

# **Policies & Procedures**

## **For the Prevention of**

### **Child Abuse**



611 E Cypress Ave.  
Redlands, CA 93274  
(909) 793-2448  
[www.pathwayonline.com](http://www.pathwayonline.com)



## **PURPOSE**

It is the purpose of the members and staff of Pathway Church to provide a safe and secure environment for preschoolers, children, youth and mentally handicapped persons entrusted to our care. We do this to encourage those preschoolers, children, and youth and their families to grow in their relationship with God and one another.

A safe and secure environment includes a formal, written policy to help prevent the occurrence of child abuse. The following policy and procedures are for the protection of our preschoolers, children, youth, employees, volunteers and our entire church family at Pathway Church.

## **SCOPE**

This policy shall apply to all current and future workers, compensated and/or volunteer, who will have the responsibility of supervising the activities of preschoolers, children, youth, and mentally handicapped persons.

## **DEFINITIONS**

For the purpose of this policy the following definitions shall apply:

1. "Preschooler," "child," "children," "youth," and "minor" shall be defined as any individual *under* the age of eighteen (18) or who is still in high school or is involved as a participant in our student ministry.
2. "Adult" shall be defined as any individual at least eighteen (18) years of age.
3. "Worker" shall be defined as any adult who serves as a volunteer and/or paid person given the responsibility of working with or caring for minors.
4. "Teenage Worker" shall be defined as any worker at least fourteen (14) years old or older, but under the age of eighteen (18) enlisted to assist with the care of minors.
5. "Child Abuse" shall be defined as verbal, physical, emotional, or sexual abuse of a preschooler, child, youth, or minor.
6. "Criminal Background Check" (CBC) is the procedure used to check the background of adult volunteers for criminal activity.

## WHAT IS CHILD SEXUAL ABUSE?

“Any sexual activity with a child, whether in the home by a caretaker, in a day care situation, a foster/residential setting, or in any other setting, including on the street by a person unknown to the child. The abuser may be an adult, an adolescent, or another child, provided the child is four years older than the victim.”

Child sexual abuse may be violent or non-violent. All child sexual abuse is an exploitation of a child’s vulnerability and powerlessness in which the abuser is fully responsible for the action.

Child sexual abuse is criminal behavior that involves children in sexual behaviors for which they are not personally, socially, and developmentally ready.

Child sexual abuse includes behaviors that involve touching and non-touching aspects.

## WORKER ENLISTMENT

1. All paid employees of Pathway Church will be required to complete an Employment Application.
2. Paid employees, volunteer or an occasional volunteer worker desiring to work with minors, will be required to complete a *Screening Form For Adults Working With Minors or Mentally Handicapped (Appendix A)* which is specifically designed for workers who will be working with minors.
3. Teenagers under eighteen (18) wanting to serve as teen workers in any capacity with activities, studies, or programs for preschoolers or children will need to fill in a *Screening Form For Teens working with Minors or Mentally Handicapped (Appendix B)* and go through the training. The only step in the process they are exempt from is the criminal background check.
4. After an application is received, prior employment and volunteer service and personal references will be checked. It is suggested that, at a minimum, personal references be telephoned and a written memorandum be made of the contents of those telephone conversations, and that prior employment and church service references be contacted in writing.
5. Any prospective worker that has prior incidents of sexual misconduct or child abuse should not be allowed to serve in any capacity where they would have contact with minors.
6. Criminal background checks (*Appendix C*) will be performed on each applicant after the applicant has signed the authorization/waiver/indemnity (*Appendix D*) for, and prior to being enlisted as a worker. Only qualified representatives of Pathway Church will have access to the criminal background check report.
7. Standard interview questions will be developed and used in personal interviews with volunteer employee applicants, after reviewing the applications of the applicant, checking all references, and receiving a criminal background check report. These interview sheets will be filled out with the results of the interview and kept in the employee personnel file, as well as the reference checks and the applications. (Criminal backgrounds check reports are not allowed to be kept more than thirty (30) days after receipt.) A separate file will be maintained permanently on each worker, whether paid or a volunteer.
8. There will be a six month waiting period before new volunteers will be allowed to have regular, ongoing contact with minors in small group settings.

9. When an employee or volunteer is engaged to work with minors, they will be photographed and the picture(s) will be kept in the person's file.
10. Whether disclosed voluntarily or by result of the security background check, the following items may/will disqualify a volunteer from participating in the leadership, sponsorship or supervising of any activities or programs with minors:

Any conviction for:

- Criminal homicide;
- Aggravated assault;
- Crimes related to the possession, use or sale of drugs or controlled substances;
- Sexual abuse;
- Sexual assault (rape);
- Aggravated sexual 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;
- Abandonment or endangerment of a child;
- Kidnapping or unlawful restraint;
- Public lewdness or indecent exposure;
- Enticing a child.

All charges for these crimes or charges or convictions for any other crimes not listed above will be reviewed by the church staff.

11. A *Workers Statement form (Appendix D)* will be completed and this will complete the worker enlistment process.

## **WORKER SUPERVISION**

1. The church will adopt the "two adult" rule, which means no adult shall be left alone with a child, and requires a reasonable ratio of adult workers to be maintained in each situation involving the supervision of children. In the preschool an adult may serve with a qualified teenager provided there is a safety monitor present in the department.
2. Church staff and volunteer directors will supervise on an ongoing basis and make unannounced visits into classes or other program sites from time to time.
3. An identification system shall be adopted for all kindergarten-aged children and younger so that the adults who drop off a child are the same adults who pick up the child. Permission slips will be available for adults to sign, authorizing the release of the child(ren) to other adults.

## **SPECIFIC ACTS AND OMISSIONS IN VIOLATION OF THE POLICY**

The following acts of omissions are violations of this Policy and will not be tolerated or accepted during any activity or program and are to be immediately reported to the designated program staff after the safety of the child, children, youth, or minor involved has been assured.

- ❖ Any direct observations or evidence of sexual activity in the presence of or in association with a minor.
- ❖ Any display or demonstration of sexual activity, abuse, insinuation of abuse, or evidence of abusive conduct towards a minor.
- ❖ Sexual advances or sexual activity of any kind between any person and a minor.
- ❖ Infliction or physically abusive behavior or bodily injury to a minor.
- ❖ Physical neglect of a minor, including failure to provide adequate supervision in relation to the activities of Pathway Church.
- ❖ Mental or emotional injury to a minor.
- ❖ The presence or possession of obscene or pornographic materials at any function of Pathway Church.
- ❖ The presence, possession, or being under the influence of any illegal or illicit drugs.
- ❖ The consumption of or being under the influence of illegal or illicit drugs or alcohol while leading or participating in a function for minors at Pathway Church.

## **CHILD ABUSE PREVENTION REPORTING**

Any person having cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect shall report the person's belief in accordance with this procedure. The Incident Report Form (non-accusatory report that identifies the victim of abuse or neglect whether or not the person responsible for the abuse or neglect is known) shall be made to the local or state law enforcement agency. This report can be in the Children's Ministry and Student Ministry areas, see the Ministry Leader or Church Staff member.

- 1) Fully comply with the child abuse reporting statute.
- 2) The church should also immediately contact the insurance company to report the occurrence, and should contact its attorney.
- 3) In instances where child abuse is confirmed and a member of the ministerial staff is the perpetrator, the immediate supervisor should be contacted and advised.
- 4) This procedure is not only required as a condition of your job or volunteer position, but is also required by law.
- 5) Upon the first suspicion of an instance of child abuse, the following steps should be taken immediately:
  - a) Do not treat the suspicion as frivolous.

- b) Commence the investigation immediately, and conclude it as soon as possible.
    - i) If a sponsor or volunteer of minors suspects a case of child abuse, he or she is required by law to report his/her suspicions within 24 hours to The Redlands Police Department or Child Protective Services. It is the policy of Pathway Church that it also be reported immediately to one of the paid staff ministers of the church.
    - ii) The minister receiving the initial report will be responsible for confirming the facts reported and the condition of the child, on the same day on which the first report was made. The form "*Reducing the Risk Checklist*" will be completed by the church staff member who is responsible for the area where the occurrence is associated.
    - iii) Data concerning the child, name, address and other pertinent information will be obtained through discussions with the initial reporter and other staff members. The name and address of the person responsible for the care of the child, if available, will be obtained.
  - c) Maintain confidentiality of the investigation as much as possible. Emphasize confidentiality of the victim and any accused.
  - d) Cooperate fully with law enforcement officials.
  - e) Suspend any accused from the performance of duties involving children until the investigation has been completed.
  - f) Inform the victim and the victim's family of the steps that are being taken, and continue to keep them advised of the status of the investigations. If child abuse is confirmed, ask the victim and the victim's family what action they would like to take in the matter, and fully cooperate to address their request with the bounds of a legal and prudent response (church legal counsel should assist in this determination).
  - g) In instances where child abuse is confirmed, the church should immediately dismiss the worker from that position. Consideration of member termination should be considered, as appropriate in the circumstances.
  - h) In instances where the evidence is inconclusive, the church must take action depending on the strength of the evidence available and after consideration of the victim's family's request.
  - i) Keep the congregation informed of the investigation with respect to matters, which are not confidential, so that the congregation will hear about the investigation from within the church rather than from the news media.
- 6) Promptly take steps to plan for a response to the media and attempt to speak to the media only through one contact person so that the church can emphasize through the media to the public the church's position on child abuse, its concern for the victim, and the

extensive steps the church is taking to address the present occurrence and to reduce the risk and provide a safe environment for other children.

Every allegation of sexual offense or molestation should be investigated promptly and thoroughly by officials and reported to the church insurance company immediately. If such allegation is factual, the relationship with the worker should be terminated. It is unlikely the problem will ever be handled by relying on promises of the employee or volunteer to reform. Failure to take remedial action will make a claim difficult to defend.

## **INSURANCE**

The church shall obtain a sufficient level of liability insurance coverage that would cover child abuse and sexual misconduct claims.

## **CONCLUSION**

Churches need to be prepared! This is the legal reason for creating safety policies, but there's a deeper, more significant reason – to protect the children. Policies are only printed expressions of the value placed on children. If the only reason for safety policies is to protect the organization, the church has missed God's love for children.

Some people may think that our church is too small or that our church “knows” everyone to worry about these safety problems. Remember it's much easier to make plans and develop safety policies as a means of prevention, rather than wait until they are needed as a reaction to an abuse case.

Some churches tend to take the biblical concept of trusting God to an extreme. They think nothing bad can happen to Christians. We must not be unwise regarding children's safety. There is no automatic protection from evil for the faithful. We're to watch and be ready. Accidents will always happen. There will always be unforeseen circumstances that need to be handled. But the church should build into its organization sturdy safety-policy fire blocks into the walls of its ministry to protect children.

Pathway Church desires to be “a church that cares” through the implementation of the above policy. Adoption of these provisions will enable Pathway Church to provide a more safe and secure environment for each individual of our church family and its guests.

## **SPONSOR/VOLUNTEER CODE OF ETHICS AND RULES**

While acting in our capacity as a Youth/Children/Preschool/Handicapped sponsor or volunteer of Pathway Church, the following rules shall apply:

- 1) Smoking or using tobacco products in the presence of minors is prohibited.
- 2) Using, possessing, or being under the influence of alcohol, illegal, or illicit drugs will not be tolerated.
- 3) Sponsors and volunteers of minors shall not abuse such minors, including:
  - Any direct observations or evidence of sexual activity in the presence of or in association with a minor;
  - Any display or demonstration of sexual activity, abuse, insinuation of abuse, or evidence of abusive conduct towards a minor;
  - Sexual advances or sexual activity of any kind between any person and a minor;
  - Sexual advances or sexual activity of any kind to a minor(s);
  - Infliction or physically abuse behavior or bodily injury to a minor;
  - Physical neglect of a minor, including failure to provide adequate supervision in relation to the activities of Pathway Church.
  - Mental or emotional injury to a minor;
  - The presence or possession of obscene or pornographic materials at any function of Pathway Church.
  - The presence, possession, or being under the influence of any illegal, illicit drugs;
  - The consumption of or being under the influence or alcohol while leading or participating in a function for minors of Pathway Church.
- 4) Sponsors and volunteers must treat all people of all races, religions, and cultures with respect and consideration.
- 5) Sponsors and volunteers shall not use or tolerate the use of profanity in the presence of minors.

- 6) Sponsors and volunteers must be free of physical and psychological conditions that might adversely affect any minor's health, including, but not limited to, contagious disease.
- 7) Sponsors and volunteers will portray a positive role model for minors by maintaining an attitude of respect, loyalty, patience, courtesy, and maturity.
- 8) Sponsors and volunteers will be expected to act and react with Christian love and understanding in all situations.
- 9) Sponsors and volunteers will do everything in their power to avoid being put in a situation where they are alone with a minor other than their own.
- 10) I understand that as a sponsor or volunteer with minors for Pathway Church I will be subject to a background check, including criminal history.

I understand that any violation of this code may be grounds for removal as a sponsor or volunteer with minors.





## CRIMINAL RECORDS CHECK AUTHORIZATION AND INFORMATION FORM (18 yrs and older)

I hereby give my permission for Pathway Church to obtain information relating to my criminal history record. The criminal history record, as received from the reporting agencies, may include arrest and conviction data as well as plea bargains and deferred adjudications. I understand that this information will be used, in part, to determine my eligibility for an employment or volunteer position with Pathway Church. I also understand that as long as I remain an employee or volunteer here, the criminal history records check may be repeated at any time.

I, the undersigned, do for myself, my heirs, executors and administrators, hereby remise, release and forever discharge and agree to indemnify Pathway Church and each of their officers, directors, employees, and agents harmless from and against any and all causes of actions, suits, liabilities, costs, debts, and sums of money, claims, demands, whatsoever, and any and all related attorney's fees, court costs, and other expenses resulting from the investigation of my background in connection with my application to become a volunteer or employee of Pathway Church.

Print Name: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_

Print Witness' Name: \_\_\_\_\_ Date: \_\_\_\_\_

Witness' Signature: \_\_\_\_\_

### INFORMATION FORM

Full Name:

\_\_\_\_\_

Last	First	Middle	Maiden
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Sex: Male \_\_\_\_\_ Female \_\_\_\_\_ Race: White Black Hispanic  
 Asian/Pacific Islander American Indian  
 Other Choose not to answer

Date of Birth: \_\_\_\_/\_\_\_\_/\_\_\_\_ Social Security Number: \_\_\_\_-\_\_\_\_-\_\_\_\_

Have you been convicted of a crime? \_\_\_\_\_yes \_\_\_\_\_no

Are there any legal charges pending against you? \_\_\_\_\_yes \_\_\_\_\_no

If "Yes" to either question, please explain: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

The signature above represents my current legal name, and any previously used names are listed below:

\_\_\_\_\_  
 \_\_\_\_\_

## **WORKER'S STATEMENT (All Ages)**

The information contained in this screening form is correct to the best of my knowledge. I authorize any references to give you any information, including opinions, which they may have regarding my character and fitness for work with minors or the mentally handicapped. Each reference will be asked to submit the name of one person to be used as a reference. In consideration of the receipt and evaluation of this application by Pathway Church, I hereby release any individual, church, youth organization, charity, employer, reference, or any other person or organization, including record custodians, both collectively and individually, from any and all liability for damages of whatever kind or nature which may at any time result to me, my heirs or family, on account of compliance or any attempts to comply with this authorization. I waive any right that I may have to inspect any information provided about me by any person or organization identified by me or my references in this screening form.

Should my application be accepted, I agree to be bound by the Bylaws and Policies of Pathway Church and to refrain from unscriptural conduct in the performance of my services on behalf of Pathway Church. In addition I have read and agree to abide by Pathway Church's *Policies and Procedures For The Prevention of Child Abuse*.

I further state that I have carefully read the foregoing release and know the contents thereof; and sign this release as my own free act. This is a legally binding agreement, which I have read and understand.

Print Name: \_\_\_\_\_

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Witness Name, (If Applicant is a Minor, Parent's Name):  
\_\_\_\_\_

Witness/Parent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_