

December 1, 2013

University Baptist Church

No. 5 CHILD AND YOUTH ABUSE PREVENTION POLICIES AND PROCEDURES.

Introduction

We affirm our calling and responsibility to be a place of worship for all persons and to strive to be a congregation in which all are encouraged to be reconciled to God and to be recipients of his bountiful grace. We acknowledge that we are all fallible creatures in need of God's mercy and forgiveness. At the same time, we affirm our responsibility and calling to nurture and protect those among us who are least able to care for and protect themselves. It is in the spirit of attempting to be faithful to these callings and responsibilities, which are at all times difficult to fully reconcile, that we adopt these policies.

While we shall diligently strive to meet the goals set forth in these policies and procedures, we recognize there may be times and circumstances during which we may be unable as a practical matter to fully comply with every procedure outlined in this document. However, it is our goal to provide a safe environment for our children and for those who volunteer and work.

Purpose

These procedures are designed to reduce the risk of child abuse in order to:

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

Definitions

The following terms used herein and are defined as follows:

1. *Paid Staff*: Any employee such as a pastor, minister, preacher, staff member or other person (including an independent contractor) who is paid full or part time by **UBC**.

2. *Children/Youth/Minor*: Any person who has not reached his/her 18th birthday or the age of majority as defined by state law.
3. *Adult*: Any person who has reached his/her 18th birthday, or as otherwise defined by state law.
4. *Volunteer*: Any unpaid person engaged in or involved in UBC activities and who is entrusted by UBC with the care and supervision of minors.
5. *Sexual Abuse of a Minor*: Shall mean:
 - a. Any sexually explicit conduct aimed at or in the presence of a minor;
 - b. Rape, statutory rape, molestation, prostitution, sexual assault, incest or other form of sexual exploitation of a minor;
 - c. Inappropriate sexual remarks, jokes, advances, leering or sexual gestures toward or in the presence of a minor;
 - d. Sexual touching, fondling or other intimate physical contact directed toward a minor;
 - e. Compelling or attempting to compel a minor to engage in a sexual act by threats or fear or undue influence;
 - f. Providing or displaying pornographic materials to a minor; and
 - g. The persuasion, inducement, enticement, or coercion of any minor to engage in, or assist any other person to engage in any of the foregoing actions
6. *Emotional Abuse of a Minor*: Verbal or nonverbal abusive conduct toward a minor, including, but not limited to: mental exploitation, degradation, humiliation intimidation, bullying or threatening, or as otherwise defined by state law.
7. *Physical Abuse of a Minor*. Inflicting bodily injury through excessive force or forcing a child to engage in physically harmful activity, such as excessive exercise
8. *Official*: The staff minister who is designated by the Senior Minister to be responsible for these policies and procedures.

Line Responsibility For These Policies

The Senior Minister of UBC shall designate a specific staff member who will be primarily responsible for implementing, updating, and carrying out these policies in concert with Church Council.

Protection and Prevention

Paid Staff and Volunteer Screening Procedures

The following screening procedures are to be used with all paid staff and volunteers as defined above. All information collected should be maintained in confidence and disclosed only to the extent necessary to enforce the terms of this policy statement.

1. *Employment Application and Volunteer Application*: Any paid staff and volunteers who will work with a minor must complete the Employment Application and/or the UBC Volunteer Application. The release statement attached to the Application must be signed by the individual completing the Application to apply for and qualify for service.

Our Employment Application includes questions regarding:

- Current and previous residence addresses.
- Current and previous employment, including addresses, dates, duties, titles, and reasons for leaving.
- Names and addresses of schools attended and degree(s) earned.
- References from previous employers and organizations that serve children.
- Pending criminal charges (where not prohibited by state law).
- Criminal history.

Our Volunteer and Independent Contractor Application includes questions regarding:

- Current address.
- Volunteer experience.
- Pending criminal charges (where not prohibited by state law).
- Criminal history. [EBL]
- Personal references by two UBC members who have known the applicant for at least six months and who can attest to their maturity, their ability to serve in a volunteer role with minors, etc.

Applications include a statement, which the applicant should acknowledge in writing, certifying that statements provided in the application are true and complete, and any misrepresentation or omission may be grounds for rejection of the applicant or for dismissal if he or she is employed. This statement shall authorize **UBC** to contact any individual or organization listed in the application. The statement shall also reflect that the applicant has been provided with a copy of this policy statement.

2. With respect to prospective employees, the designated staff member referred to above shall:
 - a. Review all statements made in the application, paying specific attention to any gaps in time and irregular employment patterns or unexplained absence, shall pursue these gaps with employers listed and in a subsequent interview.
 - b. Conduct interviews with qualified applicants.
 - c. Contact all listed references and employers for paid staff. Inquire as to the reason the applicant left and ask for any information that might help determine the applicant's suitability for the position. If a response is not received within a reasonable period of time, follow up and keep notes if possible.

- d. The staff member should invite a lay person involved in the subject area such as Preschool activity, Children's activity, or Youth activity to participate in the interview and participate in any decisions which are made.
3. With respect to volunteers and independent contractors, either a staff member or the director of the relevant Bible Study department shall contact each of the volunteer applicant's references and ask for any information that might help determine the applicant's suitability for the position.
4. Children of parents who attend **UBC** may volunteer in various activities involving youth but may not be considered an adult.
5. Given our knowledge of those who are now serving in volunteer involving children and youth, they will be "grandfathered" and not be required to undergo additional reference checks.
6. *Criminal Background Check*: **UBC** will conduct a criminal background check on all paid staff and volunteers who are entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors.
7. *Six-Month Rule*: All volunteers will be required to have attended **UBC** for six months and have reviewed and signed a copy of this Child and Youth Abuse Prevention Program policy statement.
8. In the event a screening discloses information that may call into question the fitness of the subject person to work with minors, such information shall be reviewed by the staff minister and the department head both of whom shall jointly decide upon the acceptability of the applicant. If the applicant wishes to appeal an unfavorable decision, the appeal will be directed to Church Council which, in consultation with the ministerial staff, will determine, in a timely manner, whether such person shall not be allowed to assume such a position.

Confidentiality

Information obtained through the screening, application, reference check, interview, and criminal background check will be kept in confidence, unless otherwise required by law or as may be necessary to carry out the requirements of this policy. All information discovered or obtained through the above referenced means will be kept in a secure location and access to it will be restricted if possible. These materials will be archived.

Supervision Procedures

Unless an extenuating situation exists, **UBC**:

1. Will have adequate number of screened and trained paid staff or volunteers present at events involving minors. Supervision should increase in proportion to the risk of the activity. Where practicable, each activity should have no less than two approved adult supervisors in attendance or one approved adult supervisor attending the entire activity and another

approved adult supervisor who periodically monitors the activity. This additional adult may be an usher, a staff member or other approved volunteer.

2. Will monitor facilities during activities involving children.
3. In the Pre School Department will release minors only to a parent, guardian or person authorized in writing by the parent or guardian and utilize sign-in and sign-out sheets.
4. Will obtain written parental permission, including a signed medical treatment form and emergency contacts, before taking minors on trips and should provide information regarding the trip.
5. Whenever practicable, will use two paid staff or volunteers when transporting minors in vehicles.
6. Paid staff and volunteers who work with preschool children will accompany them to the restroom or position themselves in such a manner as to have a clear view of the entrance to the restroom. The paid staff or volunteer will wait within view of the restroom to escort the child back to the activity.
7. Will encourage minors to use a "buddy system" whenever minors go on trips off of **UBC** property.
8. Will screen all paid staff and volunteers and approve those individuals in advance for any overnight activities.
9. Will follow the "rule of three," meaning that, wherever practicable, at least three people, including minors and staff or volunteer will be together in each situation. Specifically, staff and volunteers are strongly encouraged to avoid circumstances which leave them alone with a single child or youth except for counseling situations as provided for in the Behavioral Guidelines below.
10. Children and youth will be encouraged to contact any member of UBC to discuss any uncomfortable existing or developing relationship with a teacher or volunteer.

Behavioral Guidelines for Paid Staff and Volunteers

All volunteers and paid staff will observe the following guidelines:

1. Do not provide alcoholic beverages, tobacco, drugs, or anything that is prohibited by law to minors.
2. To the extent possible, **UBC** events that are co-educational will have both male and female chaperones.
3. Avoid all inappropriate touching with minors. All touching shall be based on the needs of the individual being touched, not on the needs of the volunteer or paid staff. In the event a minor initiates inappropriate touching, the volunteer or staff member should inform the minor that

such touching is inappropriate. If the minor fails to cease the activity, the volunteer or staff member should report the situation to another staff member and agree on a proper course of action, which may include notification of the child's parent.

4. Volunteers and paid staff shall not abuse minors in any way, including but not limited to corporal punishment, physical abuse, emotional abuse, and sexual abuse of any kind.
5. If you recognize an inappropriate relationship developing between a minor and adult, maintain clear professional boundaries and report the matter to a member of the ministerial staff.
6. If one-on-one pastoral care is necessary, avoid meeting in isolated environments.
7. Anyone who observes abuse of a minor will take appropriate steps to immediately intervene and provide assistance. Report any inappropriate conduct to the proper authorities and officials of **UBC** for handling.

Disqualification

No person may be entrusted with the care and supervision of minors or may directly oversee and/or exert control or oversight over minors who has been convicted of the offenses described below, received deferred adjudication for any offense described below, or has presently pending any criminal charges for any offense described below. The following offenses disqualify a person from care, supervision, control, or oversight of minors:

1. Any offense against minors as defined by state law.
2. A misdemeanor or felony offense involving Sexual Abuse of a Minor or Emotional Abuse of a Minor as defined herein, drug-related offenses, or family violence.
3. Other concerns which raise substantial concerns regarding the applicant's qualifications.

Persons Who Have Committed or Been Charged With Sex Offenses Relating to a Minor

Recognizing that there are a wide range of actions which may be defined under the law as sexual offenses, which have the potential for a wide range of possible risks to minors who attend UBC, it is the aim of this policy to create a flexible method of responses where it has come to the attention of the leadership of UBC that an individual has been formally charged with or convicted of a sexual offense against a minor.

In such situations, that information should be disclosed to the Church Council and shall be considered confidential. Church Council, in consultation with the Ministers, shall then in a prompt and timely manner fully investigate and deliberate on the matter and take whatever action

consistent with this policy that it deems appropriate. At his/her discretion, the Senior Minister may instruct the individual that he/she is requested not to attend one or more activities at UBC until an investigation has been conducted by Church Council and the Ministers.

In such investigations, Church Council and the Ministers shall consider all factors they deem to be pertinent, including the following:

1. The nature of the alleged offense;
2. The ages of both the individual charged and the victim;
3. The number of offenses alleged to have occurred;
4. The length of time which has passed since the offense(s) occurred;
5. Whether or not the individual has yet been convicted of the alleged offense;
6. Whether or not the individual has undergone or intends to undergo therapy or involvement with a support group;
7. What familial or other support is available to the individual;
8. Where the individual has been charged with an offense, but not yet tried, the investigating or probation officer or an official of the relevant court will be contacted by the Senior Minister or his designee to determine if there are restrictions which may prevent the attendance of the individual at UBC. Where the individual has been convicted of such an offense, the same inquiry will be made of an official of the relevant court or probation/parole officer.

Once Church Council has completed its investigation, it may take those actions it deems necessary for the reasonable protection of minors attending UBC or UBC sponsored activities, including, but not limited to the following:

1. Determine that the activities of the individual related to UBC need not be restricted.
2. Determine that the individual may not participate in any UBC programs designed primarily for minors;
3. Determine that the individual may not go into areas of the building in which activities for minors are being conducted;
4. Determine that the individual may not hold specified leadership roles in UBC;
5. Prescribe procedures for the establishment of a group of “companions”, each of whom shall be an adult member of UBC, who will agree to accompany the individual while the individual is participating in designated church sponsored activities. The spouse of the individual will not be considered as an acceptable “companion” for this purpose.
6. Inform the individual that failure to comply with these policies may subject the individual to further restrictions.

All members of Church Council, all active Deacons and all UBC Ministers shall share the responsibility for assuring the individual’s compliance with this policy and shall report any violations of it to the Senior Minister or a member of Church Council.

The directors of the Pre-School, Children’s and Youth Departments, Children’s Church Program and choirs and other activities for those age groups shall be notified by the Ministers of the names of any individuals who come under the provisions of these guidelines.

These policies are intended to apply to church sponsored activities both on and off the church premises.

Response to Sexual Abuse

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

When an allegation is made involving sexual abuse, the person reporting the complaint is to be told about the guidelines and the procedures to be followed. The senior minister or an appointed person will begin investigating the allegations and may use the assistance of legal counsel or other consultants. If the senior minister is the individual accused of sexual abuse, then the chairs of Deacons and Church Council will conduct the investigation. The investigation will be conducted as follows:

1. Report the incident to appropriate authorities in accordance with the state mandatory reporting laws.
2. Report the matter to **UBC's** insurance carrier.
3. Cooperate with authorities and the insurance carrier.
4. **UBC** may suspend (with pay for paid staff) the alleged offender while a confidential investigation is being conducted.
5. A designated representative of **UBC** (and legal counsel or other consultants) will then meet with the Deacons and Church Council of **UBC** and present a report on their investigation, which will include findings and recommendations of actions.
6. A designated representative of **UBC** will meet with the alleged perpetrator and notify him/her of the results of the investigation and recommendations for actions.
7. During the investigation, a designated representative of **UBC** shall maintain contact with any alleged victim and his/her parents or legal guardian, and inform them of the actions taken and assist them in their process of healing.
8. A designated representative of **UBC** (and legal counsel or other consultants) may meet with the alleged perpetrator, the alleged victim, and any others with knowledge of relevant facts.
9. Communicate with legal counsel for **UBC**.
10. Communicate with those affected by the conduct of the alleged perpetrator.

**Child and Youth Abuse Prevention Program
Acknowledgment**

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

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

I have received a copy of the **UBC** Child and Youth Abuse Prevention Program. I understand it is my responsibility to become familiar with and adhere to the information contained herein. I understand that these policies are the property of **UBC**

Print Name

Signature

Date