or custody of minors. This is not an employment application form. It is being used to help the church provide a safe and secure environment for those children and youth who participate in our programs and use our facilities.

Today's Date _____

1. Last _____ First _____ Middle _____

Maiden name if applicable _____

Present Address: _____

City/State/Zip _____

Personal Phone # _____

How long have you lived at this address? _____

Place of Employment _____

Work Phone _____

2. Date you became a member of WPC? _____

3. List (name and address) other churches and/or religious organizations you have attended regularly during the past five years:

4. List all previous church work involving children or youth (list each church's name and address, type of work performed, and approx dates)

5. List all previous non-church work involving children or youth (list each organization's name and address, type of work performed, name of person overseeing your work and dates):

6. List any gifts, callings, training, education, or other factors that have prepared you for children or youth work:

7. References: Please list the names, addresses, occupations and telephone numbers of three people (other than relatives) who are familiar with your character and abilities.

1) Name

Address

City/State/Zip

Occupation

Phone Number

Work Phone

2) Name

Address

City/State/Zip

Occupation

Phone Number

Work Phone

3) Name

Address

City/State/Zip

Occupation

Phone Number

Work Phone

8. I understand and agree that:

- a. All information that I have provided may be verified. I agree to release from liability any person or organization that provides information concerning me, including these persons I have listed as references. I do hereby agree to indemnify and hold harmless, Westminster Presbyterian Church of (city/state), its employees, representatives and agents from any and all claims or causes of action relating in any manner to the verification of or attempts to verify the information provided, attempts to contact any references or conversations with any references. I understand and agree that any information received from references will not be disclosed to me, and I hereby waive any right I may have to inspect any information provided about me by any person or organization identified by me on this form.
- b. By signing this form, I certify and affirm that the information I have given is true, complete and correct in all respects.
- c. I have read, understood and agree to abide by the Statement of Policies and Procedures for the Protection of Children and Youth of Westminster Presbyterian Church of Arlington, TX.
- d. I hereby give my permission for the Westminster Presbyterian Church of Arlington, Texas to obtain information relating to my criminal history record through the Texas Department of Safety. The criminal history record, as received from the reporting agencies, may include arrests and conviction data as well as plea bargains and deferred adjudications. I understand that this information will be used, in part, to determine my eligibility for an employment/volunteer position with this organization. I also understand that as long as I remain as an employee or volunteer here, the criminal history records check may be repeated at any time. I understand that I have an opportunity to review the criminal history and a procedure is available for clarification, if I dispute the contents of the records as received.

I, the undersigned, do, for myself, my heirs, executors and administrators, hereby release and forever discharge and agree to indemnify Westminster Presbyterian Church and Texas Department of Safety and hold each of their officers, directors, employees, and agents harmless from and against any and all causes of action, suits, liabilities, costs, debts and sums of money, claims and demands whatsoever, and any and all related attorneys' fees, court costs, and other expenses resulting from the investigation of my background in connection with my application to become an employee or volunteer.

Signature: _____

Date: _____