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PRESBYTERY OF THE SAN JOAQUIN CHILD/YOUTH/VULNERABLE ADULT PROTECTION POLICY AND ITS PROCEDURES

I. FOUNDATIONS

Jesus said, “Let the little children come to me, and do not hinder them, for the kingdom of heaven belongs to such as these.”

Matthew 19:14

“The Spirit himself testifies with our spirit that we are God’s children.” Romans 8:16

Tend the flock of God, that is your charge, not under compulsion, but willingly, not for sordid gain, but eagerly, do not lord it over those in our charge, but be examples to the flock. I Peter 5:2 (NRSV)

The *Book of Order* states, “The congregation as a whole, on behalf of the Church universal, assumes responsibility for nurturing the baptized person in the Christian life,” and Presbyterians believe this baptismal commitment to be a serious one, understanding it to apply to all in the church’s care, including children, youth, and vulnerable adults (*Book of Order* W-2.3013).

Children and youth are not only persons of care and service in the church, but they are also corecipients of the graces and love of God. Jesus exemplified this in the Gospel of Mark 10:15–16 when he urged his followers to receive the kingdom of God as a little child. And he specifically takes up the children into his arms and blesses them. So also the Church, as the body of Christ, is to be the presence of Christ’s love, in the same way taking up all children and youth into its arms and blessing them; providing for them a safe, thriving, and nurturing environments in which to grow in every way.

II. POLICY STATEMENT

It is the policy of the Presbytery of San Joaquin (hereafter referred to as Presbytery) and all entities of the presbytery that all church members, church officers, nonmember employees and or/contractors, employees, members and volunteers of congregations, councils and entities of the Presbytery shall maintain the strongest sense of integrity, safety, nurturing, and care involving all interactions with children, youth and vulnerable adults. The Presbytery’s child, youth and vulnerable adult policy applies to all: Ministers, employees, volunteers and persons involved in the ministry of the Presbytery who work with any minors in any capacity. Its purpose is as follows:

- To set standards of ethical behavior consistent with Scripture and secular law, and to establish a process for the enforcement of those standards;
- To give definitions regarding abuse, misuse of technology and to describe safety measures in preventing any misconduct with children/youth and vulnerable adults.

III. RATIONALE

- A. Any physical, emotional, sexual, financial act of abuse against a child, youth or vulnerable adult is a violation of the ordination vows of Ministers of Word and Sacrament, Ruling Elders, and Deacons. Church leaders are called upon to exercise integrity, sensitivity, and caring in a trust relationship devoted to the best interests of those to whom they minister.
- B. Any abuse is a misuse of authority and power which breaches Christian ethical principles. Further, it is a misuse of a trust relationship to gain advantage of another for personal pleasure or power, in an abusive, exploitative, and unjust manner. Such conduct cannot be justified by a claim of mutual consent.
- C. All churches, new church developments and fellowships in the Presbytery shall comply with this policy.

IV. PCUSA STATEMENT ON SEXUAL MISCONDUCT AS FOUND IN THE RULES OF DISCIPLINE

I. D-2.0203b

“Sexual abuse as defined in section D-10.0401c shall be considered contrary to the Scriptures or Constitution of the Presbyterian Church (U.S.A.), and therefore an offense for purposes of these rules.”

D-10.0401c

“Sexual abuse of another person is any offense involving sexual misconduct in relation to
(1) any person under the age of eighteen or anyone without the capacity to consent; or
(2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position.

The practical implication of D-10.0401c is that any behavior which is contrary to the Presbytery’s “Sexual Misconduct Prevention Policy” is now, for purposes of the judicial process, a chargeable offense because it is considered contrary to the Scriptures or Constitution. This includes behaviors spelled out in (2) above as well as harassment, quid pro quo, retaliation and other behaviors spelled out in our policy. It will now be sufficient to cite our policy in filing allegations with the Stated Clerk and, if an Investigating Committee (IC) discovers sufficient evidence to file charges, it can do so by citing our policy.

II. D-10.0401b

“There is no time limit for charging that a person who knew or reasonably should have known of the reasonable risk of sexual abuse of another as defined in D-10.0401c(1) or (2) failed to take reasonable steps to minimize the risk. Charges may be brought regardless of the date on which an offense is alleged to have occurred.

The practical implication of this section is that the provisions of Mandated Reporting are now a chargeable offense as is the failure to take reasonable steps to minimize risk when one becomes aware that sexual abuse has or may likely occur in the future. The underlined wording has no denominational judicial experience to help interpret “reasonable”--so for the time being, “failure to act” will be the implied standard. That will include not notifying civil authorities, session, presbytery, or others who could have prevented abuse. In remedial terms, this would be considered a “delinquency”-- “an omission or failure to act.”

V. LIABILITY AND INSURANCE

A council or entity can be held liable for harm caused by sexual misconduct of an officer, teaching elder, employee or volunteer based on a number of legal theories. Councils and entities will take potential liability into consideration when establishing hiring and supervisory practices. Each church and the presbytery will have insurance that covers volunteers, staff and anyone on the premise. The insurance papers shall be in a location accessible to anyone who requests to see the policy and should be kept on record within the minutes of the session.

Churches and the presbytery will regularly inform their liability insurance carriers of the activities and programs they operate or sponsor and of the duties and responsibilities of officers, employees, and volunteers. The standard insurance policy will be enhanced by endorsements to cover specific exposures such as camps, day-care operations, shelters, or other outreach programs. It is also recommended that churches and entities obtain an endorsement to their general liability insurance policy specifically covering sexual abuse and molestation. Such coverage may provide for legal defense expenses and judgments in civil suits brought against the council or entity, its officers, directors, or employees.

Background Check Information:

Through the Insurance Board you can access background checks at a discounted cost: check out <https://www.insuranceboard.org/wp-content/uploads/2018/03/Administrator-Guide-March-2018.pdf>

or Insuranceboard.org under safety resources section. There is a drop-down menu and under that look for safeconduct workbench link.

Additional Training:

There is a free online training available through the Insurance Board as well. You can check out more information at <https://armatus2.praesidiuminc.com/armatusUser/login>

VI. DEFINITIONS

The following is a comprehensive list of definitions of terms and their intended use in this particular policy. For the purpose of this policy:

- **Child:** A child will be defined as a person between the ages of 0–11.
- **Youth:** A youth will be defined as a person between the ages of 12–17.
- **Minor:** A minor is any child or youth 0–17 years-old.
- **Child/Youth Worker:** Any person, volunteer or paid staff or contractor, who participates at any level at General Assembly entity sponsored events or activities involving children and/or youth.
- **Adult:** for the purposes of this policy an adult is defined as anyone who is 18 years or older.
- **Physical abuse** is injury that is intentionally inflicted upon a youth. Non-accidental physical injury, or injury which is at variance with the history given of it, suffered by a child as the result of the acts or omissions of a person responsible for the care of the child
- **Sexual Abuse:** is any contact of a sexual nature that occurs between a youth and an adult or between two youths. This includes any activity which is mean to arouse or gratify the sexual desires of the adult or the other youth. This also includes a person under the age of

eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position. **For additional information see the following resources: (1) California Penal Code Section 11166.3 (a) see below.**

- **Emotional abuse** is mental or emotional injury to a youth that results in an observable and material impairment in the youth's growth, development, or psychological functioning.
- **Neglect** is the failure to provide for a youth's basic needs or the failure to protect a youth from harm.
- **Vulnerable Adult:** Any person 18 years or over-who is or may be in need of community care services by reason of mental or other disability, age or illness, and who is or may be unable to take care of him/herself, or unable to protect him/herself against significant harm or exploitation.
- **Vulnerable Adult Abuse:** Any act or failure to act that results in the physical, sexual, psychological, or emotional mistreatment, neglect, or exploitation of a vulnerable adult.
- **Child/Youth Abuse:** Any act or failure to act that results in the physical, sexual, psychological, or emotional mistreatment, neglect, or exploitation of a child or youth.
- **Mental Injury:** harm to a child's ability to think, reason, or have feelings. This may be shown by impairment in the child's ability to function within the age-appropriate range of performance and behavior. This includes bullying of any kind, whether physical or verbal, expressed in person or via electronic media. Unsolicited communications or public comments via social media may also constitute abuse. Staff and volunteers should refrain from such activities and should expect children also to refrain from them.
- **Misuse of technology:** The use of technology that results in the harassing or abusing of a child/youth. This includes using technology to send suggestive message and images to a child or youth. Adults should not have any technological contact with a child or youth that is not either preapproved by the child/youth's legal guardian with a signed waiver, or the contact is on an open public medium, such as a church website or other social media program.
- **Mandatory Reporters** are those persons required by California state law to report suspected abuse to police or child welfare agencies.
- **Authorized Clergy** includes any person who is admitted to ministry by the PC(USA) who serves the congregation in any capacity whether called as pastor or serving in a retired, emeritus, administrative, or volunteer capacity.
- **Safe Child Response Team:** The response team that is comprised of a minimum of (CHURCH DECIDES here the amount and whom) member to be provide pastoral care to the victim, accused and who will inform the presbytery.
- **Denial of Critical Care:** failure on the part of a person responsible for the care of a child to provide for the adequate food, shelter, clothing or other care necessary for the child's health and welfare when financially able to do so or when offered financial or other reasonable means to do so.

VII. RESOURCES ON ABUSE

For additional information see the following resources: (1)California Penal Code Section 11166.3 (a) abuse and the mandatory reporting expectations for clergy *Except as provided in subdivision (d), and in Section 11166.05, a mandated reporter shall make a report to an agency specified in Section 11165.9 whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. The mandated reporter shall make an initial report by telephone to the agency immediately or as soon as is practicably possible, and shall prepare and send, fax, or electronically transmit a written follow up report within 36 hours of receiving the information concerning the incident. The mandated reporter may include with the report any nonprivileged documentary evidence the mandated reporter possesses relating to the incident.*

VIII. VOLUNTEERS & PERSONNEL- CODE OF CONDUCT

- **For Congregations: Volunteers will be a member or regular attender for at least 6 months.**
- **For Presbytery: Volunteers will be a member of a congregation and actively participating in said congregation.**
- Church & presbytery personnel agree to do their best to prevent abuse and neglect among children and youth involved in church activities and services.
- Church and presbytery personnel agree to not physically, sexually or emotionally abuse and neglect a child or youth.
- **Clergy-** are those who have been ordained in the PCUSA, CRE, other denominational entity.
- **Church personnel and presbytery staff-** agree to comply with the child and youth policies of the church (*CHURCH NAME*) and the presbytery.
- **Policy applies to volunteers and personnel who regularly work with or around children.** These individuals will receive training either attending the sexual misconduct training through the presbytery as it is offered, attending a misconduct workshop, attend a church training, or take an online training course.
- **All churches with a staff of 5 or more (part time & full time) must have their staff do a child/sexual misconduct training every 2 years in the state of California and keep their records of completion for said training on file in the church office.**
 - For more information check: <https://store.calchamber.com/10032192-mastcahpt/products/harassment-prevention-training/required-california-harassment-prevention-training>

IX. CONTACT AND COMMUNICATION:

We want to be as specific as possible in what is appropriate or inappropriate behavior in dealing with children/youth. However, in setting these standards we do not want to diminish the value and importance of touch when working with children/youth in our care. We want to be careful that our conduct is appropriate for the age group. Finally, though it seems obvious: a worker must not, under any circumstance, at any time, make any comments of a

sexual nature or behave in an inappropriate sexual manner. Any inappropriate physical contact by Clergy, employees and volunteers towards youths in the presbytery/[CHURCH NAME] programs will result in disciplinary action, up to and including termination of employment.

A. The following are “**touch**” **guidelines** when working with children/youth:

a) For the sake of propriety and to avoid any possible unnecessary suspicions or false perception, we ask that all workers refrain from kissing any child (except their own).

b) Appropriate touch is very important. Babies need to be held, youngsters need to be comforted, and teens need affirmation. Each requires touching. (Note: what is appropriate for one age group is not always appropriate for another).

- **Infants** need to be patted, held, rocked, and hugged.
- **Toddlers and Preschoolers** also need to be hugged or held from time to time.
- **School-age children and teens** need a caring affirmation touch from an adult. However, care should be taken with this age group to avoid any contact that could be misinterpreted.
- **Appropriate Touching:** touching should be limited to
 - high fives,
 - handshakes,
 - a pat on the arm or shoulder,
 - side-to-side hugs.
 - Holding hands while walking with small children
 - Sitting beside small children
 - Children who are over 3 should not be held on a lap or knee.
 - Youth group and Sunday school games among youth should follow these guidelines.
 - Pats on the head when culturally appropriate—(for example this should be avoided in Asian communities)
 - Before hugging a child/youth mutual permission should be given (eg: “*You look like you could use a hug. May I give you one?*”).
 - Don’t forget that verbal praise is a wonderful way to encourage children.
- **Inappropriate Touching:**
 - Lengthy hugs
 - Kisses on the mouth
 - Holding children over 3 on your lap
 - Touching bottoms, genital areas, other than what is appropriate for diapering or toileting infants
 - Showing affection in isolated areas (bedrooms, closets, staff only areas)
 - Wrestling with children or youth
 - Tickling
 - Piggyback rides
 - Massages

- Any unwanted affection

Easy Reference Guide for Appropriate Physical Contact

<i>Appropriate Physical Interactions</i>	<i>Inappropriate Physical Interactions</i>
<ul style="list-style-type: none"> • Side hugs • Shoulder-to-shoulder or “temple” hugs • Pats on the shoulder or back • Handshakes • High-fives and hand slapping • Verbal praise • Pats on the head when culturally appropriate • Touching hands, shoulders, and arms • Arms around shoulders • Holding hands (with young children in escorting situations) 	<ul style="list-style-type: none"> • Full-frontal hugs • Kisses • Showing affection in isolated area • Lap sitting • Wrestling • Piggyback rides • Tickling • Allowing a youth to cling to an employee’s or volunteer’s leg • Any type of massage given by or to a youth • Any form of affection that is unwanted by the youth or the staff or volunteer • Compliments relating to physique or body development • Touching bottom, chest, or genital areas

B. Verbal Interaction

Clergy, employees, and volunteers are prohibited from speaking to youths in a way that is, or could be construed by any observer: as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Clergy, employees, and volunteers must not initiate sexually oriented conversations with youths. Clergy, employees, and volunteers are not permitted to discuss their own sexual activities with youths.

[CHURCH NAME]’s policies for appropriate and inappropriate verbal interactions are:

<i>Appropriate Verbal Interactions</i>	<i>Inappropriate Verbal Interactions</i>
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<ul style="list-style-type: none"> • Positive reinforcement • Appropriate jokes • Encouragement • Praise 	<ul style="list-style-type: none"> • Name-calling • Discussing sexual encounters or in any way involving youths in the personal problems or issues of Clergy, employees, and volunteers • Secrets • Cursing • Off-color or sexual jokes • Shaming • Belittling • Derogatory remarks • Harsh language that may frighten, threaten or humiliate youths • Derogatory remarks about the youth or his/her family
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C. One-on-One Interactions

Most abuse occurs when an adult is alone with a youth. [CHURCH NAME] aims to eliminate or reduce these situations and prohibits private one-on-one interactions unless approved in advance by the organization administration.

In those situations where one-on-one interactions are approved, Clergy, employees, and volunteers should observe the following additional guidelines to manage the risk of abuse or false allegations of abuse:

<i>Additional Guidelines for One-on-One Interactions</i>
<ul style="list-style-type: none"> • When meeting one-on-one with a youth, always do so in a public place where you are in full view of others. • Avoid physical affection that can be misinterpreted. Limit affection to pats on the shoulder, high-fives, and handshakes. • If meeting in a room or office, leave the door open or move to an area that can be easily observed by others passing by. • Inform other Clergy, employees, and volunteers that you are alone with a youth and ask them to randomly drop in. • Document and immediately report any unusual incidents, including disclosures of abuse or maltreatment, behavior problems and how they were handled, injuries, or any interactions that might be misinterpreted.

D. Tutoring/ Private Coaching:

One-on-one situations, such as tutoring and private coaching sessions, introduce additional risks for false allegations. Clergy, employees, and volunteers should be aware of our policies regarding tutoring and private coaching:

- a. Clergy, employees, and volunteers must have supervisor and familial approval for any tutoring or private coaching sessions.
- b. Tutoring and coaching sessions with [CHURCH NAME]'s youths may not occur outside of the organization.
- c. Supervisors must keep a schedule of private tutoring and coaching sessions, which should include times, youths involved, and location of sessions.

E. Off-site Contact

Many cases of organizational abuse occur off-site and outside of regularly scheduled activities. This contact outside of regularly scheduled activities will put staff, volunteers, and [CHURCH NAME] at increased risk.

1. (Preferred) Option One:

[CHURCH NAME] prohibits interactions outside of regularly scheduled program activities unless approved by the organization's Administration.

2. Option Two:

[CHURCH NAME] strongly recommends that staff do not have outside contact with youths from the organization. However, if off-site contacts are unavoidable (such as during mentoring programs), [CHURCH NAME] has determined that the following forms of outside contact are appropriate and inappropriate:

<i>Appropriate Outside Contact</i>	<i>Inappropriate Outside Contact</i>
<ul style="list-style-type: none">• Taking groups of youths on an outing• Attending sporting activities with groups of youths• Attending functions at a youth's home, with parents present	<ul style="list-style-type: none">• Taking one youth on an outing without the parents' written permission• Visiting one youth in the youth's home, without a parent present• Entertaining one youth in the home of staff or volunteers• A lone youth spending the night with staff or volunteers

In addition, when outside contact is unavoidable, ensure that the following steps are followed:

1. Supervisors should identify for Clergy, employees, and volunteers what types of outside contact are appropriate and inappropriate.
2. Ensure that staff or volunteers have the parents' permission to engage in outside contact with the youth. Consider requiring the parents to sign a release-of-liability statement.

F. Social Media—Electronic Communications

1. Use of Social Media Sites

2. Persons who shall create public pages on behalf of the presbytery/(*CHURCH NAME*) programs are responsible to monitor communications and to assure that employees and volunteers do not have private (and possibly inappropriate) conversations with children and youth.
3. Persons having Facebook privileges on behalf of the presbytery/(*CHURCH NAME*) entity shall treat unsolicited communication or “friending” from children or youth under age as an unauthorized text message. No reply may be given except to indicate by a posting that accepting a “friend” invitation by under-age children is a violation of the code of conduct.
4. If a child or youth reveals abuse or inappropriate interactions with an adult, the person receiving this information must report this information in the manner of any “suspected abuse.”
5. When using Facebook to communicate with children or youth, the authorized personnel shall inform parents/guardians of each child or youth that the latter is communicating with the person via Facebook, providing the parent/guardian the opportunity to disapprove or to participate in a group.
6. **General Social Media Policy**—No minister, employee, contractor, or volunteer of the presbytery (*church name*) and its entities shall create or use a media site (Web, Facebook, YouTube, or similar) in the name of or purporting to represent the presbytery/[*CHURCH NAME*] without the explicit written permission of the presbytery, church, or event leadership. When clergy or staff, acting in their capacity as a representative of the presbytery/[*CHURCH NAME*] or its entities, lead or coordinate a group activity using social media, each may use only official sites/channels when they have been made available by the presbytery/[*CHURCH NAME*] with explicit permission. These may include Web pages, Facebook, email, and similar means.
7. **Use of Images/Photos** Any use of photos/images of children are never allowed without explicit permission from parents to post on any social media sites. In the event that a child's image/picture is used there shall be no use of names/information that might identify the child and where the child lives or what indicates their locations.

G. Social Networking Code of Conduct

Each person who leads using the resources of social media shall apply this Social Networking Code of Conduct:

1. Prohibit comments that are, or could be construed by any observer, to be harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating.

2. Prohibit sexually oriented conversations or discussions about sexual activities.
3. Prohibit private messages between employees and volunteers and children or youth.
4. Prohibit posting inappropriate pictures (for example, sexually suggestive, exploitive, or voyeuristic) or inappropriate comments on pictures.
5. Provide children, youth, and their parents with this Social Networking Code of Conduct.
6. Encourage parents to play a role in monitoring their children's and youth interactions with employees and volunteers.
7. Continuously remind children and youth how to interact appropriately through social networking sites.
8. Deny participation by individuals who repeatedly violate the code of conduct. At the institution of the use of social media, the authorized minister shall present this Social Networking Code of Conduct to children or youth and parents/guardians.

Easy Reference Sheet for Electronic Communication

<i>Appropriate Electronic Communication</i>	<i>Inappropriate Electronic Communication</i>
<ul style="list-style-type: none"> • Sending and replying to emails and text messages from youths ONLY when copying in a supervisor or the youth's parent, or if the personnel have received permission a youth's parents to communicate with youth without cc'ing a parent. • Communicating through "organization group pages" on Facebook or other approved public forums • "Private" profiles for Clergy, employees, and volunteers which youths cannot access 	<ul style="list-style-type: none"> • Harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning or humiliating comments • Sexually oriented conversations • Private messages between Clergy, employees, and volunteers with youths • Posting pictures of organization participants on social media sites • Posting inappropriate comments on pictures • "Friending" participants on social networking sites

H. Gift Giving

Molesters routinely groom youths by giving gifts, thereby endearing themselves to the youth. They might instruct the youth to keep the gifts a secret, which then starts teaching the youth to keep secrets from parents. For this reason, Clergy, employees, and volunteers will only give gifts to youth and only under the following circumstances:

1. Administration must be made aware of and approve the gift.
2. Parents must be notified of the gift.
3. The gift/s are given in front of other individuals/parents or youth.

4. No gift shall be of any sexual nature.

I. Discipline

The goal of discipline in a classroom is to create a positive environment where all the children will be able to learn about God without unnecessary distractions. Teachers/volunteers will always demonstrate respect towards children and expect that children will show respect towards each other. Children will be given clear direction and guidance at their level of understanding. Occasionally, a child's conduct will be unacceptable for learning and/or participating in a group activity. In these cases, the misbehaving child will be told firmly that his or her conduct is inappropriate and given examples of what is appropriate in that situation. Brief time-outs or supervised separation from the group may be appropriate means of discipline on an occasional basis. Teachers must recognize that there may be extenuating circumstances that underlie a child's behavior and will take care to enforce discipline in a compassionate and respectful manner. The parent/guardian, as well as the pastor, leader, elder, volunteer in charge, will be informed of the inappropriate conduct, particularly if it persists beyond a single session.

The following acts are **never** permissible as forms of discipline:

- Corporal punishment or threats of corporal punishment.
- Children must not be humiliated, yelled at, rejected, or shamed.
- Punishment must not be associated with food, naps, or toilet training.
- "Wetters" must not be shamed or punished.

X. MONITORING AND SUPERVISION

General supervision procedures:

1. **Administrative and Supervisory Visits to Youth Programs-** Youth supervisors and administrators will regularly visit all youth programs to ensure that all activities are well- managed and that youth policies are observed by all in attendance.
2. **Ratios-** Each program will follow the ratio requirements that are directly to the goals of the program and the design of the program area. The employee or volunteer-to-youth ratio should be adjusted for programs that serve youths with special needs and or the needs specific to a particular age group. Refer to local licensing requirements and general best practice guidelines for establishing adult-to-youth ratios.
3. **Mixed Age Groups-** In most incidents involving one youth abusing another youth, the youths are from different age groups. Each program is responsible for establishing specific guidelines for additional monitoring and supervision of activities that involve youths from different age groups. Clergy, employees, and volunteers must be aware that close line of sight supervision is required when monitoring programs that have mixed age groups

A. Monitoring Youth in Facilities

Because [YOUR CHURCH] is responsible for all youths in the facility implementing the following practices:

1. Require a parent or legal guardian to complete a membership application which includes identifying information, any special medical or behavioral circumstances, any legal indemnifications, the youth's date of birth, and emergency contact information. In addition, require all youths to sign-in AND to sign-out of the facilities so that the program has a record of the youth who are in the facility at all times.
2. Require youths to sign a Code of Conduct that outlines the program's behavioral expectations and policies regarding appropriate and inappropriate interactions. This Code of Conduct should also include a systematic disciplinary policy which explains that youths will be suspended or dismissed from the program for policy violations. Require parents to sign this Code of Conduct as well, so that they are aware of the program's policies and progressive disciplinary procedures.
3. While a parent orientation may not be feasible in all circumstances, we recommend encouraging parents to attend an information session with a program representative. This meeting will provide an opportunity to review expectations and requirements, and the chance to establish a relationship with the parents. This can be helpful if any problems arise in the future.
4. While in the facility, youths can be supervised directly, indirectly, or with a combination of the two techniques.
 - a. For direct supervision, the program may offer structured, scheduled activities like basketball tournaments, swimming activities, arts and crafts, etc. These activities should have one or more staff assigned to lead and supervise.
 - b. For indirect supervision, the program must designate certain building areas as authorized areas. Authorized areas could include a gymnasium, a game area, or a classroom for doing homework and so on. Authorized areas must be easily visible and routinely and systematically checked by staff. Youths should know that they will be supervised by staff at all times, and all staff should know which areas are authorized and which are not.
5. Develop supervision standards for the authorized areas. For example:
 - a. Determine how frequently authorized areas should be monitored by staff.
 - b. Assign staff specific supervision responsibilities over authorized areas.
 - c. Require staff to record when they monitor authorized areas: this may be accomplished by using checklists.
6. All program staff should wear nametags or identifying clothing so that the youth can easily recognize them as staff.
7. Train all staff:

- a. To greet youths that enter the facility; to direct youths to the structured activities or authorized areas; and, to redirect youths who are not in an authorized area or who are not participating in a structured activity.
- b. To be aware of the risks involved with mixing age groups and how to monitor activities involving mixed age groups.
- c. To routinely monitor high risk areas (such as bathrooms, locker rooms, and unused rooms). Praesidium recommends designating specific staff to supervise these areas (i.e., Managers on Duty). This staff should document the scheduled and periodic sweeps of high-risk locations.

Ultimately, all youth must be supervised at all times, regardless of age. The key to remember is that they can be supervised directly in structured activities and indirectly when they are in authorized areas.

B. Monitoring High Risk Activities

I. Other Interactions with Children/Youth for Consideration

- **Nursery** – A general rule, only regular nursery staff should change diapers. If a regular nursery staff person is not present, an adult who has been cleared by the church as a volunteer or a parent will change diapers. Anytime a diaper is changed, place an “I’ve been changed” sticker on the child, or make note on the sign in/sign out sheet/ or communicate directly with a parent that the child was changed.
- **Potty trained through Preschool**
 - Option One. Take the whole class to the restroom together. Adults should avoid going into the stall with the child. If that is unavoidable, do not close the stall door behind you. Try to avoid being in the restroom alone with a child.
 - Option Two. If an individual child must go to the restroom, the worker should use the buddy system and take/send a second child of the same gender along.
- **Elementary Children**
 - Children first through fifth grade should be encouraged to use the restroom before coming to class. However, if a child needs to use the restroom during class time, he or she may go alone if the classroom is close by. Adults need to be familiar with the location of the restrooms and be mindful of sending children to the restroom alone.
- **Restroom procedures**
 - Where possible, the two-adult standard is applied to restroom procedures for children and nursery through elementary school students
- **Locker Room Activities**

The locker room procedures include:

- a. Requiring staff to stand within earshot of the locker room when in use by youths.
- b. Requiring staff to intermittently and briefly check inside the locker room so users know the locker room is monitored.

- c. Discouraging the use of locker rooms by youths of different ages at the same time.
- d. Prohibiting the use of locker room horseplay such as towel snapping.
- e. When possible, arrange lockers to minimize unnecessary privacy.

- **Shower Activities**

Staff and youths must shower at different times. Create shower schedules that will permit supervision of the youths while staff shower.

- a. While the youths shower, at least one staff member should stand in the bathroom doorway and within earshot of the youths. Ensure that only one youth is in each shower (Consider utilizing shower curtains that do not go all the way to the floor, so that staff can easily see how many youths are in each shower stall).

- **Transition Times and Free Times**

Transition times and free-choice times (or free times) pose a high risk for incidents because during these times, Clergy, employees, and volunteers may not be assigned a particular group of youths to supervise. To decrease the risk of incidents, implement the following policy:

- a. Require youths to remain in line-of-site of staff at all times.
- b. Specify the staff-to-youth ratio.
- c. Specify narrow geographic boundaries in the program areas.
- d. Ensure that all staff are assigned specific areas to supervise (“zone monitoring”).
- e. Include bathroom procedures.
- f. Require periodic roll calls for each age group.
- g. Require supervisors to conduct periodic check-ins and sweeps of the entire activity area.

- **Playground Activities**

The playground policy requirements:

- a. Youths to remain in line-of-site of staff at all times.
- b. Definition of specific and narrow geographic boundaries around the playground area.
- c. Specific instructions on how to monitor barriers of supervision (such as storage sheds, playhouses, tunnels, and shrubs).
- d. That all staff are assigned specific areas to supervise (“zone monitoring”).
- e. Specific bathroom procedures.
- f. Staff to conduct periodic roll calls for each age group.
- g. Supervisors to conduct periodic check-ins and assessments of the activity period and of the entire activity area.

- **Transportation Activities**

Transporting youths may increase the risk of abuse or false allegations of abuse because Clergy, employees, and volunteers may be alone with a youth or may make unauthorized stops with youths. In addition, transportation activities may provide a time for unsupervised youths to engage in youth-to-youth sexual activity.

The transportation policy:

- a. Require written parent permission from all youths on the trip. Staff take these permission forms and medical releases with them on the trip.
- b. Require staff to have a list of the youths on the trip. The staff take roll when boarding the bus, when leaving the bus, periodically throughout the trip, and then again when boarding the bus.
- c. Specify staff-to-youth ratios. When possible, do not count the driver in the supervision ratio.
- d. Require staff to sit in seats that permit maximum supervision.
- e. Discourage mixed age groups from sitting together. When possible, high risk youths are seated by themselves or with a staff member.
- f. Prohibit drivers from making unauthorized stops.
- g. Where applicable (such as in mentoring programs), require staff to document the beginning and ending time of the trip and the mileage, names of the youths being transported, and the destination.
- h. Require documentation of any unusual occurrences.

When public transportation is used:

- a. In addition to the transportation procedures listed above, youths should remain in one area of the bus, if possible.
- b. Clergy, employees, and volunteers that are assigned to a group should remain with that group on the bus.
- c. Take a head count or call roll immediately after entering and leaving the bus.

In situations where staff transport youths in non-organization vehicles:

- a. Administrators must be notified of all transportation activities.
- b. Use the “rule of three” when transporting youths: At least two adults must transport a single youth, or at least two youths must be present if transported by a single adult.
- c. Youths must never be transported without written permission from a parent.
- d. Youths must be transported directly to their destination. No unauthorized stops may be made.

- e. A staff member must document beginning and ending times and mileage, the names of youths, and other Clergy, employees, and volunteers who are involved in transportation, purpose of the transportation, and destination.
- f. Staff must avoid unnecessary physical contact with youths while in vehicles.
- g. When possible, staff should avoid engaging in sensitive conversations with youths.

See Appendix D. for Sample Volunteer Driver Qualification Form & Agreement.

- **Off-Site Activities**

The off-site policy includes:

- a. Requiring supervisor approval for all off-site activities.
- b. Requiring parental approval.
- c. Specifying staff-to-youth ratios for the activity.
- d. Requiring staff and youths to be easily identifiable.
- e. Including specific bathroom and locker room procedures as applicable to outing.
- f. Including transportation procedures.
- g. Including instructions for a supervisor to observe the off-site activities at scheduled times and random intervals.
- h. Considering specific recommendations based on the location and type of activity (for example, Amusement parks, Water Parks, Arcades, etc.).

See Appendix C. for Sample Field Trip Preparation Checklist.

- **Overnight Activities**

Overnight stays present unique risks to youths and staff. They often involve changing clothes, groups of both genders and different ages in a more intimate atmosphere than usual, more unstructured activities, and increased supervision demands for staff.

Supervision Guidelines:

- a. All overnight activities must be documented and approved in writing by the Program Director.
- b. Administrators are expected to regularly and randomly observe overnight activities on a scheduled and periodic basis.
- c. The Director should appoint a “lead” staff to supervise the overnight. A meeting with all staff is conducted to discuss the unique risks of overnight trips, unique elements of the specific overnight trip and to review the specific policies and procedures.
- d. Provide parents with written information about the overnight activity. All parents must sign a permission slip for their youths to attend the overnight.
- e. Determine the appropriate staff-to-youth ratios before the event and schedule staff accordingly.

- f. Meetings with the group should be hosted in open and observable areas; meetings should not be hosted in staff or youth rooms.
- **Overnights at the Facility:**
 - a. Physical boundaries within the organization must be clearly defined and explained to the youths.
 - b. Assign each staff to a specific group of youths to supervise. Each staff should then maintain a role sheet that lists all of the youths in his or her group. Head counts and roll checks should be conducted routinely throughout the evening.
 - c. Assign staff to high risk areas in [CHURCH NAME]'s facility, such as the bathrooms, entrances and exits, hallways, etc. If it is not possible to assign specific staff to these areas, assign specific staff to conduct periodic facility "walk-throughs".
 - d. With regards to sleeping arrangements, separate the male and female youths into separate rooms and post staff at the entrances and exits to these rooms. If this is not feasible, separate males and females by as much space as possible.
 - e. When performing room checks, staff should always go in pairs.
 - f. At least one staff must stay awake overnight.
- **Overnights Away from the Facility:**
 - a. Overnight stays at private homes are prohibited unless approved by the administration.
 - b. Physical boundaries at the off-site location must be clearly defined and explained to the youths.
 - c. Assign each staff to a specific group of youths to supervise. Each staff should then maintain a role sheet that lists all of the youths in his or her group. Head counts and roll checks should be conducted routinely throughout the event.
 - d. If in a cabin type setting, the staff should be placed in bunks to maximize supervision around the cabin and in a way that decreases the chances of youths sneaking out (such as by the door).
 - e. In hotel rooms, assign youths to rooms based on sex and age. Staff should have their own rooms. If staff must share rooms with youths, they must have their own beds and never change in front of youths.
 - f. All staff are to be on duty in the halls or cabins at night until an hour after lights out and all rooms are quiet.
- **Teen Leadership Program**

Older youths who participate in teen leadership programs are still youth participants and not staff or volunteers. Therefore, even though they are often given more responsibility, teens in the leadership programs must be provided with guidelines regarding appropriate behavior, and then supervised accordingly. In addition, Clergy, employees, and volunteers must understand and recognize that these teens are still youths and not their peers.

See the supplemental recommendations and resources handout for ideas on how involve and train youth leaders.

XI. WHEN A CHILD DISCLOSES ABUSE OR NEGLECT

When a child discloses that he or she has been abused, church policy on handling reports of abuse and sexual misconduct will be as follows.

What to do if a child/adult reports abuse to me:

1. Believe the person.
2. **Do Not** question the person. Leave this to those trained to ask questions.
3. Tell the person that you are sorry he/she is hurt and scared and be supportive and reassuring.
4. Don't make promises you can't keep, like telling the child you will not tell anyone else about the abuse.
5. Report abuse to the Pastor.
6. It is important that you remain calm in both your tone and your body language, listen to the child, and convey to the child your concern.
7. It is not your job to interview the child about the alleged abuse, others will do that.
8. It will be important for you to prepare a written description of what you have been told, using the child's words.
9. Where appropriate, let them know that you will have to report the abuse to child protection officials who can help them. Follow church policy in making the report to authorities.

Reporting

- Each church will create a process for reporting abuse.
- If the abuse occurred on church property or if church personnel or volunteers (staff, elders, deacons, teachers, pre-school staff) are involved, a report to the Presbytery must be made.

What to do if I suspect abuse:

1. Refer to the 'definitions' and 'recognizing abuse' sections of this policy. Ask yourself if there is a "reasonable cause," based on these definitions and indicators.
2. **Do Not** question the person about your suspicions.
3. Report suspected abuse to pastor.
4. When we see something that causes us concern or makes us feel uneasy, it is sometimes difficult to find the "right words" to use when we report our concerns. To avoid misunderstanding or uncomfortable situations it is important to think through what you want to say before you report suspicions. Make sure you can explain in your report exactly what you saw and the reasons you are concerned.

Please remember that communicating concern is not an accusation. Communicating concern does not ruin reputations. Communicating concern does not destroy people. If you talk to anyone other than the appropriate person to report to, you run the risk of doing all three.

Safe Child Response Team: The Safe Child Response Team is a team comprised of a minimum of three members of or appointed by the sponsoring council or entity of the General Assembly who are specifically trained to respond to allegations and reports of child, youth, or vulnerable adult abuse at General Assembly entity sponsored activities. These teams must be readily available to be contacted and used at all General Assembly entity sponsored events. *(See supplemental recommendations and & resources for more information on the Safe Child Response Team).*

A Report of Suspicious or Inappropriate Behavior

In the event that a supervisor or an administrator receives a report of suspicious or inappropriate behaviors or policy violations from a staff member or volunteer, the supervisor is instructed to do the following:

Guidelines for Supervisors and Administrators Response to Suspicious or Inappropriate Behaviors and/or Policy Violations

- Report to the next level of administration and determine the appropriate administrator to respond to the concern.
- Determine the appropriate response based on the report.
- Speak with the employee or volunteer or volunteer who has been reported.
- Review the file of the employee or volunteer or volunteer to determine if similar complaints were reported.
- Document the report on the appropriate form.
- If at any point in gathering information about a report of suspicious or inappropriate behavior, a concern arises about possible abuse, contact the state authorities and file a report.
- If appropriate, notify parents and/or guardians.
- Advise the person who reported the behavior that the report is being taken seriously.

Based on the information gathered, the following may be required:

- a. Increase monitoring or supervision of the employee, volunteer, or program.
- b. If policy violations with youths are confirmed, the employee or volunteer must be subject to disciplinary action up to and including termination and prosecution. Disciplinary action will follow the Progressive Disciplinary Process outlined in this manual.
- c. If more information is needed, interview and/or survey other Clergy, employees, and volunteers or youths.

Organizational Response:

Guidelines for Organizational Response

- Review the need for increased supervision.
- Review the need for revised policies or procedures.
- Review the need for additional training.

XII. Responding to Youth-to-Youth Sexual Abuse and Sexualized Behaviors

The thought that one youth may sexually abuse another youth does not occur to many people. Unfortunately, abuse between peers has increased 300% in the past few years. Youth-to-Youth sexual activity and sexualized behaviors often remain unreported in organizations because Clergy, employees, and volunteers are not comfortable documenting these situations, or may not know how.

Most serious incidents of youth-to-youth abuse are preceded by more subtle incidents such as name-calling, taunting, or roughhousing. Interrupting these interactions early and establishing and communicating standards of conduct can keep the program environment safe. [CHURCH NAME] recognizes that the following interactions are high risk and be prohibited:

Prohibited Youth-to-Youth Interactions

- Hazing
- Bullying
- Derogatory name-calling
- Games of Truth or Dare
- Singling out one child for different treatment
- Ridicule or humiliation

In order to adequately respond to and track incidents within the organization, all sexual activity between youths and sexualized behaviors of youths must be consistently documented.

i. Employee and Volunteer Response:

Youth-to-youth sexual behaviors can include inappropriate touching, exposing body parts, using sexualized language, making threats of sexual activity, engaging in sexual activity, and similar types of interactions.

If employees or volunteers witness youth-to-youth sexual behaviors, they are instructed to follow these guidelines:

Guidelines for Clergy, employees, and volunteers Responding to Youth-to-Youth Sexual Activity

- If you observe sexual activity between youths, you should immediately separate them.
- Calmly explain that such interactions are not permitted and separate the youths.
- Notify your supervisor.
- Complete the necessary paperwork including what you observed and how you responded.
- Follow your supervisor's instructions regarding notifying the authorities and informing the parents of the youth involved.
- In some cases, if the problem is recurring discipline may be required including not allowing one or both youths to return to the program.

Responding to Media

Media publicity following an incident of abuse or exploitation may be detrimental to the reputations of individuals, the congregation and [CHURCH NAME] without intending ever to evade the media, contacts with media must be managed and conducted only by a person specifically designated by the session to represent the church. No other person(s) may speak on behalf of the church. Unless designated differently by the session in a particular circumstance, the exclusive spokesperson for the church shall be the [PERSON CHOSEN].

Prior to speaking to media, [PERSON CHOSEN] shall contact and consult with the San Joaquin presbytery office, of the PCUSA, and any legal counsel, to obtain an understanding of appropriate statements or admissions and issues of privacy that may apply to the situation.

Insurance Board clients only: [PERSON CHOSEN] shall give immediate consideration to securing Insurance Board media relations and crisis management resources. Considering the speed of news cycles, a prompt determination is required, erring on the side of seeking help.

XIII. SCREENING AND SELECTION

The process of screening and selecting employees and volunteers is an essential element of management due diligence. There are several elements required which serve a number of purposes. Criminal background checking by itself is inadequate simply because very few predators, or people who would become predators, have been through the penal system. A would-be predator requires three things: Access, Privacy & Control.

Standing of “Authorized Clergy”: the PCUSA which is served by the Insurance Board has a process of granting professional standing to clergy. Employment of clergy who do not fulfill

denominational requirements may have an impact on insurance programs. Consult your insurance agent if there are concerns.

The following screening and selection procedures are for all Clergy, employees, and volunteers.

Note: Each board member, employee or volunteer now serving and regardless of length of service must be willing to set an example for all others who follow in their ministry. Therefore, at the time this policy is first adopted, all incumbent board members, employees and all incumbent volunteers who work with children shall execute the following procedures.

A. Standardized Application for Employment

All applicants must complete an application prior to working at [CHURCH NAME]. The application should be reviewed by Employment Committee for completeness, high risks and fit with position requirements. If the application is not 100% complete, the applicant may be screened out, the applicant may be asked to complete the application, or the missing information may be obtained during an interview. However, [CHURCH NAME] will endeavor to follow a consistent approach to applications missing information.

Offers will not be made until an application is 100% complete. Applications will be kept in the personnel file.

Volunteers must be active members of [CHURCH NAME] for a minimum of six months before being permitted to work in youth-oriented programs. There are **no exceptions** to this policy, even when volunteer candidates come from another church with similar programs.

Employment Background Checks

Criminal history and sexual offender registry checks will be conducted for all applicants for employment. Generally, the information will be obtained prior to employment of the applicant; however, if the length of time needed to receive the results of these checks is unduly long, [CHURCH NAME] could have the applicant start the position and remain in the position until the criminal background results are obtained and reviewed. New employees and volunteers will not be left unsupervised with youths until the criminal history results are returned.

The background check(s) should include the following:

- National multi-state criminal records search;
- National sex offender registry search;
- Social security number trace and alias search; and
- County criminal records search for every county where the applicant has lived or worked for the past 7 years

Written permission to conduct a background check shall be obtained from each applicant prior to executing the check.

In addition, all applicants responsible for transportation will have a driver's license check performed to identify past driving concerns.

Employment Background Checks

Each congregation/presbytery will have a specifically designated person who shall review each background check and who will be responsible for destroying documents within the required amount of time by laws. This person will agree that the applicant is eligible for employment as Clergy, employee or volunteer.

Where a criminal record exists, consideration shall be given to:

- Seriousness of the crime;
- Statutes that may legally disqualify the person from working with minors;
- Length of time since the last offense;
- Pattern of criminal activity; and
- Activities the applicant has been involved in since the offense(s) occurred.

Conviction for the following crimes shall be considered barriers to employment or volunteer work with children:

- Violent crimes;
- Sexual assault;
- Sexual abuse or neglect of a child; and
- Drug offenses or driving offenses (depending upon position requirements)

Arrest data are not grounds for disqualification, only convictions. The status or relevance of other crimes will be considered individually.

Volunteer Background Checks:

- If a person is volunteering in the [CHURCH'S NAME], they will have at minimum, a state background check and driver's license check if volunteer plans on being a driver for any youth/child activities.
- All Volunteers will read the policy and sign the acknowledge of receipt and code of conduct forms.

XIV. Registered Sex Offender Policy

As a community of faith, serving by the example of Jesus Christ, we also seek to attend to the needs of all who seek healing, redemption and fellowship among us. We shall be prepared to accept in our midst those who have violated the most sacred mores of our society at large, in order to provide them refuge, peace, example and support in their recovery and penitence. We commit to doing so with utmost care for the welfare of our congregation, collectively and individually, and the community we serve. Each congregation shall create and adopt a policy for registered sex offenders. *See the supplemental suggested policy handout for an example for the congregation.*