

**Village Chapel Presbyterian Church
Policy for the Protection of Children, Youth and Vulnerable Adults
for Outside Groups.**

This policy was adopted by vote of the Village Chapel Presbyterian Church (USA) session on March 21, 2018.

Policy Statement

The members of Village Chapel Presbyterian Church (USA) (VCPC) believe that we are called by God to create a safe haven for children, youth and vulnerable adults (referred to as children in this policy) in our care, protecting those who are powerless.

Members of VCPC are committed to the physical, emotional and spiritual safety of all children participating in the activities and programs while on church property. This includes children at events sponsored by outside groups on VCPC property.

All leaders and members of non-VCPC groups using VCPC facilities are expected to adhere to this policy. The policy is designed to protect children from harm. Should actual harm to a child occur, the response will follow applicable procedures in the VCPC Disciplinary Policy and use other measures to protect children from harm.

Outside groups are responsible for following the procedures in this policy and are ultimately responsible for the welfare of the children in their care.

Outside groups will have until 20 June 2018 to comply with this policy.

Acknowledgement of Receipt of this Policy

The outside group leader or representative will be given a copy of this policy. He/she will sign the form found in Appendix A documenting that the policies have been received, read and understood. The signed form will be given to the VCPC secretary. It will be kept on file in the VCPC offices. The signed form will be in effect for five (5) years.

If there is a change in leadership of the outside group another form must be signed and filed with the VCPC secretary.

The person signing the form will be responsible for informing members of the outside group of the policies and practices found in this policy.

Definitions

Child is anyone under the age of eighteen, or a person eighteen or older who is mentally challenged, mentally incapacitated or physically helpless.

Child abuse is the infliction of non-accidental harm to a child. Child abuse may include

- a.) *Emotional abuse*, when adults responsible for the well-being of a child endanger the mental or emotional health of that child by chronic and persistent acts. This may involve rejection, ignoring, terrorizing, corrupting, constant criticism, mean remarks, insults, and giving little or no love, guidance or support
- b.) *Neglect*, the unreasonable failure to exercise a minimum degree of care to assure a child's health, safety or welfare
- c.) *Physical abuse*, an injury or pattern of injuries that are not accidental. This may manifest as beatings, burns, bruises, bites, welts, strangulation, broken bones or death.
- d.) *Sexual abuse*, 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 person. The behavior may or may not involve touching. West Virginia law states that a child less than 16 years old cannot give consent to sexual relations (WV Code 61-8B-2-c). Therefore any sexual interaction between an adult and a child under 16 is always considered child sexual abuse.
- e.) *Spiritual abuse*, when religious references are used to shame or by guilt to motivate a child into a particular action or behavior.

Church, unless otherwise noted, refers to Village Chapel Presbyterian Church (USA) abbreviated as VCPC.

Mentally challenged means that a person suffers from a mental disease or defect which renders that person incapable of appraising the nature of his or her conduct.¹

Mentally incapacitated means that a person is rendered temporarily incapable of appraising or controlling his or her conduct as a result of the influence of a controlled or intoxicating substance administered to that person without his or her consent or as a result of any other act committed upon that person without his or her consent. (WV Code 61-8B-1-(4)).

Misuse of technology is the use of technology to text or email suggestive messages and images to children and includes the viewing and transmission of pornography.

Pastor refers to the minister and the educator/pastoral assistant of VCPC.

Physically helpless means a person who is unconscious or for any reason is physically unable to communicate unwillingness to an act (WV Code 61-8B-1-(5)).

¹ This is equivalent to the "mentally defective" definition in WV Code 61-8B-1-(3).

Pornography is material that the average person using contemporary adult community standards finds offensive, material that appeals to prurient interests, or is patently offensive.²

Volunteer is a person who meets the requirements of this policy and who interacts with children.

Vulnerable adult is a person age eighteen or over who is mentally challenged, mentally incapacitated or physically helpless.

Youth is a child of middle school or high school age.

General Prevention Practices

The following acts are prohibited and will not be tolerated or accepted during any activity or program on VCPC property.

- a.) Child abuse as defined by this policy or by WV State Code,
- b.) Sexual advances or sexual activity of any kind including such behavior between children,
- c.) Possessing obscene or pornographic materials at any function of VCPC,
- d.) Misuse of technology as defined by this policy or by WV State Code,
- e.) Possessing, consuming or being under the influence of alcohol or illegal drugs.

Concerns about issues that are not clearly abuse related but impinge on child safety and protection or any circumstances that may affect the ability to comply with the policy may be discussed with the pastor.

Volunteers

Outside groups are expected to use due diligence to determine that volunteers supervising children on VCPC property will not abuse any child in their care by carefully vetting a person being considered as an approved volunteer. VCPC will not perform criminal background checks, review references or employment records for volunteers used by outside groups.

The vetting process should involve checking the person's past behavior by using criminal background checks, reviewing employment history, and checking references. A form for background checks is provided in Appendix B. Criminal background checks should be redone every 5 years. The outside group may obtain a criminal background check on an approved volunteer at any time.

² This is based on the definition for "obscene matter" in WV Code 61-8A-1-k.

Outside groups are encouraged to maintain a permanent written and confidential record of this process.

All volunteers must be 18 years of age or older except that a volunteer supervising children of middle school or high school age must be 21 years of age or older.

A volunteer who is dating a child who is 18 years of age or younger may not supervise that child.

Volunteers will know the locations of the fire extinguishers, emergency exits and first aid supplies in the areas where they are supervising children.

Volunteers must read and sign the form in Appendix A that they have read and understood the policy. The signed form will be sent to the VCPC office where it will be kept in a confidential file. The signed form will be in effect for 5 years.

Outside groups are encouraged to keep a written log of who were the volunteers and the children supervised for a particular date.

Volunteers are responsible to determine that the correct responsible adult leaves with the child.

Volunteers should receive training regarding this policy before working with children. Representatives of outside groups involving children may, at their request, participate in VCPC-sponsored activities training adults in procedures to protect children.

The following offences or alleged offences will disqualify a person from supervising children.

- a.) Murder,
- b.) Aggravated assault, including domestic violence,
- c.) Sexual abuse, sexual assault (rape), aggravated sexual assault,
- d.) Injury to a child,
- e.) Incest,
- f.) Indecency with a child
- g.) Inducing sexual conduct or sexual performance of a child,
- h.) Possession or promotion of child pornography,
- i.) The sale, distribution, or display of harmful material to a minor,
- j.) Employment harmful to children,
- k.) Abandonment or endangerment of a child, or
- l.) Dishonesty.

Volunteers are required to disclose these offences or alleged offences to the group leader at any time prior to and during their time as a volunteer supervising children.

The group leader is responsible for removing a volunteer from working with children immediately upon receipt of a report of violation of this policy. The group leader may consult with the pastor regarding procedures should this occur. Such removal does not assume guilt but makes child protection the top priority.

Two adult rule

When children are out of sight of the group activities, at least two approved adult volunteers will supervise the children's activities.

Since spouses cannot be compelled to testify against one another in a court of law, two people married to each other do not qualify as two adult volunteers.

However, a parent may accompany their child/children to the bathroom and perform necessary diapering activities without qualifying as an adult volunteer.

Discipline of children

If a child is behaving inappropriately, the volunteer will tell the child specifically what he/she is doing that is not acceptable and state what the expected behavior is, 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 this is not effective, the child may be placed at a table to play or work alone away from the other children.

If the child's disruptive behavior continues, the volunteer will notify the person leading the group who will talk with the child and work with the children's parents. A child whose behavior might harm others will be removed from the group even if this results in a lapse of the two adult volunteer policy.

Verbal interactions

Verbal abuse will not be used at any time.

Speaking with children appropriately establishes respect. The following are examples of appropriate and inappropriate verbal interactions

| Appropriate Verbal Interactions | Inappropriate Verbal Interactions |
|---|---|
| <ul style="list-style-type: none">• Positive reinforcement• Appropriate jokes• Encouragement• Praise | <ul style="list-style-type: none">• Name-calling• Discussing sexual encounters• Involving children in the personal problems or issues of employees or volunteers• Secrets• Cursing• Off-color or sexual jokes• Shaming• Belittling• Derogatory remarks, generally• Derogatory remarks about the child or his/her family• Harsh language that may frighten, threaten or humiliate children• Compliments relating to physique or body development. |

Touching

Physical punishment will not be used at any time.

Physical affection should be appropriate to the age of the child. For example, it is generally appropriate for a four-year-old to sit in a volunteer's lap and give a kiss on the cheek with a hug. It is not appropriate for a teenager and volunteer to engage in this conduct.

Touching should be initiated by the child. It should be a response to the child's need for comfort, encouragement, or affection. It should not be based on the adults' emotional need.

A child's preference to not be touched should be respected. Do not force affection upon a reluctant child.

Examples of appropriate and inappropriate touching are listed below. The examples are to be applied to most children. However, as noted above certain physical interactions are appropriate for young children. In addition, the leader of the group, in consultation with the parent or guardian of a mentally challenged person may agree that certain physical interactions are appropriate for that person that would not be age appropriate for another person of that age. In these cases, the appropriate physical interactions will be placed in writing. The notice will be signed by all parties involved in the decision. Copies will be kept by both parties as a permanent record of the decisions made.

| Appropriate physical interactions | Inappropriate physical interactions |
|---|--|
| <ul style="list-style-type: none">• Side hugs• Shoulder-to-shoulder or “temple” hugs• Pats on the shoulder or back• Handshakes• High-fives and hand slapping• Pats on the head (when culturally appropriate)• Touching hands, shoulders, and arms• Arms around shoulders• Holding hands | <ul style="list-style-type: none">• Full-frontal hugs• Kisses• Showing affection in an isolated area• Lap sitting• Wrestling• Piggyback rides• Tickling• Any type of massage given by or to a child of any age• Any form of affection that is unwanted by the child or volunteer• Touching bottom, chest or genital areas |

Diapering and Restroom supervision

The presence of two adults is particularly important when diapering a baby or helping a young child change clothes or using the restroom.

Children will always be supervised when using restrooms to ensure their safety. A parent may accompany their child to the restroom even if they are not an approved volunteer. Otherwise, children will be sent to the restroom in pairs, if possible, with at least one approved adult volunteer.

A volunteer will stand in the restroom doorway while older children are using the restroom.

Gifts

Because gift giving can be a form of buying loyalty or silence, gift giving should be done on a group basis, or for special occasions only.

No volunteer will give gifts to an individual child without the prior knowledge of the parents or pastor.

Gifts must be modest and appropriate for the occasion.

Injury and medications

Medications will be administered by a parent or guardian, if possible and practicable, except in potentially life-threatening conditions when a volunteer may administer

medication. Parents and guardians may provide signed written instructions to the adult volunteers for other medical issues that may occur.

Volunteers may provide first aid for minor injuries, scrapes and bruises as appropriate. The volunteer will notify the child's parent or guardian of the treatment.

Volunteers will summon medical professionals and the parent or guardian of the child for injuries requiring treatment beyond simple first aid. If warranted by circumstances, volunteers may call an ambulance.

Emergency situations may result in a lapse in the two-volunteer rule supervising children.

Volunteer(s) will document all emergency situations in writing. The volunteer will give the report to the group leader.

Reporting and documentation of child abuse

Any person who knows of, *or suspects*, child abuse must report to

- a.) the Centralized Intake for Abuse and Neglect Hotline 1-800-352-6513 and
 - b.) the WV State Police Crimes against Children unit 304-293-6400
- within 48 hours of becoming aware of the situation. This is state law.

Any person who knows of, or suspects child abuse occurring on VCPC property will notify the governmental authorities as outlined above and notify the VCPC pastor verbally as soon as possible for advice about procedures to follow.

Failure to report as required can result in heavy penalties under WV law.

Only professional trained in child abuse investigations should question a child about the suspected or actual child abuse.

The outside group will provide a written report to the pastor as soon as possible.

Consult the VCPC Disciplinary Policy for additional information and procedures.

APPENDIX A

Acknowledgement of Receipt

Village Chapel Presbyterian Church Policy for the Protection of Children, Youth and Vulnerable Adults for Outside Groups

I hereby acknowledge that I _____
(printed name)

representing _____, have received a
(name of group)

copy of the "Village Chapel Presbyterian Church Policy for the Protection of Children, Youth and Vulnerable Adults for Outside Groups" adopted on March 21, 2018.

I certify that I have read and understand this policy.

_____ (Signature) _____ (Date)

A copy of this acknowledgement will be given to the VCPC secretary. It will be kept on file in the VCPC offices. It will remain in effect for 5 years or until a change in group leadership occurs.

APPENDIX B
BACKGROUND CHECK CONSENT FORM

The information requested is for identification purposes only and is in no manner used as a qualification for service as a volunteer.

Applicant's full name (printed): _____

Other names used: _____

Social Security Number: _____ Date of birth: _____

Addresses for the past 10 years (use back of sheet if needed for additional addresses)

| Address | City | County | State | Zip | How long at this address? |
|---------|------|--------|-------|-----|---------------------------|
| | | | | | |
| | | | | | |
| | | | | | |

Other than the above listing what states and counties you have lived in since turning eighteen years old? _____

Name as it appears on your driver's license or state ID card:

Driver's license number: _____ State issuing license: _____

I, _____, authorize _____ to make an investigation of my background, reference, character, past employment, education, credit history, adult criminal or police records, and motor vehicle records. These records include those maintained by both public and private organizations for the purpose of confirming the information contained on this Background Consent Form and/or obtaining other information which may be material to my qualifications for service now and, if applicable, during the tenure of my employment or service with _____.

I release _____ and any person or entity which provided information related to this consent form from any and all liabilities, claims, or lawsuits in regards to the information obtained from any and all of the above referenced sources used.

This consent form will be in effect for 5 years from today's date. I give permission to _____ to obtain a background check based on this information at any time within the 5 year period should he/she determine it is needed.

The name and all information provided on this form is true and correct to the best of my knowledge.

Signature of applicant: _____

Date: _____