Statement of Purpose and Policy For First Presbyterian Church of South Charleston Events Involving Children, Youth and Persons with Disabilities

I. Purpose

Our purpose for establishing this Policy for First Presbyterian Church of South Charleston Events Involving Children, Youth and Persons with Disabilities (Safe Child Policy) is to demonstrate our total and unwavering commitment to the physical, emotional and spiritual safety of our children, youth and vulnerable adults.

II. Covenant Statement

The First Presbyterian Church of South Charleston (Church) pledges to conduct the ministry of Jesus Christ in ways that assure the physical and emotional safety and spiritual growth of all of our children, youth and vulnerable adults as well as all of our Staff and regular volunteers who work with children, youth and vulnerable adults. We will follow reasonable safety measures when selecting and recruiting workers; we will implement appropriate operational procedures in all areas of programming and care; we will train our Staff and regular volunteers who work with children, youth and vulnerable adults on our procedures and policies; and we will have a clearly defined procedure for reporting a suspected incident of abuse consistent with West Virginia State law.

III. Implementation of Safe Child Policy

The Safe Child Policy Oversight Team will be charged with overseeing the implementation of the Safe Child Policy. The Safe Child Oversight Team will consist of the Pastor of the Church, the Church Youth Worker, the active Ruling Elder(s) serving on the Education Committee, the active Ruling Elder(s) serving on the Administration Committee, and the Clerk of Session.

IV. Staff and Regular Volunteer Recruitment and Selection Guidelines

A. Information/Application/Acknowledgement Forms

Church paid employees and regular volunteers for children, youth, and persons with disabilities programs of the Church will be required to (1) provide certain personal and confidential information and (2) sign an acknowledgement of receipt of this Policy for First Presbyterian Church of South Charleston Events Involving Children, Youth and Persons with Disabilities. (Appendix E). Paid Church employees involved in Church-related programs for children, youth, and persons with disabilities will also be required to complete a Background Check Consent Form that will be obtained from the Presbytery of West Virginia (providing personal and confidential information necessary to perform criminal and driving records checks (where appropriate)) on each individual.

All Applicants for paid Staff positions involving children and youth must be interviewed for suitability for the position for which they are applying. Church leaders charged with hiring Staff will interview applicants and check three references for each applicant. The reference checking will be done by phone, mail or in person. Criminal background checks will be made on all clergy and paid fulltime or part-time Staff who have supervisory program responsibility for children and/or youth (e.g., youth group leaders), prior to employment, to determine current or historic child abuse or sexual misconduct, criminal records, violent or pedophiliac behavior.

At least one of the unpaid regular volunteer workers involved with a Church sponsored youth program must either have been a member of or regularly participated in Church events for six (6) months, who has carefully read the policy and by carefully reading the policy received training on the policy.

B. Prior Convictions

Whether disclosed voluntarily or by result of the criminal record check, the following items will automatically disqualify a person from participating in the leadership or sponsorship of any child or youth activity or activity involving vulnerable adults: Any pending indictment alleging the offense of, or any conviction for: murder; aggravated assault; sexual abuse; sexual assault (rape); aggravated assault; injury to a child; incest; indecency with a child; inducing sexual conduct or sexual performance of a child; possession or promotion of child pornography; the sale, distribution, or display of harmful material to a minor; employment harmful to children; or abandonment or endangerment of a child. If a person is cleared of all charges without conviction, then the Safe Child Oversight Team may reconsider the person's application to participate in Church events involving children, youth and vulnerable adults.

C. Confidentiality of Information

The Church will keep confidential all information received in the application selection process. It shall be a violation of this policy for any person to share confidential information obtained from the Background Check Consent Form or the Information Acknowledgement Consent Form for Staff and Regular Volunteers Working with Children, Youth and Persons with Disabilities other than in the manner described below. Only the Pastor and person(s) who facilitate any background check (e.g. Presbytery when Presbytery arranges background check) will have access to the Background Check Consent Form. Once the background check is completed, the Background Check Consent Form for Staff and Regular Volunteers Working with Children, Youth and Persons with Disabilities and results of the background check will be stored in a locked location with limited access afforded only to the Safe Child Oversight Team. Under no circumstances may any member of the Child Oversight

Team be allowed to share the confidential information contained in the application other than to do criminal background and driving records checks unless the Church by West Virginia law is required to share certain information. The Child Oversight Team will be responsible for keeping a list of persons who have successfully completed the application form, any needed background check, and training that is publicly available to Church leaders who are responsible for Church programming involving children, youth and persons with disabilities as well as to anyone who requests to see this list.

V. Staff/Regular Volunteer Supervision Guidelines

A. Presence of Two Adults (2 persons) or One Adult and two youth/children with one youth being 13 years old or older (3 persons), or Be in Open Area with People The best practice is to have two adults (at least 18 years old) (2 persons) or one adult and two youth/children (3 persons) with one of the youths/children being 13 years old or older present during any Church activity involving children and youth (e.g., Sunday school, youth group, Music and Drama at WOW, Vacation Bible School, any special activity involving children/youth). One of the adults at the activity involving children and youth must have been a Church member for 6 months or actively participated in Church events for 6 months and must have read and acknowledged this policy.

If it is not possible to have two adults or one adult and two youth/children with one youth being 13 years or older (e.g., second adult fails to appear, or only one child/youth and one adult appears, or the situation requires that only one adult be present (e.g. counseling)), then all interactions between adult and child/youth shall take place in a public place where interactions can be observed (e.g. move Sunday school class to fellowship hall or sanctuary; meet in separate, but public location), and if at all possible, another adult is to have knowledge of Church Staff/Regular Volunteer's whereabouts and with whom they are meeting. If there is no public place available (a place where other adults are present from time to time such as the Fellowship Hall when other adults are present in the building), then there must be two adults present or one adult and two youth/children with one of the youth/children being 13 years old or older. Exceptions to having two adults or one adult and two youth with one youth being 13 years or older or being in public area where interactions can be observed would be: (i) in the event of an emergency and/or a child in direct harm; or (ii) when prior permission has been given by a parent/guardian concerning transportation (see Appendix C for permission form). For overnight events, there must be two adults except in cases of an emergency.

B. Open Door Policy

Parents or guardians of children served, the Pastor, and any member of the Safe Child Oversight Team have the right to visit and observe the children/youth activity, classroom, or church-sponsored program at any time, unannounced.

C. Touch

Physical affection should be appropriate for the age of the child or youth (e.g., it is generally appropriate for a four-year-old to sit in a nursery worker's lap, but it is inappropriate for a teenager and youth leader to behave this way).

Ideally, touching and affection should only be given when in the presence of other children/youth Church Staff or volunteers. It is much less likely that touches will be inappropriate or misconstrued as such when two adult workers are present and the touching is open to observation. This is especially important when diapering a baby or helping young children change clothes or use the restroom.

A child's preference not to be touched should be respected. Do not force affection upon a reluctant child. Church Staff and volunteers working the children and youth are responsible to protect children under their supervision from inappropriate touching by others.

Church Staff and volunteers working with children and youth must promptly discuss inappropriate touching or other questionable behavior that they observe or that has been reported to them with someone on the Safe Child Oversight team (e.g., child tells Church Staff or regular volunteer someone has inappropriately touched them).

D. Outings Away from Church Property and Overnight Stays on Church Property

All children and youth participating in out-of-town and over-night outings must have written consent and a signed medical release form (Appendix D or form provided by event sponsor of a particular event such as a Presbytery sponsored event or youth mission trip sponsor). Consent and medical release forms may be completed for a one-year period and must be renewed annually. In no circumstances is one adult to take children or youth on an overnight outing or lead an overnight Church event on Church property alone (except for the transportation exception or emergency exception discussed above in paragraph V. A). Any overnight stays on Church property or overnight Church related outings will require a female and male adult leader involved in the overnight event if the event involves children, youth or persons with disabilities of both genders. If the mixed gender group is small enough to sleep in the same room, then one adult of the female gender and one adult of the male gender must be present. If persons are separated by gender into two rooms, then two Female Church Staff or Volunteers will supervise female youth in their sleeping quarters and

two Male Church Staff or Volunteers will supervise the male youth in overnight stays. With the exception of parent/child combination, neither Church Staff nor Volunteers will occupy the same bed or sleeping bag as the child or youth.

E. Classroom Discipline

All Church Staff and Volunteers working with children and youth will use the following discipline measures:

- i. If a child is behaving inappropriately, the Church Staff or Volunteer will tell the child specifically what he/she is doing that is not acceptable and state what is expected behavior (e.g., "We do not throw blocks. We use blocks for building.").
- ii. If this measure is not effective, the child is to be guided to another activity.
- iii. If the inappropriate behavior continues, the child may be placed at a table or some place in the open classroom or room to work alone away from the other children.
- iv. If the child's disruptive behavior continues after these steps are taken, then the teacher should notify the parents or guardian (and if needed a member of the Safe Child Oversight Team).
- v. No physical punishment or verbal abuse (e.g., ridicule) is to be used at any time. If isolating the child within the classroom or room becomes necessary, the situation will be discussed with the child's parents/guardian as soon as possible.

F. Training and Verification of Reading Policy Statement

Prior to working with children, youth and vulnerable adults, all Church Staff and Regular Volunteers will be required to review this policy. All Church Staff or Regular Volunteers must thereafter complete and sign an Information Acknowledgement Consent Form acknowledging receipt of the Safe Child Policy and turn the form in to the Pastor or other member of the Safe Child Policy Oversight Team (Appendix E). All paid Church Staff must also complete a Background Check Consent Form that the Church will provide from the Presbytery and the turn the form in to the Pastor. All Church Staff and Regular Volunteers are required to carefully read over this policy and acknowledge they have carefully read over this policy as training on the Church's Safe Child Policy.

VI. Response by Church Staff and Regular Volunteers to Allegations of Abuse

In order to maintain an environment free of destructive acts toward all children, youth and persons with disabilities, the Staff, employees, teachers, parents and regular volunteers of the First Presbyterian Church of South Charleston must be aware of their individual responsibility to report any questionable circumstances, observation, act, omission or situation thought to be in violation of this Policy. All questions or concerns of any suspected abusive behavior or harassment shall be directed to the Pastor or his or her designee if unavailable. West Virginia law requires the prompt reporting of suspected abuse to the State Department of Health and Human Resources Child Protective Services (CPS), and, in the event of sexual abuse, to the State Police and/or any law-enforcement agency having jurisdiction. (See Appendix A).

In the event anyone personally witnesses, suspects or is made aware of an alleged violation of this policy he/she should follow these steps to insure the security and protection of all persons involved:

- A. IMMEDIATELY ensure the protection of and tend to the immediate needs of the child or youth, as the situation requires (including contacting 911, law enforcement, and/or Child Protective Services (1-800-352-6513) if needed).
- B. IMMEDIATELY notify the Designated Person (person who is in charge of the Church event) or Pastor or his or her designee if the Pastor is unavailable or a member of the Child Protection Oversight Team. Do NOT leave the alleged victim alone to report the incident. (Note: If the Designated Person is the alleged abuser, then contact another member of the Child Protection Oversight Team. If the Pastor is the alleged abuser, then immediately contact another member of the Child Protection Oversight Team who should immediately notify the General Presbyter or Stated Clerk of the Presbytery of West Virginia and seek advice on how to proceed
- C. The person who witnesses or reports an incident is not responsible for investigating or intervening in the alleged event outside of securing the safety of those involved.
- D. Complete an incident report which will be provided by the Designated Person (Appendix B); this will be given to law enforcement/DHHR (CPS). A copy will be kept on file.
- E. The Designated Person will immediately report the incident to the person legally responsible for the victim (Note: if one or both parents is the alleged abuser, contact the proper authorities (law enforcement/DHHR (CPS) and follow their advice about notification of the parents/guardians).
- F. Maintain the confidentiality of the accused, the accuser and the victim.
- G. The Designated Person shall ensure the Incident report is completed immediately and the incident is promptly reported to the Church's insurance provider by contacting the Church Trustee who oversees the Church's insurance.
- H. The Pastor (via the Child Protection Oversight Team) bears the responsibility for official communication on behalf of the First Presbyterian Church of South Charleston. Other than required reporting to the authorities as stated above, all

Church Staff and volunteers working with children and youth should be instructed that any other communications about any incidents come only from the Pastor or other Designated Person. No Church Staff or volunteers with children and youth shall make comments. Care will be taken to safeguard the privacy and confidentiality of all involved. The spokesperson should generally convey that the matter is under investigation and any comments made prior to the conclusion of the investigation would be premature.

VII. Consequences of Alleged Violation of the Child Protection Policy

A. Once the proper authorities have been contacted and the safety of the child or youth is secured, the Pastor or other Designated Person may tell the accused that a report has been made. If the accused is a volunteer or paid Staff of the Church, that person shall be relieved temporarily of his or her duties associated with children and/or youth until the investigation is finished. Such removal does not assume guilt but makes the top priority the protection of those who are most vulnerable. Unless there are other reasons supporting complete dismissal of a paid Staff of the Church from employment, any paid Staff of the Church accused of violating the Child Protection Policy will be paid until the investigation is complete.

Any person, who after formal due process, has been found guilty of abuse shall ordinarily be prohibited from future participation in all children and youth activities and programs of the Church. After formal due process, if the person has been found guilty of abuse is an employee of the Church, then the Administration Committee shall report this to Session. Session shall make decisions regarding that person's employment.

B. Failure to report a violation the Child Protection Policy to the Designated Person in a timely manner shall be considered a procedural violation of this Policy. This violation may be grounds for termination of employment, or for suspension or dismissal from participation in all children and youth activities and programs of the Church.

VIII. Availability of Safe Child Policy and Forms

A paper copy of this policy will be available in the elder mailbox room in the Safe Child Policy mailbox. An electronic copy of this policy may be found on the Church's website at www.fpcscwv.org.

IX. Effect of other policies

A. To the extent this policy conflicts with any prior policy adopted by the Church this policy supersedes the portion of the prior policy that is in conflict.

B. This policy does not cover the Oakhurst Child Care Center, which has its own standards and procedures in compliance with State regulation.

APPENDIX A

West Virginia Child Abuse Reporting Laws (from the 2017 edition of the W. Va. Code) (Please note: the W. Va. Legislature may amend these Code sections)

§49-2-801 Purpose. PART VIII. REPORTS OF CHILDREN SUSPECTED OF ABUSE.

It is the purpose of this article through the complete reporting of child abuse and neglect:

(1) To protect the best interests of the child;

(2) To offer protective services in order to prevent any further harm to the child or any other children living in the home;

(3) To stabilize the home environment, to preserve family life whenever possible;

(4) To promote adult responsibility for protecting children; and

(5) To encourage cooperation among the states to prevent future incidents of child abuse and neglect and in dealing with the problems of child abuse and neglect.

§49-2-803 Persons mandated to report suspected abuse and neglect; requirements.

(a) Any medical, dental, or mental health professional, Christian Science practitioner, religious healer, school teacher or other school personnel, social service worker, child care or foster care worker, emergency medical services personnel, peace officer or law-enforcement official, humane officer, member of the clergy, circuit court judge, family court judge, employee of the Division of Juvenile Services, magistrate, youth camp administrator or counselor, employee, coach or volunteer of an entity that provides organized activities for children, or commercial film or photographic print processor who has reasonable cause to suspect that a child is neglected or abused, including sexual abuse or sexual assault, or observes the child being subjected to conditions that are likely to result in abuse or neglect shall immediately, and not more than 24 hours after suspecting this abuse or neglect, report the circumstances to the Department of Health and Human Resources. In any case where the reporter believes that the child suffered serious physical abuse or sexual abuse or sexual assault, the reporter shall also immediately report to the State Police and any law-enforcement agency having jurisdiction to investigate the complaint. Any person required to report under this article who is a member of the staff or volunteer of a public or private institution, school, entity that provides organized activities for children, facility, or agency shall also immediately notify the person in charge of the institution, school, entity that provides organized activities for children, facility, or agency, or a designated agent thereof, who may supplement the report or cause an additional report to be made: Provided, That notifying a person in charge, supervisor, or superior does not exempt a person from his or her mandate to report suspected abuse or neglect.

(b) County boards of education and private school administrators shall provide all employees with a written statement setting forth the requirements contained in this section and shall obtain and preserve a signed acknowledgment from school employees that they have received and understand the reporting requirement.

(c) Nothing in this article is intended to prevent individuals from reporting suspected abuse or neglect on their own behalf. In addition to those persons and officials specifically required to report situations involving suspected abuse or neglect of children, any other person may make a report if that person has reasonable cause to suspect that a child has been abused or neglected in a home or institution or observes the child being subjected to conditions or circumstances that would reasonably result in abuse or neglect.

(d) The provisions of this section are not applicable to persons under the age of 18.

§49-2-805 Educational programs; requirements.

Subject to appropriation in the budget, the department shall conduct educational and training programs for persons required to report suspected abuse or neglect, and the general public, as well as implement evidence-based programs that reduce incidents of child maltreatment including sexual abuse. Training for persons require to report and the general public shall include:

- (1) Indicators of child abuse and neglect;
- (2) Tactics used by sexual abusers;
- (3) How and when to make a report; and

(4) Protective factors that prevent abuse and neglect in order to promote adult responsibility for protecting children, encourage maximum reporting of child abuse and neglect, and to improve communication, cooperation and coordination among all agencies involved in the identification, prevention and treatment of the abuse and neglect of children.

§49-2-809 Reporting procedures.

(a) Reports of child abuse and neglect pursuant to this article shall be made immediately by telephone to the local department child protective service agency and shall be followed by a written report within forty-eight hours if so requested by the receiving agency. The state department shall establish and maintain a twenty-four hour, seven-day-a-week telephone number to receive those calls reporting suspected or known child abuse or neglect.

(b) A copy of any report of serious physical abuse, sexual abuse or assault shall be forwarded by the department to the appropriate law-enforcement agency, the prosecuting attorney or the coroner or medical examiner's office. All reports under this article are confidential. Reports of known or suspected institutional child abuse or neglect shall be made and received as all other reports made pursuant to this article.

§49-2-812 Failure to report; penalty.

(a) Any person, official or institution required by this article to report a case involving a child known or suspected to be abused or neglected, or required by section eight hundred nine of this article to forward a copy of a report of serious injury, who knowingly fails to do so or knowingly prevents another person acting reasonably from doing so, is guilty of a misdemeanor and, upon conviction, shall be confined in jail not more than ninety days or fined not more than \$5,000, or both fined and confined.

(b) Any person, official or institution required by this article to report a case involving a child known or suspected to be sexually assaulted or sexually abused, or student known or suspected to have been a victim of any non-consensual sexual contact, sexual intercourse or sexual intrusion on school premises, who knowingly fails to do so or knowingly prevents another person acting reasonably from doing so, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail not more than six months or fined not more than \$10,000, or both.

Note: The State Department of Human Services may be reached at 1-800-352-6513 24 hours a day. This is a confidential report. Call 911 if police or medical help is needed.

APPENDIX B

INCIDENT REPORT FORM (m	ay use back of form if space needed)
Reason for report	
Date of incident	Time
Name of Reporter	Title
Name(s) of Child(ren), or Vulnerable Adult and Ages	
Quote the child's first words verbatim to extent pos	sible:
Briefly describe child's/youth's/vulnerable adult's b	ehavior/appearance:
Briefly describe what happened	
What action did you take?	
Has the incident been resolved? yes Were there any witnesses? If yes, list names:	
Signatures of witnesses (if possible):	
Signature of Reporter:	
Report submitted to:	Date Submitted: -

APPENDIX C

Waiver of Two-Adult Rule for Transportation (Note: This form needs to be signed by a parent/legal guardian and witnessed by an unrelated adult not on the trip)

The Safe Child Policy of the First Presbyterian Church of South Charleston requires two adults or one adult and two youth/children (3 persons) with one of the youths/children being 13 years old or older to be present at all activities involving children, youth and persons with disabilities unless the interaction is in a public place or there is an emergency situation as discussed in V.A. of the Safe Child Policy. There are specific exceptions to this requirement including "when prior permission has been given by a parent/guardian concerning transportation." There may be circumstances in providing transportation to and from Church events in which only one adult is present in a vehicle. This completed form will enable us to facilitate transportation needs as we also seek to keep your children and youth safe.

I hereby give my permission for my child,	,
To be alone with	(please
insert names of particular adults or staff) in appropriat	e ways and settings for transportation
purposes.	
	$(\mathbf{D}_{\mathbf{a}}, \mathbf{a}_{\mathbf{b}})$

_ (Parent/Legal Guardian print name)
_ (Parent/Legal Guardian sign name)
_ (Witness by adult not involved in event)
-

_____ (Date)

Medical Release Form and Insurance Information

To be completed for each family member participating in an out of town or overnight outing. This form may cover a one-year period of Church sponsored events but must be renewed annually. If your child's medical or insurance information changes, please update this form immediately so the Church has the most accurate information available.

Name of child (children), youth and/or adult family member participating:

Address: _____

Current Medications (list for each family member): _____

Surgeries (list for each family member): _____

Special Dietary Needs of those in your family: _____

Please indicate by name any who are attending an out of town event or overnight outing in your family who have a history with:

Hay fever	Convulsions	Lung Problems		
Bee stings	Blood pressure problems	Ulcers		
Fainting	Kidney problems	Cancer		
Asthma	Heart disease	Diabetes		
Sulfa Drug Allergy	Poison Ivy or Oak	Penicillin Allergy		
Other Illnesses or Conditions:				
In case of emergency, please contact		who is		
In relationship to the child or youth at phone number: Day		Night		

Insurance Information:

Company:		
Address:		
Policy No.:	_Name on policy:	
Names of those covered by this policy: _		

In the event I, or any member of family am in need immediate medical care, I give permission for those in charge of the out of town or overnight outing to seek appropriate medical care for us if I am unable to do so myself.

FIRST PRESBYTERIAN CHURCH OF SOUTH CHARLESTON INFORMATION ACKNOWLEDGEMENT CONSENT FORM FOR STAFF AND REGULAR VOLUNTEERS WORKING WITH CHILDREN, YOUTH AND PERSONS WITHDISABILITIES (use back for form if more space needed)

1. Name (please print last, first, middle and maiden name)

______- (Last) ______ (First) ______(Middle) ______(Maiden)

If you have ever used another name, please indicate the name and the time period(s) used:

Current Address: How long have you lived at th How long have you lived in W	is address?	
Gender: MF Home Phone:	Birth date:	_
Place of Employment: Work Phone:		

- Driver's License Number: _______
 Have you ever had your driver's license suspended or restricted for any reason? ______ If yes, please describe the dates and reasons for each occurrence on the back of this form.
- 4. Have you served as a volunteer at any church in the past ten years? If so, please state the name and address of the church, the pastor of the church, the time period(s) of your volunteer work and describe generally the nature of your volunteer work:

- 5. Have you served as a volunteer for any civic organization in the past ten years? If so, please state the name and address of that organization, the person overseeing the volunteer work, the time period(s) of your volunteer work and describe generally the nature of your volunteer work. Please indicate which organizations involved working with children and youth.
- 6. Have you ever been arrested, charged, indicted or convicted for any criminal offense (misdemeanor or felony) other than a traffic violation? _____ (If yes, please explain on the back).
- 7. Have you ever been subject to any disciplinary action, complaint or allegations that you violated any employer's or any organization's policy concerning sexual misconduct? _____ (if yes, please explain on the back).
- 8. References: Please list the names, addresses, occupations, and telephone numbers of three people who are not related to you who are familiar with your character and abilities. Please be aware we reserve the right to contact references at any time.

<u>Name</u>	<u>Address</u>	Occupation	Work Phone	<u>Home Phone</u>

- 9. By signing this form, I am acknowledging that I understand and agree that:
 - a. All information that I have provided may be verified. I agree to release from liability any person or organization that provides information concerning me, including these persons I have listed as references.
 - b. I understand and agree that any information received will not be disclosed to me, and I hereby waive any right I may have to inspect any information provided about me by any person or organization identified by me on this form.
 - c. By signing this form, I certify and affirm that the information I have given is true, complete, and correct in all respects.
 - d. I have carefully read, understood, and agree to abide by this Policy for First Presbyterian Church of South Charleston Events Involving Children, Youth and Persons with Disabilities (Safe Child Policy).

Signature:	Date	

This form is confidential and will be kept in a locked file.