

**POLICY FOR ADULTS WORKING WITH CHILDREN
SAINT PAUL EVANGELICAL LUTHERAN CHURCH**

Persons who serve the church in the capacity of nurturing the formation of faith life in children and youth have a valuable calling. These persons contribute to the spiritual, emotional, intellectual and physical well being of the church's young people. In order to insure the safety and quality of all faith formation programs, the following policy serves as a guideline for service.

I. DEFINITIONS

- A. "Background check" means a criminal record check on a national and local level of each person who will be working with children.
- B. "Child" means any person under 18 years of age.
- C. "Church personnel" includes paid staff and volunteers.
 - (1) "Paid staff" include employees of St. Paul Lutheran Church, whether employed in areas of ministry or other kinds of service.
 - (2) "Volunteers" include any persons who enter into or offer to perform a service, whether or not they have been assigned or selected to do so.
- D. "Review Committee" means the Pastor of the congregation plus two individuals selected by the Executive Committee of the Church Council. The Review Committee shall be responsible for a confidential review of the applications and background checks performed on church personnel and for monitoring compliance with the policies of St. Paul in regard to church personnel working with children. It is intended that the identity of these two individuals is kept confidential. One individual will serve an initial term of two years and the second shall serve a term of three years. After the first person's term ends, subsequent terms shall be three years in duration so that the terms of the two members of the Review Committee do not end in the same year.

II. SAFEGUARDS FOR CHILDREN

- A. To be a volunteer working with children, a person must have been actively involved at St. Paul for at least six months. The Review Committee may make an exception to this general rule after discussion with the pastor at the volunteer's church or former church and review of references.
- B. All church personnel who regularly work directly with children shall be screened and selected utilizing at least the following:
 - (1) The applicant must complete a standard application that includes authorization to conduct background checks. The application will include information regarding the person's experience with children. The current application form, which may be changed

from time to time, is included as Appendix A. Each year 20% of the applicants will be rechecked, so that a complete recheck is done every five years.

- (2) All information gathered about an applicant will be carefully reviewed and evaluated by the Review Committee to make a determination, in consultation with others as necessary, whether the person is appropriate to work with children. The applications and background checks shall be maintained in a locked file accessible only to the Review Committee.
- (3) After review of the application and background check, the Review Committee may, at its option, complete an individual interview with the applicant and check the references included in the application.
- (4) By June 30, 2008, all church personnel working with children shall participate in designated training sessions prior to working with children and shall participate in other educational opportunities throughout the year when they are offered. Those who are required to attend training include anyone who works directly with children, such as Sunday school teachers, LOGOS staff, Vacation Bible School staff and nursery attendants. Signed records shall be kept of all completed training and persons will not be allowed to serve as church personnel working with children until that training is complete. All records related to training shall also be kept in the locked file accessible to the Review Committee.
- (5) A parent participating in an event, but not an adult designated as one working directly with children shall be made aware of the church's policies for the protection of children and shall sign the form that is Appendix C.

C. Designation of Church Personnel Who May Work Directly with Children

The Review Committee shall prepare a list indicating those who have met the requirements to work directly with children.

- (1) Those designated Level 1 may not work directly with children. This category includes persons who have not completed a background check, those who have not been actively involved at St. Paul for six months, those who have not completed the training sessions, and others added to the list by the Review Committee.
- (2) Those designated Level 2 are approved to work directly with children. A list of persons designated Level 2 shall be distributed to those who staff church activities such as LOGOS, Sunday School, Vacation Bible School and other activities involving children.
- (3) Those designated Level 3 are approved drivers for church-sponsored activities involving the children of St. Paul Lutheran Church.

D. By June 30, 2008, church personnel responsible for transportation of children are required to undergo a driver's license background check.

- (1) The Review Committee shall prepare a list of all eligible drivers. Persons on this list shall be drawn from the list of those designated to work directly with children.

- (2) All persons who transport children to and from a church-sponsored event shall possess a valid non-probationary driver's license appropriate for the vehicle being used. A photocopy of the person's driver's license and proof of insurance shall be kept on file at the church. Persons who transport children are expected to provide updated information to the church every six months.
- (3) All vehicles used for transporting children shall be operated in accordance with all state motor vehicle laws. Drivers are responsible for assuring that children are wearing proper seat restraints.
- (4) Each vehicle transporting children shall be covered by liability insurance that meets the minimum requirements in Tennessee.
- (5) Parental permission shall be obtained in writing for a child to travel to each church sponsored event.
- (6) For each church-sponsored activity, an individual shall be designated to collect the permission forms signed by parents and to prepare a list of drivers that are on the Level 3 list. A list of alternate drivers who could serve if an unexpected event keeps a designated driver from participating shall also be prepared.
- (7) The list of designated drivers shall be submitted to the Church Office.

E. Code of Conduct for Protection of Children

- (1) Two adults (21 years of age or older) shall be present when caring for children under the auspices of St. Paul Lutheran Church. For children up through fourth grade, the second person working with the group of children may be 15 years of age or older. If it is not possible to have two leaders, the room should be monitored on a regular basis and the door left open. A window in a door is adequate if the noise level makes closing the door necessary. For overnight activities either on church property or away from the church, a minimum of two adults shall be present at all times.
- (2) The Guidelines for General Conduct for the Protection of Children (Appendix B) will be discussed during training and shall serve as a guide for appropriate conduct. Church personnel who work with children shall sign a statement (Appendix C) indicating they have read the guidelines and acknowledging their responsibility to protect children.

F. Reasons an individual may not be approved to serve in programs with significant contact with children:

- (1) Any type of criminal record of abuse or violence against another individual;
- (2) Any pending or unresolved allegations of abuse;
- (3) Any record of criminal behavior that would put children in an unsafe environment;

- (4) Any statement or information provided by an applicant through the application process that has been found to be untrue; or
- (5) Any other factor that would indicate that an individual's service with children might not be in the best interests of St. Paul Lutheran Church and its missions.

G. An individual who has participated in the process seeking to have his or her name added to the list of those approved to work directly with children may review the file of his or her own information by arranging a meeting with the pastor.

H. An individual who has applied to work directly with children and has not had his or her name added to the list of those approved to work directly with children has the right to appeal that decision. A request for review shall be made with the pastor. The individual may meet with the pastor and submit reasons why approval should be granted. The pastor shall take the information submitted to the Review Committee and the Review Committee's decision shall be final. A request for further review may be made after one year by submitting a new application.

III. RESPONDING TO PROBLEMS

A. Reporting Inappropriate Behaviors or Policy Violations

- (1) When church personnel observe any inappropriate behaviors, behaviors that are inconsistent with the Guidelines for Appropriate Affection, or which may violate any provision of this Policy for Adults Working with Children, they must immediately report their observations. Examples of inappropriate behaviors or policy violations would be seeking private time with a child, taking a child on an overnight trip without other adults, swearing or making suggestive comments to children, or selecting or using volunteers without the required screening.
- (2) Such inappropriate behaviors or possible policy violations that relate to interactions with children should be reported in one of the following ways:
 - (a) If the Pastor has been observed in inappropriate behavior, a report shall be made to the bishop, either by a telephone call, meeting or fax to the bishop, or by a Notice of Concern (Appendix D), signed or unsigned, to the bishop or the Leadership Sexual Abuse Prevention Team of the Southeastern Synod of the ELCA. At the same time, the same information should be submitted to the Executive Committee of the Church Council.
 - (b) If the observed behavior has not been by the pastor, the individual shall fill out the Notice of Concern and give it to:
 - (i) The organizer of the activity;
 - (ii) The pastor; or
 - (ii) The president of the congregation.

- (3) All church personnel are required by this policy to report known or suspected abuse of children or youth to the appropriate state authorities. The Department of Children's Services hotline is 1-877-237-0004.
- (4) Failure to report suspected abuse of children may be a crime. Reports may be made confidentially or anonymously. The state provides immunity from civil liability for persons required to report suspected abuse in good faith. "Good faith" means that the person submitting the report believed what he or she reported was true.
- (5) In addition to reporting to state authorities, church personnel are required to report any suspected or known abuse of children that has been perpetuated by church personnel directly to the pastor of St. Paul Lutheran Church so that immediate and proper steps may be taken to ensure the safety of the alleged victims.
- (6) A person who witnesses inappropriate behavior by another person working with children should intervene immediately to stop the situation. Do this in as discreet a manner as possible. Do not confront the offender. This is a job for the authorities.

APPLICATION FORM AND
RELEASE TO PERFORM BACKGROUND INVESTIGATION

The information in this application will be kept in a locked file accessible only to the Review Committee. You should answer all questions fully and truthfully.

APPLICATION

Name: _____ If you have used any other name
in the past 20 years, list it here: _____
Address: _____
Home Phone number: _____ Work phone number: _____
How long at current address? _____ If less than two years, list previous address: _____
_____ Driver's License Number: _____
E-mail address: _____

A. Employment history: Please complete for your prior employers covering the past **ten** years. If you need additional space, use the blank space at the end of the application.

Company name and mailing address: _____
Supervisor's name and phone number: _____
Dates of employment: _____ Position held: _____
Reason for leaving position: _____

Company name and mailing address: _____
Supervisor's name and phone number: _____
Dates of employment: _____ Position held: _____
Reason for leaving position: _____

Company name and mailing address: _____
Supervisor's name and phone number: _____
Dates of employment: _____ Position held: _____
Reason for leaving position: _____

B. Church history: Please indicate the churches where you have been a member during the past ten years. If you need more space, use the blank space at the end of the application.

Church name and mailing address: _____
Pastor's name: _____ Church telephone number: _____
Dates of membership: _____ Reason for leaving: _____

Church name and mailing address: _____
Pastor's name: _____ Church telephone number: _____
Dates of membership: _____ Reason for leaving: _____

Church name and mailing address: _____
Pastor's name: _____ Church telephone number: _____
Dates of membership: _____ Reason for leaving: _____

C. Volunteer Experience: Include all experiences working with children both within and outside the church. If you need more space, use the blank space at the end of the application.

Organization: _____ Address: _____
Contact Name: _____ Contact Phone: _____
Dates of service: _____ Duties: _____

Organization: _____ Address: _____
Contact Name: _____ Contact Phone: _____
Dates of service: _____ Duties: _____

Organization: _____ Address: _____
Contact Name: _____ Contact Phone: _____
Dates of service: _____ Duties: _____

Organization: _____ Address: _____
Contact Name: _____ Contact Phone: _____
Dates of service: _____ Duties: _____

Organization: _____ Address: _____
Contact Name: _____ Contact Phone: _____
Dates of service: _____ Duties: _____

Personal References (three required; no relatives):

Name: _____ Mailing Address: _____
Daytime Phone number: _____
How long have you known this person? _____ Relationship to you: _____

Name: _____ Mailing Address: _____
Daytime Phone number: _____
How long have you known this person? _____ Relationship to you: _____

Name: _____ Mailing Address: _____
Daytime Phone number: _____
How long have you known this person? _____ Relationship to you: _____

Please answer the following questions truthfully. If you wish to explain your answer, use the blank space at the end of the application. Number each comment to match the question.

1. Has any disciplinary action of any sort ever been taken against you by a licensing board, professional association or education/training institution? yes no
2. Have you ever been subjected to church disciplinary proceedings? yes no

3. Have you ever been found guilty of any ethics violation? yes no
4. Have you ever committed or been charged with acts of sexual contact or attempted sexual contact of any kind with a person less than 18 years of age? yes no
5. Have you ever been charged with an offense related to sexual misconduct or sexual harassment, including unwelcome sexual advances or requests for sexual favors? yes no
6. Have you ever produced, sold or distributed pornographic materials? yes no
7. Do you have a problem with alcohol abuse? yes no
8. Do you have a history of drug abuse with recreational, prescription, over the counter or illicit drugs? yes no
9. Have you ever been convicted of any felony or misdemeanor? yes no
10. Have you ever been charged with DUI or DWI? yes no
11. Have you had your parental rights restricted, suspended or terminated or have any of your children been placed in foster care? yes no

STATEMENT OF APPLICANT: (Please read carefully before signing)

I certify to the best of my knowledge, that all information given by me in this application is true and correct. I understand that false or misleading statements made by me or consequential omissions of any kind are sufficient cause for my being not considered or accepted as a church personnel working with children or for my dismissal no matter when discovered. I agree to notify the church office immediately of any changes in the status of the information reported above.

Signature: _____ Date: _____

PERMISSION

Saint Paul Evangelical Lutheran Church has established policies concerning professional conduct in order to maintain a healthy work and worship environment. Our commitment to these policies requires that we conduct background investigations of persons prior to employment or service in certain positions within the congregation. **Our inquiry is being made to comply with our employment and screening policies and is not because we suspect that you are or have been involved in inappropriate conduct.**

AUTHORIZATION/RELEASE

I understand and agree that background investigations may be conducted with respect to me, and that the information I have provided to Saint Paul Evangelical Lutheran Church may be verified by contacting persons and organizations with whom I have had contact or which may have information concerning me. I agree to release from liability and damages St. Paul Lutheran Church and its agents who conduct and participate in any such review and those individuals, organizations and their agents who provide information about me during this review, only to the extent that this information is

released without malicious intent. I understand that the background investigation may include social security number verification, present and former addresses, criminal and civil history records and the state sex offender records.

All materials pertaining to the background check shall be the property of Saint Paul Evangelical Lutheran Church. I authorize all such persons to treat a photocopy of this authorization as though it were an original, executed authorization.

Dated this ____ day of _____, 20__ at Maryville, Tennessee.

Signature: _____

Please print name: _____

Date of birth: _____

Social Security Number: _____

Appendix B

GUIDELINES FOR GENERAL CONDUCT FOR THE PROTECTION OF CHILDREN

The following guidelines are intended to assist church personnel in monitoring the supervising behaviors and interactions with children to identify those that may be inherently harmful to children. These guidelines shall be used to make decisions about interactions with children in church sponsored activities. They are not designed or intended to address interactions within families.

1. All church personnel who work with children shall agree to comply with the Guidelines for Appropriate Affection (Appendix B-1).
2. Programs for infants and children under six years of age shall include procedures to ensure that children are released only to their parents or legal guardians or those designated by them.
3. Church personnel are prohibited from distribution to children or being under the influence of alcohol or illegal drugs, or the misuse of legal drugs, while having direct responsibility for programs or activities for the children of St. Paul.
4. Parents or guardians shall complete written permission forms before church personnel transport children for a church sponsored activity.
5. Church personnel will respond to children with respect, consideration and equal treatment, regardless of sex, race, religion, sexual orientation, culture or socio-economic status. Church personnel will portray a positive role model for children by maintaining an attitude of respect, patience and maturity. They will avoid even the appearance of favoritism.
6. One-on-one counseling with children will be done in an open or public place where private conversations are possible but occur in full view of others.
7. Church personnel are prohibited from dating or becoming romantically involved with a child or having sexual contact with a child.
8. Church personnel are prohibited from possessing any sexually oriented materials (magazines, cards, videos, films, clothing, etc.) on church property or in the presence of children except as expressly permitted as part of a pre-authorized educational program. Parents shall be informed of programs of this nature and shall give specific permission for attendance by their children. Church personnel are prohibited from using the Internet to view or download any sexually oriented materials on church property or in the presence of children.
9. Church personnel are prohibited from discussing their own sexual activities, including dreams and fantasies or discussing their use of sexually oriented or explicit materials such as pornography, videos or materials from the Internet.
10. Church personnel shall use discretion when bathing or showering in the presence of children and in making sleeping arrangements for overnight activities.

11. Church personnel are prohibited from using physical punishment in any way for behavior management of children. No form of physical discipline is acceptable. This prohibition includes spanking, slapping, pinching, hitting or other physical force. Physical force may only be used to stop a behavior that may cause immediate harm to the individual or to a child or others.

12. Church personnel are prohibited from participating in or allowing others to conduct any hazing activities related to children's ministry or camp activities.

APPENDIX B-I

GUIDELINES FOR APPROPRIATE AFFECTION

Saint Paul Lutheran Church is committed to creating and promoting a positive, nurturing environment for our children's ministries that protects our children from abuse and our church personnel from misunderstandings. When creating safe boundaries for children, it is important to establish what types of affection are appropriate and inappropriate, otherwise that decision is left to each individual. Stating which behaviors are appropriate allows church personnel to comfortably show positive affection in ministry, and yet identify individuals who are not maintaining safe boundaries. These Guidelines are based, in large part, on avoiding behaviors known to be used by child molesters to groom children and their parents for future abuse. The following guidelines are to be carefully followed by all church personnel working with children.

Love and affection are part of church life and ministry. There are many ways to demonstrate affection while maintaining positive and safe boundaries.

- Listen carefully to children and show appropriate interest in what they have to say.
- Pray that our children may grow in faith in God and respect for each other and creation.
- Be fair and consistent.
- Have a sense of humor, be flexible and giving, enjoy the children, smile often.
- Focus on positive behaviors and praise the child for that behavior.
- Set clear limits that can be managed by adults and understood by children.
- Use appropriate, positive steps when discipline is needed and focus on the behavior and not the child.
- These are appropriate ways to show affection:
 - Brief hugs
 - Pats on the shoulder or back
 - Handshakes
 - "High-fives" and hand slapping
 - Verbal praise
 - Touching hands, faces, shoulders and arms of the children
 - Arms around shoulders
 - Holding hands while walking with small children
 - Sitting beside small children
 - Kneeling or bending down for hugs with small children
 - Holding hands during prayer
 - Pats on the head where culturally appropriate (for example, this gesture should be avoided in Asian communities)

- These are inappropriate with children in a ministry setting because many of these behaviors are ways child molesters use to groom children for later molestation or can be, in and of themselves, sexual abuse:
 - Inappropriate or lengthy embraces
 - Kisses on the mouth
 - Holding children over the age of three on the lap
 - Touching bottoms, chests or genital areas other than for appropriate diapering and toileting of infants and toddlers
 - Showing affection in isolated areas, such as bedrooms, closets, staff only areas or other private rooms
 - Occupying a bed with a child
 - Touching knees or legs of a child
 - Wrestling with children
 - Tickling children
 - Piggyback rides
 - Any type of massage given by a child to an adult
 - Any type of massage given by an adult to a child
 - Any form of unwanted affection
 - Comments or compliments (spoken, written or electronic) that relate to physique or body development. Examples would be, “You sure are developing,” or “You look very hot in those jeans.”
 - Snapping bras or giving wedgies or similar touch of underwear whether or not it is covered by other clothing
 - Giving gifts or money to individual children
 - Private meals with individual children.

APPENDIX C

AGREEMENT TO COMPLY WITH THE GUIDELINES
FOR GENERAL CONDUCT FOR THE PROTECTION OF CHILDREN

Read and initial each item to signify your agreement to comply with the statement.

_____ I agree to do my best to prevent abuse and neglect among children involved in church activities.

_____ I agree not to physically, sexually or emotionally abuse or neglect a child in my care.

_____ I agree to comply with the policies stated in the General Conduct for the Protection of Children.

_____ I agree to comply with the Guidelines for Appropriate Affection with Children at Saint Paul.

_____ In the event that I observe any inappropriate behaviors or possible policy violations, I agree to immediately intervene.

_____ I agree to attend training sessions offered by the Risk Management Team.

_____ I acknowledge my obligation and responsibility to protect children and youth and agree to report known or suspected abuse of children to appropriate church leaders and state authorities in accordance with the Policy for the Protection of Children.

I understand that Saint Paul Lutheran Church will not tolerate abuse of children and I agree to comply in spirit and in action with this position.

Signed: _____

Print your name: _____

Date: _____

Appendix D

CONFIDENTIAL NOTICE OF CONCERN

SUBMIT TO THE ACTIVITY ORGANIZER OR TO THE PASTOR OR TO THE EXECUTIVE COMMITTEE AND THE SYNOD SEXUAL ABUSE PREVENTION TEAM, AS STATED IN PART III OF THE POLICY FOR ADULTS WORKING WITH CHILDREN

Individual that caused concern _____

Date of occurrence: _____

Time of occurrence: _____

Type of concern:

Inappropriate behavior with a child

Policy violation with a child

Possible risk of abuse

Other concern: _____

Describe the situation: What happened, where it happened, when it happened, who was involved, who was present, who was notified. If reported to the state, what was their recommendation about investigating? Attach additional sheets if needed.

Has this situation ever occurred previously? Attach additional sheets if needed.

What action was taken? How was the situation handled, who was involved, who was questioned, were police called? Attach additional sheets if needed.