

# Trinity United Methodist Church

## CHILD PROTECTION POLICY AND PROCEDURES<sup>1</sup>

### I. PURPOSE

To help Trinity United Methodist Church ("Trinity") provide a caring and secure environment for children and youth in all phases of church life and to help protect the employees and volunteers of Trinity from false allegations of misconduct.

### II. BIBLICAL FOUNDATION

Trinity seeks to express God's love of children and provide for their personal wholeness. This caring community seeks to prevent child abuse of any form to our children and youth, and to be in ministry to families where abuse may occur. The Bible is foundational to our understanding upon which all policies, procedures, and ministries must stand.

*And they were bringing children to him, that He might touch them, and the disciples rebuked them. But when Jesus saw it He was indignant, and said to them, "Let the children come to me, do not hinder them; for to such belongs the kingdom of God. Truly, I say to you, whoever does not receive the kingdom of God like a child shall not enter it." And He took them in his arms and blessed them, laying his hands upon them.*

Mark 10: 13-16

Jesus teaches us explicitly that children have the right and the keys to the Kingdom of God. He demonstrated this through blessing and touch. Our goal in response to this Biblical mandate is to maintain a safe, secure, and loving place where children may grow; a place where care givers, teachers and leaders (both paid and volunteer) minister appropriately to their needs.

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<sup>1</sup> Originally adopted by Administrative Board on 6/21/95. There was a name change and review by Council on Ministries on 1/7/98. The policy was reviewed by Board of Trustees on 1/28/98. This current policy was reviewed & adapted by Child Protection Task Force, reviewed and approved by Trustees, and approved by Church Council. This policy was originally adopted and effective November 1, 2007, and will be revised from time to time.

**III. SELECT PROVISIONS OF VIRGINIA'S CHILD ABUSE LAW**

Trinity has adopted the following definitions as set forth in Va. Code Ann. § 63.2-100. Below are the relevant provisions of Virginia law:

"Abused or neglected child" means any child less than 18 years of age:

1. Whose parents or other person responsible for his care creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such child a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement, or impairment of bodily or mental functions, including but not limited to, a child who is with his parent or other person responsible for his care either (i) during the manufacture or attempted manufacture of a Schedule I or II controlled substance, or (ii) during the unlawful sale of such substance by that child's parents or other person responsible for his care, where such manufacture, or attempted manufacture or unlawful sale would constitute a felony violation of § [18.2-248](#);
2. Whose parents or other person responsible for his care neglects or refuses to provide care necessary for his health. However, no child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination shall for that reason alone be considered to be an abused or neglected child;
3. Whose parents or other person responsible for his care abandons such child;
4. Whose parents or other person responsible for his care commits or allows to be committed any act of sexual exploitation or any sexual act upon a child in violation of the law; or
5. Who is without parental care or guardianship caused by the unreasonable absence or the mental or physical incapacity of the child's parent, guardian, legal custodian or other person standing in loco parentis.

Trinity has adopted the following provisions of Va. Code Ann. § 63.2-1509 dealing with who must report certain injuries to children and the penalty for failure to report under Virginia law. 63.2-100. Below are the relevant provisions of Virginia law:

- A. The following persons who, in their professional or official capacity, have reason to suspect that a child is an abused or neglected child, shall report the matter immediately to the local department of the county or city wherein the child

resides or wherein the abuse or neglect is believed to have occurred or to the Department's toll-free child abuse and neglect hotline:

1. Any person licensed to practice medicine or any of the healing arts;
  2. Any hospital resident or intern, and any person employed in the nursing profession;
  3. Any person employed as a social worker;
  4. Any probation officer;
  5. Any teacher or other person employed in a public or private school, kindergarten or nursery school;
  6. Any person providing full-time or part-time child care for pay on a regularly planned basis;
  7. Any duly accredited Christian Science practitioner;
  8. Any mental health professional;
  9. Any law-enforcement officer;
  10. Any mediator eligible to receive court referrals pursuant to § [8.01-576.8](#);
  11. Any professional staff person, not previously enumerated, employed by a private or state-operated hospital, institution or facility to which children have been committed or where children have been placed for care and treatment;
  12. Any person associated with or employed by any private organization responsible for the care, custody or control of children; and
  13. Any person who is designated a court-appointed special advocate pursuant to Article 5 (§ [9.1-151](#) et seq.) of Chapter 1 of Title 9.1.
- C. Any person who makes a report or provides records or information pursuant to subsection A or who testifies in any judicial proceeding arising from such report, records or information shall be immune from any civil or criminal liability or administrative penalty or sanction on account of such report, records, information or testimony, unless such person acted in bad faith or with malicious purpose.

In addition, although not required by law to do so, anyone else who knows or reasonably suspects child abuse should report such suspected child abuse immediately.

#### IV. TYPES OF ABUSE

Trinity does not condone any abuse at anytime of anyone. The Virginia Department of Social Services has provided some useful definitions that Trinity is adopting:

**Child abuse:** An act committed by a parent, caregiver, or person in a position of trust (even though he/she may not care for the child on a daily basis) which is not accidental and which harms or threatens to harm a child's physical or mental health or welfare.

**Physical Abuse:** A physical injury, threat of injury, or creation of a real and significant danger of substantial risk of death, disfigurement, or impairment of bodily functions. Such injury or threat of injury, regardless of intent, is inflicted or allowed to be inflicted by non-accidental means. Examples: asphyxiation, bone fracture, brain damage, skull fracture, subdural hematoma, burns, scalding, cuts, bruises, welts, abrasions, internal injuries, poisoning, sprains, dislocations, gunshot, stabbing wounds.

**Physical Neglect:** The failure to provide food, clothing, shelter, or supervision for a Child if the Child's health or safety is endangered. Physical neglect may include multiple occurrences or a one-time critical or severe event that results in a threat to health or safety, such as a toddler left alone. Other types of neglect include abandonment, inadequate supervision, inadequate clothing, inadequate shelter, inadequate personal hygiene, inadequate food, and malnutrition.

**Sexual Abuse:** Any act defined in the *Code of Virginia* that is committed or allowed to be committed, upon a Child by his/her parent or other person responsible for the Child's care. Examples of such abuse are sexual exploitation, sexual molestation, intercourse/sodomy, and other sexual abuse.

**Medical Neglect:** The refusal or failure by a care giver to obtain and/or follow through with a complete regimen of medical, mental, or dental care for a condition, which if untreated, could result in illness or developmental delays.

**Failure to Thrive:** A syndrome of infancy or early childhood that is characterized by growth failure, signs of severe malnutrition, and variable degrees of developmental retardation. Children are considered to be in this category only when the syndrome is diagnosed by a physician and is caused by non-organic factors.

**Mental Abuse/Neglect:** A pattern of acts or omissions by the caregiver that results in harm to a Child's psychological or emotional health or development.

**Educational Neglect:** The failure of the Child's caretaker to ensure that the Child attends school or an approved alternative program of study.

**Bizarre Discipline:** Any actions in which the caregiver uses eccentric, irrational, or grossly inappropriate procedures or devices to modify the Child's behavior.

**V. REDUCING THE RISK OF CHILD ABUSE**

In an effort to create the safest possible environment within Trinity, several abuse prevention measures will be utilized.

**A. Child Protection Committee**

The Senior Minister, Chair of Church Council and Chair of the Trustees will select a five person child protection committee (the "Child Protection Committee") through a formal interview process. The interview process will focus on the core values of the people being considered for the Child Protection Committee, including but not limited to, the ability to keep matters confidential, honesty, and loyalty. The Child Protection Committee members will be required to sign a confidentiality agreement. The Child Protection Committee will review the background checks and other forms submitted by employees and volunteers to determine compliance with the Child Protection Policy and Procedures.

The Child Protection Committee will be represented on Church Council. One member of the Child Protection Committee will serve as the pro-active/representative member and will perform Church Council duties as well as serve as the liaison to Trinity and non-Trinity user groups who must adhere to the Child Protection Policy. The representative member will also seek to ensure that the concepts and requirements of the Child Protection Policy are integrated into existing and new ministries of Trinity. The remaining four members of the Child Protection Committee will continue to process application/background searches and maintain the database of screening forms and approved persons. (The Child Protection Committee will maintain a Confidential "Practice and Procedures" document that will detail methods and requirements for the maintenance of the database containing approved, in process, and unapproved persons.)

Each member of the Child Protection Committee shall serve a term of two years beginning on August 1 and ending on July 31. It is the intention that the original Committee members rotate terms in stages; therefore, the first Committee (August 1, 2007 appointment) may serve terms ranging from 1 to 3 years to accomplish a smooth transition of responsibilities.

All completed screening forms and criminal record checks shall be maintained in a locked and secured file drawer under the joint direction and control of the Chair of Church Council and the Child Protection Committee.

In the case of Trinity's Pre-School, the cost of criminal record checks for the Pre-School staff shall be borne by the Pre-School and the screening forms and criminal record checks shall be maintained in a locked and secured file drawer under the joint direction and control of the Child Protection Committee and the Pre-School Director.

**B. Trinity Sponsored and Non-Trinity Sponsored User Groups Involving Youth**

Trinity sponsored youth activities shall comply with all sections of the Child Protection Policy. An exception to this requirement may be made for groups, programs, or activities that meet in a non-classroom or open forum setting (i.e. the Sanctuary or Trinity Hall), for which the Six Month Rule (as defined below in Section F) will be waived, provided a minimum of two adults are on-site during the event who meet all of the criteria for working with youth, including the Six Month Rule.

All Non-Trinity groups are required to execute and submit the Trinity Building Use Agreement to the Trinity office personnel prior to utilizing the facilities. The Trinity Building Use Agreement makes reference to the Child Protection Policy and an authorized representative of each Non-Trinity group will be required to read and document their understanding of the Child Protection Policy, and agree to abide by provisions of the Child Protection Policy (as applicable). Use of the Trinity property without a signed Trinity Building Use Agreement is deemed to be unauthorized use of the property.

**Deleted:** The applicable sections include Sections B, C, E, and H of Article V. of the Child Protection Policy

**C. Employee and Volunteer Screening/ Reference Checks**

Effective November 1, 2008, all Trinity employees and any volunteers that work with children or youth under the age of 18 (e.g., children's teachers, child care workers, Pre-School teachers and aides, scout and youth leaders, etc.), in Trinity sponsored or non-Trinity sponsored programs, will be asked to sign a statement that he/she has never pled guilty to or no contest to or been convicted of child abuse or had such a conviction expunged and shall sign a release so a National Criminal Records Background check can be completed.

These statements shall be part of a screening form (copy attached), which will also ask for the following: general information, criminal convictions; social security number; date first active at Trinity; prior church membership(s); prior church volunteer work; two references from prior volunteer activities or if the person does not have prior

volunteer activities, then two references from prior high school or college teachers that know the person's character traits.

Trinity will require a valid state driver's license or other photographic identification to confirm identity. No one who has had a child abuse conviction or has had a prior conviction expunged -- or who refuses to complete this screening form -- will be permitted to work with Trinity's children or youth.

National Criminal Records Background checks must be renewed every 5 years in order for Trinity employees and volunteers to remain in compliance with the Child Protection Policy. The renewals will be paid for by Trinity.

**D. Training**

Before beginning the first year of service following the adoption of the Child Protection Policy, all Trinity employees and volunteers (including but not limited to, child care workers, Pre-School teachers and aides, children's Sunday School teachers and youth workers, and teachers) will be required to read Trinity's Child Protection Policy and sign a statement indicating that they have read, understand, and agree to abide by it. This statement shall be part of the screening form (copy attached). Such persons also will be required to attend one training session related to Trinity's Child Protection Policy during the course of their first year of service following the adoption of the Child Protection Policy. Subsequent annual training sessions will be required of all Trinity employees and volunteers to remain in compliance with the Child Protection Policy. The Pre-School Director will ensure that annual training is provided for Pre-School teachers and aides. Anyone failing to sign this statement will be contacted. If the employee or volunteer does not sign the statement after being contacted, that person will not be permitted to serve until the Child Protection Policy has been read and the form signed.

Girl Scout and Boy Scout leaders and leaders of other groups of children or youth who regularly use Trinity's facilities also will be required to read the Child Protection Policy and sign the acknowledgement form. Trinity's facilities will not be available to any children's or youth group whose leaders refuse to read the Child Protection Policy and sign the acknowledgement form. Any other children's or youth groups who seek to use Trinity's facilities will be given a copy of the Child Protection Policy and be required to comply therewith as a condition to the use of such facilities.

**E. The Two Adult Rule**

An "adult" is defined as an individual that is eighteen years of age or older. A "primary" adult, leader, teacher, or helper is defined as an adult who has:

- ① satisfied the background check;
- ② attended training;

- ③ signed an agreement to follow Child Protection Policy;
- ④ is at least five years older than the oldest youth they are supervising; and
- ⑤ complies with the 6 month rule.

Adults will be assigned in teams of two or more per Sunday School hour to every class of children or youth. A concerted effort will be made to recruit sufficient numbers of volunteers to permit such team teaching. Other church-sponsored or community groups of children or youth who meet at the church should have two or more leaders present. If the group stays overnight at the church, or if a church sponsored group leaves the premises, two or more leaders must be present and should include at least one male and one female if the group is mixed gender. Parental permission must be given for an overnight at the church, or if a church group leaves the premises.

For transportation where there is more than one vehicle in use, a vehicle may have just one adult driver as long as ①there is a group (more than one child) of children/youth not exceeding the adult/student ratios and ②the 2-adult rule is met at the destination of the trip.

The special nature of Trinity's summer youth intern program requires individuals to go through thorough screening by the Director of Youth Ministries. Screening will include references, active involvement in a Christian group, reading and signing of Trinity's Child Protection Policy, and Child Protection Training.

In the case of one on one (1 adult & 1 youth/child) counseling sessions, the sessions must be conducted in plain sight of others, away from others in large room, in public places, or in an office (with a window or open door) in a busy section of building.

In the case of Trinity's Pre-School program, two teachers will be assigned to every one and two-year old classroom. While only one teacher is assigned to every three and four-year old classroom, teachers aides will be assigned, whenever possible, to assist the teachers in such classrooms. In addition, either the Director or the Assistant Director of the Pre-school will be available at all times to make random, unannounced visits to these classrooms. For off-premises Pre-School trips, two or more teachers and/or aides will always accompany the class. In addition, whenever possible, parents (both male and female) will be encouraged to accompany the class on off-premises trips.

**F. The Six Month Rule**

With the exception of all employees that have undergone the background check described above, all volunteers that work with children and youth are required to be an active participant at Trinity for 6 months prior to being primary teacher or leader of youth/children. Before being considered a primary teacher or leader, the volunteers are

to work with youth/children as helper in order to receive guidance and a recommendation/reference from a primary teacher.

**G. Classroom Management**

All employees and volunteers will use the following discipline measures:

- If a child is behaving inappropriately, the employee or volunteer will tell the child specifically what he/she is doing that is not acceptable and state what the expected behavior (e.g., "We do not throw the blocks. We use blocks for building.");
- If this measure is not effective, the child will be guided to another activity;
- If inappropriate behavior continues, the child may be placed at a table to work alone away from the other children;
- If the child's disruptive behavior continues after these steps have been taken, the child may be taken to the following people and left under that person's supervision:
  1. the parent or guardian;
  2. Director of Children's Ministries;
  3. Director of Youth Ministries;
  4. Assistant Director of Youth Ministries; or
  5. the Sunday School Superintendent
- *No physical punishment or verbal abuse, e.g., ridicule, is to be used at any time;*
- If isolating the child within the classroom or removal of the child from the room becomes necessary, the situation will be discussed with the child's parents or guardian as soon as possible.

## H. Open Classrooms

Classrooms or child care rooms may be visited without prior notice by Trinity employees, volunteers, or parents. Windows on the classroom doors should never be totally blocked so as to prevent visual observation of the classroom from the hallway. Brief observations of child care rooms and classrooms of children or youth are conducted by the Director of Children's Ministries, the Director of Youth Ministries, Assistant Director of Youth Ministries, and the Sunday School Superintendent during Sunday School hours.

## VI. REPORTING OF CHILD ABUSE

**The allegation of child/youth/at-risk adult abuse is very serious. Throughout the course of the exploration of alleged incident, both prayer and the appropriate pastoral care resources must be made available to all those in need.**

Should there be an allegation of child abuse at Trinity (including Trinity Pre-School and Boy/Girl Scout activities), the matter must be reported immediately to the Senior Minister. In the absence of the Senior Minister or if the Senior Minister is being accused, the matter is reported to the Associate Minister. Additionally, the Chair of Church Council, Chair of Trustees and the Chair of Staff Parish Relations will get notice that there has been an allegation. The Senior Minister (or the Associate Minister if need be) will notify Trinity's General Counsel or Associate General Counsel. The General Counsel or Associate General Counsel will do the following:

- A. Collect a written statement from the reporting person(s);
- B. Document the specifics of the alleged incident on the Report of Suspected Abuse;
- C. Notify the Virginia Department of Social Services in Henrico County by calling the Child Protective Service office at 501-5437. If the Henrico office is closed, then notify the Virginia Department of Social Services State Hot Line (children/youth) 1-800-552-7096 (24 hours a day/7 days a week). State Hot Line (adults) 1-888-83-ADULT;
- D. Once the report has been filed with Child Protective Services, the parents/guardian of the child/youth/at-risk adult must be contacted by the Senior Minister/designee, unless the parents/guardians in the home are suspected of the alleged abuse;
- E. Notify the Richmond District Superintendent of the United Methodist Church;

- F. Notify the church's insurance company;
- G. All interviews, conversations, and actions will be documented in writing;
- H. Every effort will be made to protect the confidentiality for both the alleged victim and the alleged accused. However, it will be necessary to discuss the allegation(s) with a limited number of appropriate individuals;
- I. No outside media will be contacted and no statements generated other than by the appointed Trinity spokesperson;
- J. No one shall confront the accused with the allegations unless and until advised by state or local authorities and/or Richmond District Superintendent; and
- K. If the accused has assigned duties within the life of the church, that person must be temporarily relieved of his/her duties.

**VII. POLICY REVIEW**

The Child Protection Policy and Procedures of Trinity United Methodist Church shall be reviewed bi-annually by the Board of Trustees and the Child Protection Committee. A report will be made each year to Church Council to ensure the integrity of the Child Protection Policy and its' procedures.