

A Policy Addressing the Prevention of Physical and
Sexual Abuse and Harassment of
Children and Adults
Guidelines for Paid Staff and Volunteers



Developed by Emmanuel Lutheran Church
34567 Seven Mile Rd.
Livonia, MI 48152
Approved by the Church Council, ???/??/??

A Policy Addressing the Prevention of Physical and Sexual Abuse and Harassment of Children and Adults

Guidelines for Paid Staff and Volunteers

I. Policy Statement

Recognizing God's tender love and concern for children and adults, we believe that it is Emmanuel Lutheran Church's responsibility to do everything reasonably possible to protect the children and adults of this congregation from any form of abuse or harassment while they are under our care. While it is impossible to completely protect those in our care, it is necessary that we take all reasonable precautions. It is also our responsibility to educate and guard our employees and volunteers from being suspected or falsely accused of wrongful behavior toward any youth or adult of this congregation. Therefore, we have created the following guidelines for the prevention of Abuse and Harassment within our congregation.

II. Creating and Maintaining a Safe Environment: Prevention and Training

It is our goal to create a safe haven for adults and children to worship God, experience God's life-giving love, and to use their gifts to the glory of God. In order to create this environment, it is important for the staff of the congregation to appropriately screen and train the volunteers and staff. Many individuals who abuse children or adults move frequently from congregation to congregation. These abusers will often pass by congregations that have sound abuse and harassment prevention and training programs. Therefore, we have developed the following screening process that volunteers must complete before serving at Emmanuel Lutheran Church.

A. Screening Process for Volunteers and Paid Staff

1. Six Month Participation Requirement
 - All volunteer staff who work with children/youth or vulnerable adults should be active worship participants of Emmanuel Lutheran Church. While membership at Emmanuel Lutheran Church is not necessary, regular worship attendance for the past six months is necessary if an individual chooses to work with children/youth or vulnerable adults at Emmanuel Lutheran Church. Exceptions to this guideline may only be granted by the pastoral staff following a personal interview and/or background and reference check.
2. Application Process
 - a) All paid staff will fill out and sign the attached application form and return it to the church office before beginning service.
 - b) All volunteer staff who work with children/youth or vulnerable adults will fill out and sign the attached volunteer application form and return it to the church office before beginning service. (Minors will need to have a parent/legal guardian's signature)
3. Submission to a Criminal Background Check (This is not required of minors.)
 - All paid staff and volunteers who work with children/youth or vulnerable adults will agree to submit themselves to a criminal records check, such check to be completed at the discretion of the paid staff member in charge of the ministry area. All information obtained during this screening process will be considered confidential and will not be disclosed to others, unless the church deems the

limited disclosure necessary to protect a child from possible harm. All material collected during the screening and application process will be kept in a locked storage cabinet in the office area. The maintenance and security of these records will be the responsibility of the Office Manager. The pastoral staff will also have access to these records.

4. Training

-All volunteers and paid staff will attend an abuse prevention training session, which is scheduled as needed throughout the year. After the session, each individual should sign and return to the church office a form verifying that they have attended the Emmanuel Child Safety training.

Approval of Applications

- After reviewing the above information, final approval to work with children/youth shall be made by the Pastoral Staff or their designate.

5. Renewal of Volunteer Service

For those volunteers and paid staff renewing their service with Emmanuel Lutheran Church, they are required to attend a Emmanuel Child Safety Refresher Course. After these documents are read, volunteers should fill out and sign the Volunteer Service Renewal Form. A signed form needs to be on file for every child/youth worker.

B. Guidelines for Working with Children or Youth

- In order to create a safe environment the following are guidelines for all who work with children or youth at Emmanuel Lutheran Church.

1. Two Adult/Open Door Policy

-Volunteers/Staff should observe the two adult/open door policy, which requires an adult working with youth or vulnerable adults to be accompanied by another adult or to provide visual access to the room. Visual access can be defined as rooms that have doors with windows or leaving doors open. Under no circumstances, will one adult be permitted to be alone with one youth. One of the two adults must be trained in the Emmanuel Child Safety Course.

2. Parental Participation

- Parents and Legal Guardians of all children/youth will always be welcome in classrooms, and their presence is encouraged in all learning environments.

3. Permission and Emergency Forms

-All children/youth participating in events of Emmanuel Lutheran Church held off-site or overnight, whether they are members or not, will fill out and turn in to their supervising adult a signed Youth Participation Form for that event. They will also have on file a signed Emergency Release Form.

4. Parental Responsibility

Parents should verify that adult supervision is present before leaving their children on church property or at church functions.

5. Transportation to offsite activities

-When traveling to offsite activities, in the vehicle we must have a minimum of two (2) youth with any adult other than their parents.

6. Offsite Activities

-These rules are in effect for all on-site and off-site activities.

III. Boundaries for Behavior in a Safe Environment

- *As a congregation it is important for us to establish safe boundaries for all who participate in our ministries. The following behaviors are boundary violations and are prohibited for all paid and volunteer staff.*
- A. **Sexual Abuse:** (as it applies to minor or vulnerable person interaction) is the subjection of a minor or vulnerable adult, by any person responsible for their care, to any sexual act which is a violation of the Michigan Criminal Sexual Conduct Code.
- B. **Sexual Exploitation:** (as it applies to any formal helper/helpee relationship) is any kind of sexual contact between counselor and counselee, whether initiated by either counselor or counselee. While Michigan law prohibits counselors (including members of the clergy in certain circumstances) from engaging in such sexual conduct, our church seeks to prohibit all of its paid staff and volunteers from engaging in sexual contact with any person for whom they currently have direct or indirect responsibility.
- C. **Sexual Harassment:** Emmanuel Lutheran Church will not allow its paid staff or volunteers to sexually harass any child or vulnerable adult participating in the ministries of our congregation. Sexually harassing or offensive conduct includes, but is not limited to: sexual flirtations, touching advances, or propositions; verbal abuse of a sexual nature; graphic or suggestive comments about an individual's body or dress; sexually degrading words to describe an individual; and the display of sexually suggestive objects, materials or pictures.
- D. **Physical Abuse:** Physically abusive conduct includes but is not limited to the nonaccidental injury to a child or vulnerable adult caused by the acts of a parent or another person responsible for the care of the child or vulnerable adult. Examples might include inappropriate, physical, or rough discipline of a child in a classroom setting, physical retaliation for a perceived slight or threat, etc.
- E. **Emotional Abuse:** Emotional abuse may be defined as a pattern of behavior that attack's a child or vulnerable adult's emotional development and sense of self-worth, such as belittling, name-calling, insulting, or manipulating.

IV. Procedures for the Handling of Allegations of Boundary Violations: Sexual, Emotional, and Physical Abuse

If you suspect that a minor or vulnerable adult has been abused, you should immediately bring your reasons for this belief to the attention of the paid staff member in charge of your ministry area (e.g. the Director of Youth and Family ministry, the Director of Christian Education, the Directory of Music). If abuse is suspected after discussing the situation, the paid staff member will bring your report to the Senior Pastor who will follow the protocol outlined below. (If the suspected abuse is related to the paid staff member in charge of your area, then the matter should be referred to the Senior Pastor. If it is related to the Senior Pastor, then the allegations should be reported directly to the President of the Church Council.) In consultation with the pastoral staff, a necessary course of action will be determined. All information regarding suspected abuse is to be kept strictly confidential.

A. What To Do When You Suspect Abuse

1. **State-Mandated Reporting of Alleged Offenses.** As care-givers to members of God's church, it is our responsibility to look out for the welfare of those in our care. State law does not require volunteer child/youth workers to report actual or suspected emotional, physical, or sexual abuse. Should a child/youth worker voluntarily make a report to civil authorities, however, the law provides that he or

she be immune to civil or criminal liability, provided the report was made in good faith and without malicious intent. So, while reporting is not required by law, part of our responsibility as care-takers of minors and vulnerable adults is to immediately report the suspected abuse to the pastoral staff and/or the appropriate civil authorities.

2. No single indicator of abuse or neglect is necessarily cause for alarm, but it may be cause to observe a given person or situation more closely. When multiple indicators appear together, however, it is appropriate to discuss the situation with the appropriate paid staff member of the church or, in urgent cases, to make an immediate report to the civil authorities.
3. Reporting abuse can precipitate severe consequences to a family, so it should never be done casually or thoughtlessly, and certainly not for malicious purposes. At the same time, failing to report abuse can have severe consequences to a child or vulnerable adult at risk. Therefore, if reasonable cause to suspect abuse exists, the concerned person should talk with an appropriate staff member to see what steps could and should be taken to protect the child or vulnerable adult and help their family. The appropriate staff member may be any of the following: the Director of Youth and Family ministry, the Director of Christian Education, the Directory of Music.
4. All incidents of suspected abuse are to be kept strictly confidential. No statements to the media are to be made, except by the Senior Pastor, Church Council President, or their designate.

C. Reporting of Alleged Violations to Church Authorities

When a report of suspected abuse is made to the staff of the congregation, it is also necessary for us to report any allegations of abuse to the appropriate church authorities in our local congregation and to the broader church organization.

1. Reporting the Alleged Violations to the Senior Pastor and the President of the Church Council.
-All alleged violations of the above-named Boundaries for Behavior should be reported to the staff person associated with their ministry (the Director of Youth and Family ministry, the Director of Christian Education, the Directory of Music, etc.). (If the suspected abuse is related to the paid staff member in charge of your area, then the matter should be referred to the Senior Pastor. If it is related to the Senior Pastor, then the allegations should be reported directly to the President of the Church Council.) The staff person will report the suspected abuse to the Senior Pastor who will, in turn, notify the President of the Church Council.
2. Reporting Alleged Violations to the ELCA.
-In addition to the reporting to civil authorities, the Senior Pastor or his/her designate shall report all alleged violations to the Southeast Michigan Synod office of the ELCA, when the alleged violator is a member of the clergy or paid ministry staff. (Again, if the senior pastor is suspected of abuse or harassment, the complaint should be brought directly to the President of the Church Council.)

D. Investigation of Reports of Suspected Abuse or Harassment

If a report of suspected abuse by a staff member or volunteer is brought to the attention of the Senior Pastor, the following steps will be taken as soon as reasonable possible:

1. The church's legal advisor is to be notified and the allegation investigated immediately. The Senior Pastor will not perform the investigation himself/herself. Rather, he/she will seek the assistance of someone outside of the

church who is truly an expert in such investigations. Any investigation by Emmanuel Lutheran Church must be made only in cooperation with any civil investigation, if one is taking place. If a civil investigation is not taking place and the church investigation sustains the allegation, the civil authorities will be notified.

2. Pastoral care and support are to be offered to the person(s) bringing the allegation and/or the victim of the alleged abuse or harassment.
3. The paid staff or volunteer who is accused of a violation is to be offered the opportunity to be accompanied in all meetings by their attorney or advisor. Emmanuel Lutheran Church will attempt to be sensitive to all parties involved.
4. As to paid staff members, investigation and appropriate disciplinary action should be done pursuant to Emmanuel Lutheran Church's personnel policy.
5. As to volunteers, the Senior Pastor, Church Council President or their designee will investigate the complaint, and if the allegations are proven true, they will determine the appropriate disciplinary action.
6. Careful written records of all investigatory steps are to be made, including interviews. The person(s) conducting the investigation will present a written report of the facts to the Senior Pastor and the Church Council.
7. Unless circumstances require it, an investigation should last no more than sixty days.
8. When the allegation is not proven or not corroborated, a written record of this determination is to be made. All parties to the investigation are to be notified if the allegations are proven or dismissed.

Appendix A:

Warning Signs of Abuse and Neglect

The following is a list of behaviors that can signal that a child is suffering from some form of abuse. If you see any of the following warning signs, it is not an immediate cause for concern. Instead, you are encouraged to watch the child for further signs of abuse over the days or weeks that they are in your care. The presence of these signs or indicators merely alerts you to the possibility that abuse has occurred. The indicators are not in and of themselves, conclusive proof that a child has been abused or molested. Obviously, extreme injuries without cause or explanation are a very real reason for concern and should be brought to the attention of the paid staff member in charge of your ministry area and/or the appropriate civil authority. These warning signs will be discussed in detail in the Abuse Prevention Training Workshop.

Indications of Physical Abuse:

- ◆ child reports injury by others, or provides inconsistent or conflicting accounts of how the injury occurred;
- ◆ unexplained bruises, welts, lacerations, burns, fractures, abdominal injuries, or human bites;
- ◆ child is unusually wary of physical contact with adults, demonstrates extremes in behavior, wears inappropriate clothing for the season, or seems frightened of parents or caretakers.

Indications of Sexual Abuse:

- ◆ child reports abuse by others;
- ◆ has difficulty walking or sitting, torn, stained, or bloody underclothing; complains of pain or itching in genital area;
- ◆ bruises or bleeding in external genitalia, vaginal or anal area;
- ◆ a fear of touch;
- ◆ extreme and sudden fear of being left alone with a particular person;
- ◆ unusual and excessive behaviors inappropriate for a child of that age.

Indications of Emotional Abuse:

- ◆ deficits in growth or development;
- ◆ habit disorders-thumb sucking, head banging, rocking;
- ◆ conduct disorders-antisocial behavior;
- ◆ adaptive disorders-inappropriately adult or infantile behavior;
- ◆ dramatic changes in school performance; and/or
- ◆ suicidal behavior

What to Report to Civil Authorities

If you suspect that a minor is being abused, call the county social services agency or the local Police Department and report the following:

1. What happened
2. To whom it happened - include full name and name of parents or legal guardian(if minor)
3. When it happened
4. Where it happened
5. Who was responsible for the abuse, include full name if known

You need fear no reprisals or civil action if you make your report in good faith.

Definitions Related to the Policy

Child/Youth

Minor, Child or Youth in this document refers to any individual eighteen years or younger who is a participant in the ministries of Emmanuel Lutheran Church. Membership is not required for an individual to be considered a participant within this congregation.

Vulnerable Adults

Vulnerable Adults in this document refers to persons who are:

- ◆ Living in licensed facilities such as nursing homes, hospitals, or treatment centers for chemical dependency, mental retardation, mental illness or physical disabilities;
- ◆ Receive services from licensed facilities such as developmental achievement centers or home health agencies;
- ◆ Are in family settings and would not by themselves report abuse or neglect to themselves because of impaired physical or mental function, or because of emotional status.

Paid Staff

Paid staff, for the purposes of this policy, refers to all paid employees of Emmanuel Lutheran Church, both hourly and salaried. In addition, it refers to student interns who are paid by the congregation and are supervised by members of the Emmanuel Lutheran Church staff.

Church Council

The Church Council refers to the main legislative body of Emmanuel Lutheran Church.

ELCA

ELCA stands for the Evangelical Lutheran Church in America, the national church body of which Emmanuel Lutheran Church is a member. The ELCA is divided into regions, and those regions are divided into synods. Our local synod is the Southeast Michigan Synod of the ELCA.

Volunteer

The term “volunteer” in this document refers to those individuals who are engaged in a specific volunteer ministry with children, youth, or volunteer adults. While there are many who volunteer their time and talents at Emmanuel Lutheran Church, this document relates to those engaged in specific ministry roles where they are the responsible adult/leader for children, youth, or vulnerable adults in a ministry setting.

Appendix C **Youth Participation and Emergency Release Forms**
Permission Slip

I hereby give permission for my son/daughter _____,
Age _____ to participate in the following event:

Which may include the following activities:

The date of this event is _____ and will be held at _____.

I hereby give permission to church personnel or chaperones for the event to secure emergency/surgical treatment and routine non-surgical care for the above named child.

Parent/Guardian Signature _____ Date _____

Phone number where you can be reached _____ Alternate Phone Number _____

Do we have a "Youth/Child Information Card" that includes your medical insurance and emergency contact information on file? Yes No

If "No", please complete the following information:

Insurance Provider _____ Insurance Plan Number _____

Emergency contacts other than parent:

Name _____ Phone Number _____

Name _____ Phone Number _____

Names of persons other than parent/guardian to whom youth may be released:

Appendix D Alleged Incident Report Form Policy

Abuse and Harassment Policy Summary

Recognizing God's tender love and concern for children and adults, we believe that it is Emmanuel Lutheran Church's responsibility to do everything reasonably possible to protect the children and adults of this congregation from any form of abuse while they are under our care. While it is impossible to completely protect those in our care, it is necessary that we take all reasonable precautions. It is also our responsibility to educate and guard our employees and volunteers from being suspected or falsely accused of wrongful behavior toward any youth or adult of this congregation. Therefore, we have created the following guidelines for the prevention of Abuse and Harassment within our congregation.

Guidelines for Those Working with Children and Youth

1. Adults who have been convicted of either sexual or physical abuse should not volunteer services in any church sponsored activity or program for children or youth.
2. All volunteer or paid staff working with children or youth are required to be active worshipping participants of Emmanuel Lutheran Church for a minimum of six months and/or agree to a background check and an interview with the pastoral staff.
3. Volunteers and paid staff should observe the two adult/open door policy, which requires that an adult working with children or youth to be accompanied by an adult partner and/or provide visual access to the room.
4. Volunteers and paid staff should avoid situations where they might be the only adult in situations with children or youth off-site or on Emmanuel Lutheran Church's campus.
5. Volunteers or paid staff should immediately report suspected or inappropriate behaviors to their supervisor.

D. Applicant's Statement: *(please read carefully before signing)*

The information contained in this application is correct to the best of my knowledge. I authorize any references or churches listed in this application to give you any information (including opinions that they may have) regarding my character and fitness for children or youth work. I hereby release any individual, church, youth organization, charity, employer, reference, or any other person or organization including record custodians, both collectively and individually from any and all liability for damages of whatever kind or nature in regard to their release of information. I expressly and fully waive all written notice of all prior individuals, church, youth organization, charity, employer, or any other person. I consent to the release of any information related to my job performance which is documented in my personnel file.

I further specifically waive written notice and agree to the divulging of any disciplinary reports, letters of reprimand, or other disciplinary action by all prior employers, individuals, church, youth organization, charity, or other individuals, and hereby release all prior employers, individuals, church, youth organization, or charity from all claims, liability, and damages that may result from furnishing the information to you.

I further understand that any dishonest, false, or incomplete answers on this application or in any subsequent interviews are grounds for immediate dismissal.

I authorize a Criminal Records Check to be conducted on me and that any information that pertains to any record of convictions contained in policy files or any criminal file maintained on me whether state or local be released to the church. In so authorizing, I release all Police departments, Emmanuel Lutheran Church, or those individuals receiving the results of the check from any and all liability resulting from such disclosure.

Should my application be accepted, I agree to be bound by the policies of Emmanuel Lutheran Church in the performance of my services on behalf of the church.

Applicant's Signature _____ Date _____

C. Applicant's Statement: *(please read carefully before signing)*

The information contained in this application is correct to the best of my knowledge. I authorize any references or churches listed in this application to give you any information (including opinions that they may have) regarding my character and fitness for children or youth work. I hereby release any individual, church, youth organization, charity, employer, reference, or any other person or organization including record custodians, both collectively and individually from any and all liability for damages of whatever kind or nature in regard to their release of information. I expressly and fully waive all written notice of all prior individuals, church, youth organization, charity, employer, or any other person. I consent to the release of any information related to my job performance which is documented in my personnel file.

I further specifically waive written notice and agree to the divulging of any disciplinary reports, letters of reprimand, or other disciplinary action by all prior employers, individuals, church, youth organization, charity, or other individuals, and hereby release all prior employers, individuals, church, youth organization, or charity from all claims, liability, and damages that may result from furnishing the information to you.

I further understand that any dishonest, false, or incomplete answers on this application or in any subsequent interviews are grounds for immediate dismissal.

I authorize a Criminal Records Check to be conducted on me and that any information that pertains to any record of convictions contained in policy files or any criminal file maintained on me whether state or local be released to the church. In so authorizing, I release all Police departments, Emmanuel Lutheran Church, or those individuals receiving the results of the check from any and all liability resulting from such disclosure.

I have read and understood the Emmanuel Lutheran Church Policy for Abuse and Harassment Prevention. Should my application be accepted, I agree to be bound by the policies of Emmanuel Lutheran Church in the performance of my services on behalf of the church.

Applicant's Signature _____ Date _____