

St. Mark Presbyterian Church Youth Protection Policy

1. Introduction

- 1.1 This policy is established for the purpose of clearly defining the process at St. Mark Presbyterian Church for preventing, reporting, and responding to incidents of child abuse. A defined policy will assist with and promote the protection of minor children participating in church-sponsored activities from abuse; the protection of *Leaders* from unfounded allegations of misconduct; and the protection of St. Mark Church from financial liability.
- 1.2 The document entitled “Presbyterian Church (U.S.A.) Sexual Misconduct Policy and its Procedures”, adopted by the 205th General Assembly (1993), is hereby incorporated by reference as the basic guideline for the policy of this church.
- 1.3 *Persons Covered* by this policy include all church members, church officers, ministers, and non-members who are employees or volunteers at church-sponsored events working with minors, whether on or off church property. For example, this policy covers a non-member adult who abuses a non-member minor while assisting on a church-sponsored camping trip.
- 1.4 It is the policy of this church that child abuse is antithetical to Christian ethical and moral principles and will not be tolerated. Appropriate steps shall be taken to assure that this policy is distributed to all members of session and to all employees and volunteers of this church, and the fact that a copy is available in the offices of the Head of Staff and the Office Manager to all members and non-members to whom the policy may be of interest will be publicized, so that all *Persons Covered* by the policy will understand (i) the church’s policy against child abuse, (ii) that adequate procedures are in effect to facilitate prompt reporting of child abuse that may be alleged against a *Person Covered* by the policy, and (iii) that prompt action will be taken on all complaints that are made.
- 1.5 In responding to alleged incidents of child abuse, a paramount value is that all involved parties, including both victim and accused, will be treated with the utmost respect, dignity, and confidentiality (subject to state-required reporting requirements).

2.0 Definitions

- 2.1 *Child Sexual Abuse* includes but is not limited to, any contact or interaction between a child and an adult when the child is being used for the sexual stimulation of the adult person or of a third party. The behavior may or may not involve touching. Sexual behavior between a child and an adult is always considered forced whether or not consented to by the child.
- 2.2 *Minor* or *child* is a person under the age of 18 years.
- 2.3 *Primary Leader* is an adult who has successfully completed the full screening process described in this policy. Primary Leaders must be either a member of St. Mark or approved by the session.

- 2.4 *Support Leader* is an adult who has completed an Adult Application Form and been approved by the Youth Protection Committee, but is not required to have completed the full screening process.
- 2.5 *Staff* is an adult who is employed by St. Mark. All Staff members are required to complete the full screening process prior to being given an offer of employment.
- 2.6 *Child Abuse* includes (i) physical injury inflicted by other than accidental means upon a child by another person, (ii) Child Sexual Abuse, as defined in this policy, or (iii) Neglect, as defined in this policy. For purposes of this policy, Child Abuse shall also include offensive or denigrating language directed at a minor. Child abuse does not include a mutual altercation between minors.
- 2.7 *Neglect* means the negligent treatment or the maltreatment of a child under circumstances indicating harm or threatened harm to the child's health or welfare.
- 2.8 *Accused* is the term used to refer to the person against whom a claim of Child Abuse is made.
- 2.9 *Accuser/Victim* is the term used to refer to the person claiming knowledge of Child Abuse by a Person Covered by this policy or a person claiming to have been abused by a Person Covered by this policy.
- 2.10 *Youth Protection Committee (YPC)* is comprised of three (3) persons appointed by the Head of Staff with nominations from the Staff Directors responsible for Youth and Education. Appointees shall be subject to the approval of the session. YPC members shall be active members of St. Mark who are not involved with working with children. Service on the YPC is for a three year term; members may be reappointed to multiple terms.

3.0 Forms

- 3.1 *Minor Application Form* is a form required to be completed by all minors (typically teenagers) who desire to work with minors in church-sponsored events. See the attached Support Leader Form.
- 3.2 *Adult Application Form* is a form required to be completed by all adults, whether Staff or volunteer, who desire to work with minors in church-sponsored events. See the attached Leader Profile Form. The Adult Application Form has two parts, one to be completed by applicants for Primary Leader and one to be completed by applicants for Support Leader.
- 3.3 *Permission Slip* is required to be submitted by all minors who desire to take part in a church-sponsored event off of Church property.
- 3.4 *St. Mark Youth Protection Policy Handout* is a summary of this policy, provided to all Persons Covered by this policy

4.0 Application & Screening Process

- 4.1 All persons who desire to work with minors in church-sponsored events are required to complete and submit to the YPC the appropriate application form.
- 4.2 All Staff and prospective Primary Leaders must successfully complete the full screening process. The full screening process includes a check by a member of the YPC of all references on the application. The reference will be asked whether

- he or she has any reservations concerning the applicant's suitability for working with minors. In addition, the reference will be asked to generally confirm information provided on the application.
- 4.3 All Staff, Primary Leaders, and Support Leaders will be subjected to a criminal background check.
 - 4.4 The YPC is responsible for notifying all applicants in writing of the final acceptance or denial of their application. Upon denial of an adult's application, the adult is not permitted to work with minors in any capacity.
 - 4.5 All persons approved to work with minors will be given a copy of this policy, and are required to submit a signed acknowledgement that they have received and read this policy.
 - 4.6 All applications and associated records pertaining to the screening process will be retained by the church for at least 10 years. The Office Manager shall maintain such records in a locked file. A database will be maintained by the Office Manager to indicate which adults have been approved as a Primary Leader and the date of their last training.
 - 4.7 The screening process must be repeated if there is more than a 36 month lapse in service.

5.0 Training

- 5.1 All Staff and Primary Leaders are required to attend a training session annually.
- 5.2 Group training sessions will be offered annually. To facilitate compliance with these training requirements, individualized training will be made available on an as-needed basis. Those receiving individualized training are still required to attend the next annual group training session.
- 5.3 Training will include:
 - Definitions of Child Abuse
 - Church policies defined in this document
 - Identifying signs of Child Abuse
 - Proper conduct of youth events
 - Prevention of Child Abuse
 - Reporting procedures
- 5.4 An annual notice will be sent to all Primary Leaders providing updates on youth protection issues. Recipients are required to sign and return an acknowledgement that they have read the material.

6.0 Guidelines for Working with Minors

- 6.1 Limiting spontaneity and warmth in relationships is not the intent of these guidelines. They are intended to reinforce proper ways in which those working with minors are to conduct themselves for the safety and well-being of all concerned. All persons working with minors are to conduct themselves in a manner consistent with that defined in this policy and the training courses.
- 6.2 At all church-sponsored events involving minors there will be a minimum of two (2) adults present. One adult must be Staff or a Primary Leader. For overnight

activities, an adult of the same gender as the participating minors must be present—i.e. a female adult and a male adult for lock-ins when minors of both genders are present. Two adults must be present when reprimanding or disciplining a minor.

6.3 The following minimum adult to minor ratios must be maintained (in all cases maintaining a minimum of two adults):

- one adult for each three infants (under twelve months)
- one adult for each five toddlers (age 13-35 months)
- one adult for each eight pre-schoolers (age 36-59 months)
- one adult for each twenty juveniles (age 5-17 years)

For example, for 1-40 juveniles there will be a minimum of 2 adults; for over 40 minors there must be one additional adult for each 20 minors or fraction thereof.

6.4 When necessary for an adult to assist a young child in changing clothes, attending the restroom, or checking under clothing for injury, the adult will notify the Primary Leader of the need and intention.

6.5 Private meetings may occasionally occur when needed for pastoral counseling, etc. In general, private meetings should be avoided. When necessary, the meeting time and place shall be reported to another Primary Leader prior to the meeting and appropriate precautions should be taken during the meeting, such as leaving a window or door open.

6.6 Responsibility for minors at church-sponsored events ends only when the event is over and all minors have left the adult's care and control. Minors under age 12 are to be released only to an adult known to be authorized to receive the minor. A permission slip signed by a parent or guardian is required for all events taking place off of church property.

7.0 Reporting Process and Requirements

7.1 Any person (other than those covered in 7.2 below) who experiences, has knowledge of or observes, or reasonably suspects an instance of Child Abuse on the part of a Person Covered by this policy, should report the incident to the Head of Staff of the church. If not available or if the incident involves the Head of Staff, the report should be made to another senior Staff person or the clerk of session. The Head of Staff, senior staff person or clerk of session will promptly notify the Presbytery of Los Ranchos.

7.2 All Staff, Primary Leaders, and Support Leaders who have knowledge of or observe, or who reasonably suspect an instance of Child Abuse on the part of a Person Covered by this policy, are **required** to immediately report the incident to the Head of Staff. If not available or if the incident involves the Head of Staff, the report shall be made to another senior Staff person or the clerk of session. Such report must be made immediately or as soon as practicably possible—i.e. do not wait until the next working day. The Head of Staff, senior staff person or clerk of session will promptly notify the Presbytery of Los Ranchos.

7.3 California's Child Abuse and Neglect Reporting Act (CANRA) (CA Penal Code Sec. 11164 et seq.) requires that "mandated reporters" report suspected child abuse. For purposes of this law, child abuse comprises (i)-(iii) of definition

- section 2.6. Clergy members are included within the category of “mandated reporters”. CANRA requires that any clergy member who, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the clergy member knows or reasonably suspects has been the victim of child abuse or neglect, report such suspected incident to a designated agency. The report must be made immediately or as soon as practicably possible by telephone and followed up with a written report within 36 hours of receiving the information.
- 7.4 Designated government agencies for reporting under CANRA are police departments, sheriffs departments, and county welfare departments. Child Welfare Services has established hotlines for reporting. Phone numbers for Orange County are 714-940-1000 or 800-207-4464. The written report must be submitted on the Suspected Child Abuse Report Form (Form SS 8572). Copies of this form are available in the church office.
- 7.5 CANRA further provides that the employer of a mandated reporter must provide a copy of Sections 11165.7, 11166, and 11167 to the employee. The employee is required to sign a statement to the effect that he or she has knowledge of these reporting procedures and will comply with those provisions.

8.0 Investigating Reported Child Abuse

- 8.1 The Accused will be immediately removed from child oversight responsibilities, pending resolution of the allegations. Where the Accused is a clergy member or employee of the church, the session shall have discretion to place the individual on paid administrative leave during any investigation, if judged to be in the best interests of all parties involved.
- 8.2 Any inquiries from the media regarding an incident of alleged Child Abuse must be directed to the Head of Staff or other individual designated by the session to serve as the spokesperson. No other person shall respond to media questions or discuss the allegations outside of the reporting and investigative procedure.