

# Protection of Minors Policy and Procedures

## General Purpose Statement

United Fellowship Lutheran Church seeks to provide a safe and trustworthy environment for minors (children and youth) who participate in our activities. By implementing the below practices and procedures, our goal is to protect the minors of United Fellowship Lutheran Church from incidents of misconduct or inappropriate behavior while also protecting our staff and adult volunteers from false accusations.

## Definitions

For purposes of this policy, the terms “minor” or “minors” include all children and youth under the age of eighteen (18) years.

A staff person is monetarily compensated for their position.

Representatives of the Congregation are Staff or adult members of the Congregation Council of United Fellowship Lutheran Church.

The Leader/Coordinator of an “Activity with Minors” or a “Church Activity” is an adult volunteer responsible for all participants in the activity. They need a background check and are a mandated reporter. They must be apprised of the responsibility they are accepting for all participants.

A volunteer who is a minor, under age 18, is giving of their time and not compensated, as it directly relates to persons who work with minors.

An adult volunteer is age 18 or older and giving of their time and not compensated, as it directly relates to persons who work with minors.

Activity with Minors is an activity specifically for children and/or youth.

Overnight Activity with Minors is an overnight activity that includes children and/or youth.

Church Activity is an activity open to the whole congregation. Most or all parents of minor participants would attend the church activity. **Parents bear responsibility for their child.** If a parent is not attending the activity, the parents need to complete an Annual Permission Form for Minors.

A Mandated Reporter is a staff person of United Fellowship Lutheran Church, a leader/coordinator, or any adult volunteer of an activity who comes in contact with children. Mandated reporters are obligated by law to make a report any time they have reasonable suspicion that a child they are aware of has been abused. To file a report, go to <https://www.compass.state.pa.us/cwis/public/home> or call 1-800-932-0313.

## Selection of Staff, Representative of Congregation, Adult Leader/Coordinator

All staff and adult volunteers who desire to work with minors participating in our activities will be screened:

- Exception: For one-time group events, a minimum of one Leader/Coordinator of an Activity must be present.

This screening includes the following:

### a. Six Month Rule

- No adult volunteer will be considered for any leadership position involving contact with minors until the volunteer has been active in the life of United Fellowship Lutheran Church for at least six months with regular attendance or, if not an official member, they, their family, or a significant adult friend have been actively involved and/or participating in worship for at least a year. The interpretation of “regular attendance” and “active involvement” may be made in a non-discriminatory manner by the staff or congregation council. This time of interaction between our leadership and the applicant allows for better evaluation and suitability of the applicant for working with minors. An adult volunteer who does not meet the six month rule may participate but not lead/coordinate.

b. Written Application

- Applicants must complete and sign a written Permission for Adults Form which will be supplied by United Fellowship Lutheran Church. The form will request basic information and two references from the adult. The form will be maintained in confidence on file in a locked cabinet at United Fellowship Lutheran Church.

c. Personal Interview

- Upon completion of the application, a face-to-face interview may be scheduled with the applicant to discuss his/her suitability for the position.

d. Reference Checks

- Before an applicant is permitted to work with minors, at least two of the applicants' references may be checked. These references should be of a professional nature as opposed to personal or family references, preferably from organizations where the applicant has worked with minors in the past. Documentation of the reference checks will be maintained in confidence on file in a locked cabinet at United Fellowship Lutheran Church.

e. Background Checks

- Background checks are required for all staff (regardless of position) and for previously identified categories (see beginning of this section) of adult volunteers.
- The following background checks must be completed and submitted:
  - Pennsylvania Criminal Records Check
  - Pennsylvania Child Abuse History Certification
  - FBI Fingerprinting or the Disclosure Statement Application for Volunteers (Disclosure Statement Application for Volunteers may only be submitted in lieu of FBI fingerprinting if the individual has been a resident of Pennsylvania for the entirety of the previous ten year period)
- If an individual has any of the above background checks which are one year old or more recent, they may submit it. A copy will be made of it and kept in confidence in a locked cabinet in the files at United Fellowship Lutheran Church.
- Background checks for staff and volunteers are valid for five years.
- When reviewing an applicant's background checks, the following offenses will be taken into consideration:
  - **Failure to disclose criminal history.** This includes convictions and deferred adjudication (sentencing). False statements are subject to immediate termination of work or volunteering at United Fellowship Lutheran Church and to the penalties of 18Pa.C.S.A. §4904, relating to unsworn falsification to authorities.
  - **Probation.** Consider if applicant is currently, or has been, on probation for a crime.
  - **Pending charges.** Even if the court has not heard the charge, applicant should disclose any pending charges. If there are pending charges of any of the below, employment or volunteer work with minors will be deferred until the charges are upheld or cleared.
  - **Adjudicated cases.** Consider if applicant has been convicted or sentenced for any of the offenses listed on the Disclosure Statement Application for Volunteers or the Disclosure Statement Application for Employment, Including Provisional Employment (ex: disqualifying offenses from PA statute):
- Once the background check is completed and reviewed on a prospective staff or volunteer, United Fellowship Lutheran Church has the right to decide if it will hire, call or confirm the volunteering of the applicant. While we confess that we are all sinners and, when repentant, are forgiven by God, a person may be denied any paid employment or volunteer work with minors if he or she has ever been convicted of or pled guilty to any of the offenses listed on the Disclosure Statement Application for Volunteers or the Disclosure Statement Application for Employment, Including Provisional Employment. These include convictions which disqualify an individual from work with minors in the Commonwealth of Pennsylvania (Reference: Section 6344 of the Child Protective Service Law). Generally, any conduct contrary to our current mission may preclude someone from being permitted to work with minors. A disqualifying offense which would keep an individual from working with minors will be determined by the Pastor and/or the President of the Congregation Council on a case-by-case basis and in light of all circumstances, timeframe, and patterns, if any. Failure to disclose a criminal conviction on the application form is a disqualifying offense.

- Applicants will be notified in writing if any deferral or denial of employment or volunteer service is based entirely or in part on any of the background check information.

## **Maintain Confidentiality**

The hiring, calling or volunteering of an individual is done at the discretion of United Fellowship Lutheran Church but should not be completed until all of the facts are known about the applicant. The background checks, records, and results will be maintained in confidence on file in a locked cabinet at United Fellowship Lutheran Church.

## **Christian Conduct**

Just as Jesus did, minors and adults alike will treat other people with respect and love. They will love and respect themselves, too. They will not for any reason hit anyone or abuse anyone verbally or physically.

It is the policy of United Fellowship Lutheran Church not to administer corporal punishment, even if parents have suggested or given permission for it. There should be no spanking, grabbing, hitting, or other physical discipline of minors. Staff or adult volunteers should consult with the staff in charge of the activity if assistance is needed with disciplinary issues. Verbal harassment or threats are not to be tolerated.

## **Drugs, Alcohol, Tobacco, Weapons**

Any kind of illegal drugs, alcohol or misuse of prescription drugs is strictly prohibited by all. All weapons, knives, firearms, laser pointers, or fireworks are strictly prohibited. The use of tobacco products is prohibited by minors and only permitted outside by adults. Adults, please be aware that even secondhand smoke is harmful.

## **Two Adult Rule**

It is our policy that during our activities a minimum of two adults will be in attendance at all times when minors are present. It is suggested that four adults be present at every event so that in the event of any emergency, two adults would be able to handle the emergency and two adults would stay with the rest of the group. These adults will have approved Background Checks. Some classes may have only one adult teacher in attendance during the class session; in these instances, doors to the classroom should follow the Open Door Policy and there should be no fewer than two students with the adult.

Adults leading/coordinating or representing the congregation an activity are not to leave the classroom, church facility, or activity site until all minors (ages 2-17) have been picked up. If an unauthorized person arrives to pick up a minor, the teacher or adult leader will remain at the church activity until the parent arrives. The minor will not be released to an unauthorized person. Adults are to make sure that at least two adults will be present until all minors have been picked up. At no time is one adult to be left alone in a building or at an activity site with any minors.

## **Volunteers who are Minors**

We recognize that there may be times when it is necessary or desirable for individuals who are themselves under age 18 to assist in caring for minors during activities. The following guidelines apply to such volunteers:

- Volunteers who are minors must have completed sixth grade.
- Volunteers who are minors may be evaluated for suitability.
- Volunteers who are minors must be under the supervision of at least one adult volunteer. The Leader/Coordinator of an Activity must be on site.

## **Open Door Policy**

Doors should remain open unless there is an unobstructed window in the door or beside the door. Doors should never be locked while persons are inside the room.

## Restroom Guidelines

Parents are strongly encouraged to have their minor visit the bathroom prior to class or an activity and/or accompany their child(ren) to the bathroom.

For the protection of all, staff or adult volunteer should *never* be alone with a minor in a bathroom with the door closed and never be in a closed bathroom stall with a minor.

## Sick Policy

It is our desire to provide a healthy and safe environment for all of the minors at United Fellowship Lutheran Church. Parents are encouraged to be considerate of other individuals when deciding if a sick child should participate in an activity. Minors who are observed by our staff or adult volunteers to be ill will be separated from other minors and the parent or guardian will be contacted to request that the minor be picked up from the activity.

## Medical Policy

It is the policy of United Fellowship Lutheran Church to only administer prescription or non-prescription medications to minors with a signed Medical and Allergy Information section of the Annual Permission Form for Minors.

When participating in a group event, the taking of prescription medication is the responsibility of the individual taking the medication and/or that individual's parent or guardian. A leader, after obtaining all the necessary information may agree to accept responsibility to be sure a minor takes the necessary medication at the appropriate times.

The Annual Permission Form for Minors must be completed and submitted in advance of activity to the staff or designated leader/coordinator or representative of the congregation.

For overnight events, medications may be administered by a medically trained person, designated adult, parent or guardian of a minor. A minor may administer their own prescription medications or over the counter medications only with the consent of their parent and the staff for the event. All medications, prescription or over the counter, will be kept in a secure place by the adult in charge of medications so that minors will not have direct access to medications. Every effort will be made to keep medical information and medical forms confidential.

A well-equipped and fully stocked First Aid Kit will be available and maintained at all on site church activities, activities with youth, and overnight events.

## Accidental Injuries to Minors

In the event that a minor is injured while under our care, the following steps should be followed:

1. For minor injuries, scrapes, and bruises, staff or adult volunteers will provide First Aid (Band-Aids, etc.) as appropriate and will notify the minor's parent(s) or guardian of the injury.
2. For injuries requiring medical treatment beyond simple First Aid, the parent and/or guardian will immediately be summoned. If warranted by circumstances, an ambulance will be called.
3. Once the minor has received appropriate medical attention, a report of the incident will be completed in the case of injuries requiring treatment by a medical professional.
4. A copy of the incident report will be given to the parent and/or guardian, representative of the congregation or leader/coordinator of the activity. Notification will be given to the Pastor and/or the Congregation Council President.

## Responding to Allegations of the Abuse of a Minor

For purposes of this policy, "minor's abuse" is any action (or lack of action) which endangers or harms a minor's physical, psychological or emotional health and development. Minor's abuse occurs in different ways and may include any of the following:

- **Physical abuse** – any physical injury to a minor which is not accidental, such as hitting, beating, shaking, burning, and biting.

- **Emotional abuse** – emotional injury when the minor is not nurtured or provided with love and security, such as an environment of constant criticism, belittling, persistent teasing, bullying.
- **Sexual abuse** – any sexual activity between a minor and an adult or between a minor and another minor, including activities such as fondling, exhibitionism, intercourse, incest, and pornography.
- **Neglect** – depriving a minor of their essential needs for health, safety, and welfare through negligence, such as adequate food, water, shelter, and medical care.

All forms of sexual misbehavior by clergy and lay leaders is unacceptable within the life of the church. The church should be a safe place where people can worship, learn, work, love, and receive care in a manner that is free from sexual misconduct.

Staff or adult volunteers with minors may have the opportunity to become aware of abuse or neglect of a minor under their care. In the event that an individual involved in the care of minors at United Fellowship Lutheran Church becomes aware of suspected abuse or neglect of a minor under his/her care, this should be reported immediately via <https://www.compass.state.pa.us/cwis/public/home> or by calling 1-800-932-0313.

In the event that an incident of abuse or neglect is alleged to have occurred at United Fellowship Lutheran Church or during our sponsored activities, the following procedure must be followed after the incident is reported:

1. The mandated reporter reports the suspected child abuse immediately to the Pastor of United Fellowship Lutheran Church. If the alleged perpetrator is the pastor, the congregation council president should be notified instead.
2. The incident must be kept confidential for the sake of all parties.
3. The alleged perpetrator of the abuse or misconduct will not be notified because it would interfere with the investigation. Any person who is accused of an incident will be temporarily placed on administrative leave or removed from all position responsibilities until the allegations are dismissed. The PA authorities will contact the alleged perpetrator and carry out the investigation.
4. The parent(s) or guardian of the minor will be notified.
5. United Fellowship Lutheran Church's legal counsel and insurance company agent will be notified. If the alleged perpetrator is a rostered leader (pastor, associate in ministry, diaconal minister, deaconess) of the ELCA, the NEPA Synod bishop must be contacted. An incident report will be completed.
6. We will cooperate with any investigation of the incident by state or local authorities. In the event there is no investigation of the incident by state or local authorities, a team from United Fellowship Lutheran Church will be formed to review the incident. The team will consult with the Pastor and/or Congregation Council President and/or our insurance company agent and/or legal counsel.
7. Any person who is found guilty of the alleged abuse or misconduct will be removed from their position with minors.
8. The Pastor and/or the Congregation Council President will be our spokesperson(s) to the media concerning incidents of abuse or neglect, unless he or she is alleged to be involved. All other staff or adult volunteers or other persons involved should refrain from speaking to the media or discussing the incident. If asked, they will respond, "no comment".
9. A pastoral visit will be arranged for those who may desire it.
10. It is affirmed and expected that persons who report harassment or misconduct will not be retaliated against, that everyone with knowledge of alleged wrongs is expected to come forward, and that persons who give false information and/or reports will be disciplined.