

Luther Memorial Church and School CHILD PROTECTION POLICY

Last Revised/Approved: September 2015

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Chapter 1. Purpose

Children are our sacred trust from a loving God. (See Psalm 127:3, Genesis 33:5). Luther Memorial Church and School¹ seeks to provide a nurturing and dynamic Christian environment that will help our children grow spiritually and physically. We seek to ensure the safety of all children participating in the programs and activities of the church by establishing the following policies and procedures with regard to the conduct of adults and children. This policy directs that supervision of activities involving children and adults so as to minimize the risk of abuse or of false allegations of abuse.² We seek to protect the children who participate in the activities sponsored by Luther Memorial from abuse and to protect Luther Memorial called workers, staff and volunteers from false allegations of abuse. Luther Memorial can, through adherence to this policy, make every effort to ensure that persons placed in positions of responsibility and trust with respect to the children of the church, are persons deserving of that trust and responsibility. This policy shall be available in the church entry to all visitors, members, and staff of the church. All members shall be made aware of this policy.

Luther Memorial’s School Committee will be responsible for maintaining this document and policy, and for approving any further revisions.

¹ For the remainder of this policy *Luther Memorial Church and School* will be referred to as just *Luther Memorial*.

² A number of research studies document that false allegations of child abuse are rare. See e.g. R. Kim Oates, et al, *Erroneous Concerns About Child Sexual Abuse*, 24 CHILD ABUSE & NEGLECT 149-157 (2000).

CODE OF CONDUCT

Those who accept the special responsibility of working with children at Luther Memorial agree to:

- treat children with respect and dignity;
- do their best to prevent abuse, neglect, and exploitation from occurring to children participating in activities;
- not engage in or condone acts of physical, emotional, or sexual abuse;
- comply with *Luther Memorial Church and School Child Protection Policy*; and
- report any inappropriate behaviors or possible policy violations.

All members, visitors, and guests of Luther Memorial are expected to follow this policy. The Church Council under the advisement from the board of Elders, along with the School Committee, while working with the pastor, shall assume responsibility for overseeing the Child Protection Policy. Such responsibility includes supervision and implementation of the policy as well as education and training. The intention of the Child Protection Policy is to protect. The Policy is not intended to substantially interfere with the nurturing, teaching, and supervising of children.

Chapter 2. Definitions

- Child:** For the purposes of this policy, a child is any individual under the age of 18.
- Adult:** An adult is any person age 18 or older.
- Staff:** Staff is anyone who works for Luther Memorial for salary or wages and anyone who is formally called by the congregation to serve in its ministry.
- Volunteer:** A volunteer is anyone who provides services for Luther Memorial and receives no compensation in the form of salary, wages, or other benefits.
- Child Abuse:** Child abuse is injury of a child by an adult or older child that is not accidental. It may include physical abuse, emotional abuse, or sexual abuse.
- Child Physical Abuse:** Child physical abuse is the non-accidental bodily injury of a child through physical contact or mistreatment.
- Child Sexual Abuse:** Child sexual abuse means any form of sexual contact or exploitation in which a minor is being used for the sexual stimulation of the perpetrator, in other words, “any sexual activity with a child” (National Resource Center on Child Sexual Abuse, 1992). Child sexual abuse is criminal behavior that involves children in sexual behaviors for which they are not personally, socially, and developmentally ready. It includes behaviors that involve touching and non-touching aspects.
- Sexual abuse perpetrated by an adult:** Any contact or activity of a sexual nature that occurs between a child and an adult. This includes any activity which is meant to arouse or gratify the sexual desires of the adult or child. Sexual behavior between a child and an adult is always considered to be forced whether or not the child consents.

Sexual abuse perpetrated by a child:

Any contact or activity of a sexual nature that occurs between children when there is no consent, when consent is not possible, or when one child has power over the other child. This includes any activity which is meant to arouse or gratify the sexual desires of any of the children.

Types of child sexual abuse:

Abuse that involves touching include:

- Fondling,
- Oral, genital, and anal penetration,
- Intercourse,
- Forcible rape.

Abuse that does not involve touching include:

- Verbal comments,
- Pornographic videos and photography,
- Obscene phone calls,
- Exhibitionism,
- Allowing children to witness sexual activity.

Child Emotional Abuse: Child emotional abuse is any language directed toward a child by an adult that is intended to cause emotional anxiety, pain, or other severe emotional disturbance. It is mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development, or psychological functioning.

Neglect: Neglect is the failure to provide for a child's basic needs or the failure to protect from harm.

Economic Exploitation: Economic exploitation is the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a child's belongings or money.

Chapter 3. Application, Screening and Training Procedures

Application Process

All adults desiring to work with children at Luther Memorial must apply and be approved. Adults must sign the Child Protection Policy Acceptance Statement and complete an Application to Work with Children. The application requests information about the applicant's suitability to work with children and may request references and authorization for Luther Memorial Church Council or staff to obtain from law enforcement authorities any information they may have regarding the applicant.

Screening and Background Checks

A. Applications are reviewed for any areas of concern and an interview with Luther Memorial President or other appointed Church Council member may be required. Applications and related papers are confidential and maintained in locked files with access limited to members of the Council and/or the Luther Memorial Church Secretary. Luther Memorial will use its discretion in reviewing and investigating the history of each applicant and in determining the activities for which a criminal background check is required. In general, any adults, both staff and volunteer, who will have significant contact with children,

be with children off the church property, chaperone overnight events, and/or serve as youth group leaders may be asked to submit to a criminal background check.

B. Criminal background checks will be performed at least every 3-5 years. Luther Memorial will request the following information when conducting a background check through a company that provides such services:

- Social Security identification
- State sexual offender criminal check
- Nationwide criminal check

C. A member from the Church Council will contact applicants regarding any concerns raised by the application, reference checks, or criminal background checks. The Church Council shall determine whether the applicant may or may not work with children at Luther Memorial. Luther Memorial will err on the side of caution in restricting an individual from working with children if the background check or other information arouses suspicion or uncertainty about the individual's ability to safely work with children. Applicants deemed by Luther Memorial to pose a threat to children will not be permitted to participate in Luther Memorial activities for children.

Training

All adults seeking to work with children must be trained on the requirements of Luther Memorial's Child Protection Policy before being permitted to work with children.

A. Training will be conducted with any adults working with children. The training on the requirements of Luther Memorial's Child Protection Policy will be documented to ensure compliance.

B. Communication about and an explanation of the Child Protection Policy will be included in training and orientation for programs at Luther Memorial involving contact with children. The responsibility for ensuring the Child Protection Policy is included as part of training programs shall rest with the Church Council. Parents and other adults in the congregation are welcome to attend any information sessions or meetings on the Child Protection Policy.

Chapter 4. Supervision

"Open Door" Rule

Adults who have been trained on the requirements of Luther Memorial Church and School's Child Protection Policy will understand that all of Luther Memorial activities and classes involving children will have an "Open Door" Rule. This "Open Door" Rule is defined in two parts:

A. Adults interacting with children in any Luther Memorial hosted activity that is taking place on or off the church property have agreed that the door is considered to be kept "open," meaning that at any time someone may check the activity in the room.

B. Rooms at Luther Memorial Church and School classrooms and offices have doors that contain at least one window to see into the room at all times, and that this window will remain uncovered at all times. Adults are not permitted to be alone with a child in any room that is not publicly visible or accessible.

Personal Conduct

A. Common expressions of affection (e.g., hugs), affirmation (e.g., pats on the back, high fives), blessings (e.g., making the sign of the cross on the forehead, laying on of hands), support or physical caretaking (e.g., diaper changing, helping small children in the restroom) are appropriate in this community of caring Christians. Expressions of affection shall not be excessive or imposed upon others. No child should be made to feel guilty if they do not wish to participate in these expressions of affection. Children will be made aware that they are free to participate or not, as they feel comfortable.

B. Employees and volunteers shall not touch or interact with children in any way that is intended to be sexually stimulating. Any activity of this type is illegal, as well as a violation of trust and completely inappropriate.

C. Corporal Punishment or verbal abuse is never permitted.

Permission Slips

Children must have parental or guardian permission in advance to participate in any overnight Luther Memorial sanctioned activity or activity that takes place away from Luther Memorial grounds. Permission must be given in writing and signed by a parent or guardian. It must identify the name and date of the activity in which the child will be participating.

Transportation

A. It is recommended that children be transported in groups rather than alone for church-sponsored activities. A child's parent or guardian must give permission for an unaccompanied trained adult to drive a single child or children to or from a church-sponsored activity. Parental permission for transportation as part of a planned event should be obtained in writing.

B. Children legally required to be buckled into a car seat or booster seat must be transported using the appropriate safety seat. All other passengers shall wear a safety belt while in the vehicle.

C. This policy is not intended to prohibit staff or adult volunteers from offering a ride home to children in an emergency situation. The adult shall make reasonable attempts to contact parents or guardians prior to providing the ride. The adult providing the ride shall inform the child's parents of the expected departure, travel, and arrival times. The child or children shall ride in the backseat.

Overnight Activities

A. Whenever Luther Memorial children are involved in church-sponsored overnight activities, leaders must ensure that children are given appropriate privacy in the areas of sleeping, changing, and bathing. Specifically, an adult must never be permitted to sleep alone together in the same room or tent with a single child (without another adult present), unless the adult is the parent of the child.

B. Children and adults must never be permitted to bathe in the same facility at the same time. Similarly, children of the opposite gender must not be permitted to change or bathe together.

C. Children of the opposite gender are not allowed to sleep in the same room together, unless they are siblings and a parent has requested this sleeping arrangement. Generally we will not have events where children of the opposite gender are sleeping in the same room but if that should happen, children of the opposite gender may only be permitted to sleep in the same room if an entire group of children, supervised by at least two trained adults, are sleeping in one big room together (e.g., at possible lock-in events). In

these group sleepover situations, parents will be informed of the sleeping arrangements in advance and asked to give explicit permission for their child's participation in these events. The required written permission slip from a parent or guardian must expressly acknowledge that the activity is coed. Overnight coed activities must be chaperoned by at least one approved and trained male adult and at least one approved and trained female adult. Adults participating in overnight activities may be required to submit to a criminal background check with favorable results.

Digital Privacy

The respect for privacy is a key ingredient for a child's safety. Advances in technology have enabled new forms of social interaction that may extend beyond the appropriate use of cameras or recording devices.

A. To ensure full participation and the opportunity for a positive experience, children may be prohibited from bringing handheld electronic devices (e.g., cell phones, laptops, iPods, tablets, etc.) to youth events or other church-sponsored functions.

B. Children and adults shall not send sexually explicit or suggestive texts, images, videos, or other content electronically or post sexually explicit materials on websites or social media sites.

Chapter 5. Reporting and Responding to Abuse

A. Anyone who **witnesses** or learns of the physical, sexual, or emotional abuse of a child shall immediately report it to the police and then notify a member of the Church Council or the Pastor. A person may learn of the physical abuse by direct observation or being told of the abuse by the victim or perpetrator.

B. Anyone who **suspects** any physical, sexual, or emotional abuse of a child shall, at a minimum, report it immediately to the Pastor or a member of the Church Council. If the person is also a mandated reporter, he or she must comply with the law and also make a report to the authorities (see 5E below). The Report of Suspected Abuse form (Appendix E) shall be used to document details and gather information. If the adult involved is the Pastor, then the Congregation President shall be notified. A person may suspect abuse by noting signs of abuse or by being told of abuse by another person. Some signs of sexual abuse are included in Chapter 6 of this document. Other examples of inappropriate behaviors or policy violations include seeking private time with children that is outside the scope of the programs at Luther Memorial, such as taking children on outings or overnight trips without other adults, swearing in front of children, making suggestive comments to children, or putting volunteers in positions to work with children without the required application or screening, or simply not demonstrating a loving Christian attitude/lifestyle.

C. An alleged **perpetrator** will be removed from any position involving contact with children at Luther Memorial until the allegation is resolved. The Pastor and the Congregational President (when necessary) will maintain a confidential written record of each such report and will use appropriate judgment in designating a person or a team to gather additional information. During the information gathering, the Pastor or Congregational President will notify parents or guardians of alleged victims and those accused of allegations, as necessary, and will make proper reports to government and law enforcement authorities. It is Luther Memorial's policy to forward reports of child abuse to the appropriate governmental authority, as required by state law and church regulations. Luther Memorial will cooperate fully with government authorities in the investigations of allegations of child abuse. All persons involved in reporting or investigating any alleged incident of abuse shall hold information received in strict confidence, subject to such disclosures as are required under church procedures or by law, or that may be necessary to protect a child or children.

D. Cases involving allegations of misconduct by any called worker of Luther Memorial shall be promptly reported to the Conference Visitor and the Synodical President along with the Congregational President.

E. Luther Memorial staff and volunteers are required to report known or suspected abuse of children to the appropriate state authorities. Failure to report suspected abuse of children may be a crime. Reports may be made confidentially or anonymously. Every state provides immunity from civil liability for persons required to report suspected abuse in good faith and without malice. Simply stated, “in good faith” means the person submitting the report believes what he or she is reporting to be true.

Chapter 6. Signs of Child Sexual Abuse

Following are some common signs of child sexual abuse that should be reported:

Physical Signs:

- Unusual lacerations and bruises,
- Irritation, pain or injury to the genital area,
- Difficulty with urination,
- Discomfort when sitting,
- Torn or bloody underclothing,
- Venereal disease.

Behavioral Signs:

- A sudden change in behavior,
- Nervous or hostile behavior toward adults,
- Avoiding a person or situation that the child would normally have been involved in,
- Sexual self-consciousness,
- “Acting out” of sexual behavior.

Verbal Signs:

- “_____ does things to me when we're alone”,
- "I don't like to be alone with _____,”
- “_____ fooled around with me,”
- “_____ says mean things to me.”

Chapter 7. Signs of Child Physical Abuse

Warning signs of physical abuse in children include:

- Frequent injuries or unexplained bruises, welts, or cuts.
- Is always watchful and “on alert,” as if waiting for something bad to happen.
- Injuries appear to have a pattern such as marks from a hand or belt.
- Shies away from touch, flinches at sudden movements, or seems afraid to go home.
- Wears inappropriate clothing to cover up injuries, such as long-sleeved shirts on hot days.

For additional information on signs of abuse, see the brochure “Recognizing Child Abuse and Neglect: Signs and Symptoms” published by the Child Welfare Information Gateway and the U.S. Department of Health and Human Services.

Appendix A. Letter from Church Council

Dear Friends,

Luther Memorial Church and School, like many other voluntary, religious, educational, and social service organizations, is concerned with difficult and sensitive issues relating to personal ethics and sexual misconduct, especially as these relate to children in our midst. Churches are by nature trusting institutions, which have traditionally accepted the services of anyone expressing an interest in working as a volunteer with children.

While asking sensitive questions of potential youth workers, teachers or anyone closely involved with our children can be seen as distasteful and offensive, not doing so can make a church extremely susceptible to incidents of child abuse or molestation. A single incident involving a child or an adult devastates the individuals involved, and can do the same to the entire church community.

Because Luther Memorial is concerned for the welfare of all its members, beginning with the youngest infant, we have worked to create a “Child Protection Policy” which though relatively simple, seeks to take effective steps designed to reduce the likelihood of abuse in our church. The goal of this Policy is to assure our church is a safe place for children, youth, and all of our members and guests.

To that end, a Child Protection Policy has recently been adopted by our Congregation. All adults participating in programs involving significant contact with children will be asked to read the policy and to sign a statement indicating they have done so. We see this as a proactive approach toward protecting our children and the adults that generously give of their time to work with the children. We encourage you to speak with anyone on our council, if you have questions or comments about the Policy. We continue to seek our Lord’s Spirit and guidance as our life together as a caring and responsible community of faith continues to deepen in the months and years ahead.

In the service of Christ our Savior,

_____ Congregation President

_____ Church Secretary

_____ School Committee Chairman

_____ Elder Chairman

_____ Pastor

Appendix B. Application to Work with Children

DATE of APPLICATION:

This application is a confidential, mandatory part of a process to help the church provide a safe, nurturing environment for our children. Persons responsible for the supervision and care of our children are in a special position of trust and confidence. Therefore, persons seeking to work with children at Luther Memorial Church and School must complete this application.

PERSONAL INFORMATION (Please attach photo identification, e.g., copy of driver's license)

| | | |
|--------------------|--------|----------|
| NAME | | |
| DRIVER'S LICENSE # | | |
| MAILING ADDRESS | | |
| CITY | STATE | ZIP CODE |
| TELEPHONE # (Home) | (Cell) | (Work) |
| EMAIL ADDRESS | | |

Are you 18 years or older? **No Yes**

Have you ever been convicted of any criminal offense? **No Yes**

Have you plead guilty or "no contest" to any criminal offense? **No Yes**

Have you ever been charged with or convicted of child neglect? **No Yes**

Have you ever been charged with or convicted of physical or sexual abuse of children or adults? **No Yes**

Have you plead guilty or "no contest" to any neglect or abuse offense? **No Yes**

Have any complaints or allegations of misconduct involving children ever been made against you? **No Yes**

If you answered "yes" to any of the above questions, please explain, including in which state the conviction or charge occurred (use the back side of this application or a separate sheet of paper, as needed):

I certify that the information I have provided is true and correct. If it is found that the answers given are untrue, I understand it may be cause for dismissal and/or limit my ability to volunteer.

APPLICANT'S SIGNATURE:

DATE:

Appendix C. Child Protection Policy Acceptance Statement

Please read the copy of the *Luther Memorial Church and School Child Protection Policy* provided to you. Please sign below to indicate that you have read and understood the policy and agree to comply with the policy and procedures outlined therein when working with children.

I, (print name) _____, accept the responsibility to nurture the Christian faith and well-being of the children of Luther Memorial Church and School and to care for them as Christ cares for me. Jesus said, “Whoever welcomes a child, welcomes me.” (Matthew 18:5). Children are our present and our future, our hope, our teachers, our inspiration. They are full participants in the life of the church and in the realm of God. Jesus also said, “If any of you put a stumbling block before one of these little ones, it would be better for you if a great millstone were fastened around your neck and you were drowned in the depth of the sea.” (Matthew 18:6). I have read and understood the Luther Memorial Church and School Child Protection Policy and accept it. I promise to exhibit appropriate behavior and conduct when working with children. I hereby affirm that I have not resigned from or been terminated from a position for reasons relating to abuse or misconduct, as defined in the Policy statement. I further affirm that I am not a registered sex offender nor do I have any pending or resolved cases with the civil authorities concerning the welfare of children. I affirm that I will not use my position of trust in the church to abuse or harm any child.

I HAVE READ and UNDERSTAND and AGREE TO ABIDE BY the Child Protection Policy of Luther Memorial Church and School.

SIGNATURE:

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DATE:

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Contact Information

| | | |
|--------------------|--------|----------|
| NAME | | |
| MAILING ADDRESS | | |
| CITY | STATE | ZIP CODE |
| TELEPHONE # (Home) | (Cell) | (Work) |
| EMAIL ADDRESS | | |

Appendix D. Report of Suspected Abuse

1. Name of adult observing or receiving disclosure of abuse or suspected abuse:
2. Date and time disclosure was given or abuse was observed:
3. Place disclosure was given or abuse was observed:
4. Victim's name:
5. Victim's age:
6. Victim's date of birth:
7. Date of initial conversation with victim:
8. Time of initial conversation with victim:
9. Place of initial conversation with victim:

Victim's statements (attach additional sheets as needed):

Name of accused:

Position and status (paid staff, volunteer, or other) of person accused of abuse:

Date/time/place of initial conversation:

Notes of conversation (please attach additional sheets as needed):

Result of information gathering:

Asked to step down from activities with children at Luther Memorial

Suspension date/time:

Notes of suspension:

Information reported to police and/or other appropriate authorities

Asked to continue activities with children at Luther Memorial.

REPORTER'S SIGNATURE:

DATE:

Appendix E. Confidential Notice of Concern

Individual(s) of Concern:

Date of occurrence:

Time of occurrence:

Type of Concern:

- Inappropriate behavior with a child or youth
- Policy violation with a child or youth
- Possible risk of abuse
- Other concern:

When answering the questions below, please attach additional sheets as needed.

Describe the situation: What happened, where it happened, when it happened, who was involved, who was present, and who was notified?

If reported to the local or state police, what was their recommendation about investigating?

Has this situation ever occurred previously?

If so, what action was taken?

How was the situation handled, who was involved, who was questioned, were police called?

What is the follow-up plan?

Does anyone else need to be notified?

Will the situation need monitoring?

Would you like someone to call you to discuss this situation?

If willing, please include the following information:

Submitted by: *(Please print)*

Telephone number:

Address:

SIGNATURE:

DATE:

Reviewed by:

Date:

Appendix F. Event/Trip Adult Expectations and Information Letter

Thanks for volunteering your time and energy to the Luther Memorial Church and School youth!

If you have any questions about the event you are attending, please ask so we can clarify. We will provide as much information about the event as is available through our website, and electronic communications i.e. emails etc. and conversation.

One of the main purposes of youth events is to provide an opportunity for caring adults to connect with youth and to build relationships that will last beyond the end of the event. You will be asked to be more than a “chaperone” who sits on the sidelines; we are looking for “shepherds”--adults who will open up and walk alongside the youth throughout your time together. As you open yourself and fully participate, you may find yourself gaining as much from this experience as the youth.

Appendix G. Background Check Authorization Form

I hereby authorize Luther Memorial Church and School, Fond du Lac, WI, to procure a consumer background check. I understand may include information regarding my character, general reputation, personal characteristics, or mode of living. This report may be compiled with information from court record repositories, and any other source required verifying information that I have voluntarily supplied. I understand that I may request a complete and accurate disclosure of the nature and scope of the background verification, to the extent such investigation includes information bearing on my character, general reputation, personal characteristics or mode of living.

Full Name _____

Social Security Number _____ Date of Birth _____

Current Street Address _____

City _____ State _____ Zip Code _____

Home Phone _____ Cell Phone _____

Primary E-mail _____

Current Congregation Name _____

City _____ State _____

Previous Addresses (past 5 years, including county of residence)

SIGNATURE:

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|--|

DATE:

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