



## **Good Shepherd Lutheran Church Children & Youth Protection Policy** **Approved by GSLC Congregation Council on April 11, 2017**

### **Personnel Policies Manual Section 2.06 – Children & Youth Protection**

#### **INTRODUCTION**

Christians believe that God created humankind to be in relationship with one another. From the beginning God declared that it was “not good that the human should be alone.” The relationship between people that we are told of in Genesis is based on the gift that God gives us in each other. This gift of relationship is a powerful blessing that we as Christians understand comes from God.

As people who believe in the incarnation of God through Jesus Christ, we are not able to love or even know our neighbor from a distance. The Gospel tells us that God came to earth to know, live with, love, forgive, and restore humanity. In other words, God came to live in close proximity with creation and to be in loving relationship with humanity. Thus, we as Christians desire to reflect that good news by engaging in personal interaction with each other.

In our Baptisms we were *sealed with the Holy Spirit and marked with the cross of Christ forever*. Our Baptisms were a promise from God that, no matter the circumstance of our lives, God would continue to be in relationship with us. Thus, we have an everlasting bond with the Holy Spirit that nourishes our faith. We are dependent upon the Holy Spirit to guide our telling of the Gospel and our Christian ministry.

The proclamation of God’s relationship with us is one of the chief joys of our discipleship in Christ. Reflecting our relationship with God through our fellowship, ministry, and life is our calling as Christians. Our ministry should reflect our belief in a God who is committed to a grace-centered, intimate relationship with all of creation. Thus, Christian ministry contains a degree of nearness and affection in our relationships with those whom we share our church experience.

However, like all aspects of human life, our relationships are affected by sin. This policy is not meant to undermine the importance of personal interaction in ministry, but rather to acknowledge the reality of our world. This policy articulates safe and healthy ways for Christian disciples to live in community together and fully demonstrate the compassion they, the church, and God possess for children and youth. It has been adopted by Good Shepherd Lutheran Church to help create a safe environment for children, youth, and for those who minister to them, so that all may experience the love of God and true Christian fellowship.

#### **PURPOSE**

1. Provide a safe and secure environment for ministry to children, youth, adults, volunteers, members, visitors and paid staff.
2. Assist Good Shepherd Lutheran Church to evaluate a person’s suitability for ministry with children and youth.
3. Reduce the possibility of false accusations of abuse made against volunteers and paid staff.
4. Provide a procedure to respond to allegations of abuse.

## **SCREENING PROCEDURES FOR STAFF AND VOLUNTEERS WORKING WITH CHILDREN & YOUTH**

Qualifications to become a staff member or volunteer working with children and youth include:

- 1) being a member or associate member of Good Shepherd Lutheran Church in good standing for at least 6 months (this does not apply to staff), adhering to the doctrines and principles of the church. For people who have been actively involved in the congregation for at least 6 months but are not members, the Congregation Council may use discretion in waiving this requirement.
- 2) being at least 18 years of age;
- 3) completion of the Children & Youth Protection Training class;
- 4) successful completion of a criminal background check conducted by Good Shepherd;
- 5) receipt of two personal references (CYP 4) ;
- 6) receipt of completed Volunteer Application (CYP 2);
- 7) receipt of signed Participation Covenant for Volunteers (CYP 5)
- 8) receipt of reference from previous congregation (CYP8) if a member less than ten years at Good Shepherd.

All applications and submitted documents will be reviewed by and require the approval of at least two of the following: any rostered leader under call by Good Shepherd Lutheran Church, and/or Congregation Council President, and/or Sunday School Superintendent.

If detrimental information is uncovered for a potential volunteer in either the references, the application, or the background check, the rostered staff may choose to discuss this with the volunteer applicant. If a decision is made to allow the applicant to volunteer with children and youth, the reasons for overriding the detrimental information should be documented.

Criminal background checks will be performed by Good Shepherd Lutheran Church. Background checks should be updated every three years. A search of the Georgia Sexual Offender Registry will be conducted annually.

Personal references will only be accepted using CYP 4 and must be sent directly from the person providing the reference to the rostered staff. They should not be provided to the volunteer applicant to give to the rostered staff. Phone interviews between a rostered staff member and a person providing a reference can be used if documented on CYP 4.

References from previous congregations will only be accepted using CYP 8. Congregations listed by an applicant on CYP 4 will be sent a request to complete CYP 8. In most circumstances, this reference should be completed by a pastor or volunteer supervisor from the applicant's previous congregation.

In the event that changes are made to the Children and Youth Protection Policy, such changes will be provided to all staff and volunteers. Their understanding of such changes should be documented with updated Participant Covenant signatures.

Information obtained through the screening and application process outlined above will be kept confidential, unless otherwise required by law. All information gathered and obtained through this process will be kept in a secure and restricted location.

## **SAFE SUPERVISION PRACTICES**

Unless a documented extenuating circumstance exists, Good Shepherd:

1. Will follow the Two-Adult Rule. This means that there must always be two eligible adults, one of which is at least 21 years of age, present and supervising the congregational activities of children and youth. Eligible adults include those who have successfully completed the screening and application process outlined above. Only in extenuating circumstances can the two eligible adults be immediate family members. This would require the consent of a rostered staff member on a situational basis. The exception to this is when transporting children and youth in vehicles (see Safe Driving Procedures section below).
2. When possible, all events will strive for the recommended adult-to-child ratios of 1:8 for middle school and senior high youth and 1:7 for younger ages.
3. Will require and enforce the Open Door Rule for activities on and off church property. This means that doors without windows must always be left slightly ajar when conducting children's or youth programs, and that doors must be left open if one adult needs to leave the room temporarily.
4. Will enforce the Five Year Difference Rule when making supervision assignments. This means that any staff member or volunteer must be at least five years older than the children or youth they are directly supervising.
5. Will release minors in the 5<sup>th</sup> grade and younger only to the parent or guardian (or other appropriately-designated adult) and utilize sign-in and sign-out sheets.
6. Will obtain written parental permission, including a signed medical treatment permission form and emergency contacts, prior to taking children and youth on any trips. Good Shepherd will provide prior notification about each trip.
7. Will keep bathroom doors open and lights on for all activities for young children when appropriate. When possible, escorts of the same sex should accompany young children to the bathroom and wait for them outside.
8. Will implement the Missing Person Plan documented in CYP 14 in the case that either a child or adult is reported missing.
9. Will inform middle school and senior high youth of the Children & Youth Protection Policy, highlighting the Two-Adult Rule, the Open Door Rule, the need for written parental permission for off-campus trips, and other specifics of the policy as necessary to encourage compliance and understanding of policy.
10. Will lock exterior doors approximately 15 minutes after children or youth activities begin, when deemed appropriate (in situations similar to these examples it may be appropriate to leave the door unlocked: if there was another activity occurring simultaneously in the building that required participants' access to the building or the youth were engaged in an activity in which they were entering and exiting the building frequently).
11. Will prohibit the possession or use of weapons or other dangerous items by adults, youth, or children at any children or youth activity.

## **SAFE DRIVING PROCEDURES**

1. All drivers who drive for any Good Shepherd children or youth sponsored event must abide by the laws of the applicable state in which they are driving, including the ability to produce a valid driver's license, registration, and proof of insurance.
2. Though an effort should be made to secure two eligible adults per vehicle when transporting children, Good Shepherd recognizes that this is not always possible.
3. When only one adult is present in a vehicle, the front passenger seat can be occupied only by those who meet minimum height and weight requirements. If the front passenger seat is occupied by a youth, consideration should be given so that there is an appropriate balance of power in the seating arrangement.
4. A child or youth should never be alone in a vehicle with one adult, unless that adult is the child or youth's parent.
5. When going on trips or outings with multiple vehicles, every attempt should be made for vehicles to "caravan" for accountability purposes. Caravans should not be larger than two or three vehicles. Where more vehicles are present, multiple small caravans are preferable. Stops should be made together by all vehicles traveling and drivers are required to keep each other informed if issues arise that necessitate a change in route or other travel plans.
6. Youth are not allowed to drive other youth on any church-related activity.
7. Youth can drive themselves to and from Good Shepherd for youth events held at Good Shepherd. In the event that an activity requires traveling from Good Shepherd to another location, youth must ride in vehicles driven by designated adults. If a parent provides written and signed documentation that his/her child must leave the event early, and therefore needs to drive separately, youth will be allowed to drive themselves only to and from that location.
8. Adult chaperones must be at least 21 years of age to drive youth to and from events.
9. Event leaders should provide all drivers with phone numbers of the leader and other adult chaperones, as well as directions and an address, if necessary.
10. Adults who receive moving violations while traveling to or from a youth event must make contact with a member of the rostered staff within 24 hours of receiving the violation. This may result in possible restrictions on future driving.

### **PARTICIPATION IN EVENTS SPONSORED BY OTHER ORGANIZATIONS**

When youth, children or adults of Good Shepherd elect to participate in youth or children events sponsored by other organizations such as the ELCA-Southeastern Synod which requires the signature of a congregational representative or a pastor/rostered leader, their parents or the participating adult will sign a waiver (CYP 11), to be on file at Good Shepherd and a copy affixed to the application, acknowledging that the event and the policies, guidelines or covenants of the sponsoring organization are applicable and that Good Shepherd congregation is released from any liability.

It will be the responsibility of the parent or participating adult to identify the guidelines, covenants or policies of the sponsoring organization pertaining to the event and determine their acceptability. The rostered staff of Good Shepherd is available to assist in that identification and determination. Parents and participating adults are

encouraged to be particularly aware of screening procedures and training for adult leaders of the event as well as supervision principles for the event.

### **BEHAVIORAL GUIDELINES FOR GOOD SHEPHERD STAFF AND VOLUNTEERS**

1. Do not provide anything prohibited by law to minors.
2. Adults involved in any child or youth event sponsored by Good Shepherd must refrain from consuming, or being under the influence of, alcohol or any other substance that would impair their judgment and ability to think clearly.
3. For overnight events or activities, male children and youth will be supervised by male chaperones and female children and youth will be supervised by female chaperones.
4. So that we can be welcoming and inclusive to all, including our LGBT youth, and provide the safest situation for youth, should overnight housing issues or shower facilities come into question, we will look at each case individually. In conversation with the rostered leaders, the youth, and his/her parents, we will determine the best situation for all.
5. Speaking to a minor in a one-on-one situation should be done in public settings where staff or volunteers are in sight of other people. In cases of pastoral care in which a rostered person receives a request to speak one-on-one with a minor, the rostered person may meet with that minor in an office which has a windowed door. The rostered person should make another staff person aware that the meeting is to take place. A second eligible adult must be apparently present outside of the meeting space. When deemed appropriate by the rostered person conducting the meeting, parental permission prior to the meeting can be sought and documented.
6. Adults and youth must use separate shower facilities when available. When not available, there must be separate adult and youth shower times.
7. The following different types of abuse are strictly prohibited:
  - a. **Physical abuse** which is defined as non-accidental injury, which is intentionally inflicted upon a child or youth.
  - b. **Sexual abuse perpetrated by an adult** which is defined as any contact or activity of a sexual nature that occurs between a child or youth and an adult. This includes any activity which is meant to arouse or gratify the sexual desires of the adult, child or youth and any *act as defined by Georgia Law*.
  - c. **Sexual abuse perpetrated by another child or youth** which is defined as any contact or activity of a sexual nature that occurs between a child or youth and another child or youth when there is no consent, when consent is not possible, or when one child or youth has power over the other child or youth. This includes any activity which is meant to arouse or gratify the sexual desires of any of the children or youth.
  - d. **Emotional abuse** is defined as mental or emotional injury to a child or youth that results in an observable and material impairment in the child or youth's growth, development or psychological functioning.
  - e. **Neglect** which is defined as the failure to provide for a child or youth's basic needs or the failure to protect a child or youth from harm.
  - f. **Economic exploitation** which is defined as the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a child or youth's belongings or money.
  - g. **Bullying** which is defined as aggressive behavior that is intentional and that involves an

imbalance of power. Bullying can take many forms and is of particular concern between children/youth and their peers.

8. Love and affection are part of church life and ministry. There are many ways to demonstrate love and care for children and youth while simultaneously maintaining safe boundaries.

**a. The following are positive and appropriate forms of affection:**

1. brief “sideways” hugs
2. pats on the shoulder or back
3. handshakes
4. “high fives” and hand slapping
5. verbal praise
6. holding hands while walking with young children
7. sitting beside small children
8. kneeling or bending down for hugs with young children
9. voluntary hand-holding during prayer

**b. The following are considered inappropriate forms of affection and are prohibited:**

1. lengthy embraces and/or embraces which are “front-to-front” body contact
2. kisses on the mouth
3. holding children over three years old on the lap
4. touching bottoms, chests or genital areas other than for appropriate diapering or toileting of infants and toddlers
5. any show of affection in isolated areas such as bedrooms, closets, staff-only areas, empty classrooms or other rooms which are isolated from other people
6. any type of massage by either a child, youth or adult
7. any form of unwanted contact
8. comments or compliments (spoken, written or electronic) that relate to physique or to body development
9. snapping bras or giving wedgies or similar touch of underwear whether or not it is covered by other clothing
10. an adult giving gifts or money to individual children or youth
11. an adult sharing or providing private meals with individual children or youth
12. an adult occupying a bed with a child or youth (other than a volunteer or staff with his/her own child)
13. an adult touching knees or legs of children or youth (except in the case of first aid administration)
14. an adult wrestling with children or youth
15. an adult tickling children or youth
16. an adult giving piggyback rides

## **TECHNOLOGY USAGE**

1. As technology increasingly reaches into congregational ministries, we recognize that there are many opportunities for technology to be used in inappropriate ways. Most challenging is the use of cell phones and all of the ways in which they are used, especially by youth – as phones, to send text messages, to take pictures, to browse the internet, etc. While cell phones do provide a measure of safety for individuals, their use beyond that of a safety net often provides challenges

to creating community and often crosses boundaries of appropriate use in ways that are not always anticipated. Therefore, staff and volunteer leaders have the right to confiscate temporarily any electronic device that is being used in inappropriate ways. This includes cell phones, laptops, cameras, personal electronic devices, etc.

2. When confiscated, the parent of the child/youth from which the device was taken must be notified as soon as reasonably possible. The staff member/volunteer should document the agreed upon dispensation of the electronic device until the end of the event.
3. For retreats, mission trips, or any other overnight activities, specific guidelines for agreed upon use of electronics should be established between children, youth, parents and the supervising staff members and/or volunteers.

### **SEXUAL OFFENDERS AT GOOD SHEPHERD LUTHERAN CHURCH**

Though God's grace is freely given to all of God's children, those determined to be registered sex offenders will not be permitted to join Good Shepherd congregation should they express an interest in doing so. Because our insurance carrier's recommended guidelines for allowing those determined to be sexual offenders to become congregation members would place an undue burden on the congregation and would require that the identity of the offender be disclosed to the congregation, we recognize that our welcome of these persons would be rendered less than full and complete. We would, in good faith, try to identify other worship environments that could fully welcome their presence. Good Shepherd Congregation Council may remove a member from the congregation membership roster if it is determined that he/she has been convicted of a sexual offense and/or it becomes known that he/she is listed on any state or national sex offender registry.

### **TRAINING OF & NOTIFICATION TO VOLUNTEERS**

1. Annually, each volunteer that works with children and youth will be asked to sign a covenant agreement which states that he or she has reviewed the Children & Youth Protection Policy.
2. Good Shepherd has a responsibility to notify, in writing, all volunteers who are eligible to volunteer with children and youth of any changes made to the Children & Youth Protection Policy. This information will also be posted to the web site and any other places that the policy is available.
3. Basic first aid and safety training will be offered regularly to volunteers.

### **REPORTING REQUIREMENTS**

1. Georgia law generally requires those who work with families or who come in contact with children to report suspected child maltreatment. Designated mandated reporters in the state of Georgia include:

- Physicians, interns, residents;
- Hospitals or medical personnel;
- Dentists;
- Licensed psychologists and interns;
- Podiatrists;
- RPNs and LPNs;
- Professional counselors, social workers, or marriage and family therapists;
- School teachers, administrators, guidance counselors, visiting teachers, social workers, or psychologists;
- Child welfare agency personnel;

- Child-counseling personnel;
- *Child service organization personnel*;<sup>\*</sup>
- Law enforcement personnel;
- Reproductive health care facility or pregnancy resource center personnel and volunteers
- *Clergy (defined as ministers, priests, rabbis, imams, or similar functionaries, by whatever name called, of a bona fide religious organization)*<sup>\*</sup>

<sup>\*</sup>Effective July 1, 2012, the list of mandated reporters was expanded and this expansion has a potentially significant impact on churches and other organizations who work with children and families. Child service organization personnel is defined as, “persons employed by or volunteering at a business or an organization, whether public, private, for profit, not for profit, or voluntary, that provides care, treatment, education, training, supervision, coaching, counseling, recreational programs, or shelter to children.” Thus, all staff and volunteers working with children and youth at Good Shepherd are mandated reporters in the state of Georgia and have a legal obligation to report suspicion of child abuse. Clergy are included as mandated reporters under the definition of child service organization personnel, except as follows: “a member of the clergy shall not be required to report child abuse reported solely within the context of a confession or other similar communication required to be kept confidential under church doctrine or practice. When a clergy member receives information about child abuse from any other source, the clergy member shall comply with the reporting requirements of this Code section (OCGA 19-7-5), even though the clergy member may have also received a report of child abuse from confession of the perpetrator.”

Therefore, if a volunteer or staff member at Good Shepherd witnesses an incident or is given information which results in reasonable cause to believe a child has been abused, the volunteer must report what they have seen or heard. Georgia state law requires that an oral report must be made within 24 hours by phone or in person to the DFCS office in the county where the child lives or where the abuse was witnessed (see call-in information below). Good Shepherd volunteers and staff have two options for reporting:

- 1) Volunteers or staff may report directly to authorities as described above or below (DFCS or local law enforcement). If this option is exercised, volunteers must also inform either a member of the rostered staff or the Congregation Council President or the Sunday School Superintendent as soon as the report has been made. This allows them to be prepared to respond appropriately to any follow-up inquiry or investigation that may occur and to notify the Southeastern Synod Office that such a report has been made.
- 2) Volunteers or staff may also contact any combination of two of the following: member of the rostered staff or the Congregation Council President or the Sunday School Superintendent, as supervisors of the organization, for assistance in making the report as required by law together. This option allows for some support and guidance through the reporting process. Please note that when an incident is reported to a member of the rostered staff or the Congregation Council President, they are legally bound, as supervisors of Good Shepherd, to report to appropriate authorities.

-Cherokee County DFCS reporting line – 770-319-3700

-Afterhours centralized intake: 1-855-GACHILD (422-4453) – 5 pm – 8 am weekdays/ 24 hr weekends/ furlough days

-If a mandated reporter is unable to reach DFCS, or if the child is in immediate danger, report to local law enforcement (911) or the district attorney in the county where the child lives.

### What to Report?

You do not need to have proof or direct evidence that abuse has occurred. Georgia law is intended to



encourage reporting of suspicious behavior or reasonable cause to suspect abuse. The following information is helpful for reporting to DFCS or local law authorities, though a report should be made even if not all of the information is available:

- Name, age, address and current location of child
- Name and address of child's parents or caretakers, if known
- Name and address of suspected perpetrator
- Location where maltreatment took place, if known
- The nature and extent of the child's injuries
- Any other information the reporter believes might be helpful in establishing the cause of the injuries and the identity of the perpetrator

In addition, reporters are asked to use CYP 7, the Confidential Notice of Concern Form, for documenting the above and additional information for Good Shepherd documentation and reporting. This form, along with any other additional information that was reported to authorities, should be given to either a member of the rostered staff or the Congregation Council President or the Sunday School Superintendent, if a volunteer or staff member has made a report directly to DFCS or law enforcement.

According to OCGA 19-7-5, the law which describes child abuse and the reporting of it, mandated reporters in Georgia:

- may make reports anonymously and have the right to confidentiality in making the report, to the extent allowable by law;
- may be eligible to be informed of the outcome of the report only;
- are provided immunity from liability in reporting if the report is made in "good faith";
- who knowingly and willfully fail to report suspected cases of child abuse shall be guilty of a misdemeanor

This Reporting Requirements section of the Good Shepherd Children and Youth Protection Policy is taken in part and based on O.C.G.A. 19-7-5, the specific Georgia law that applies to "reporting of child abuse, when mandated or authorized; content of report; to whom made; immunity from liability; report based upon privileged communication; penalty for failure to report. It is recommended that individuals familiarize themselves with its requirements. In any cases where Good Shepherd policy may be unclear or two parties interpret its intent differently, Georgia law supersedes Good Shepherd policy.

1. Staff Members and volunteers are expected to report alleged violations of this policy, including prohibited behaviors as listed on pp. 5-6, to either a member of the rostered staff or the Congregation Council President or the Sunday School Superintendent as soon as possible or prior to the conclusion of the event in which an allegation has been made. All reports are to be made no later than within 24 hours of the occurrence. A verbal report is to be accompanied by a Confidential Notice of Concern (CYP 7). The Senior Pastor will then report, if appropriate, to the Congregation Council President. All facts and allegations are to be documented in writing. Any allegations that are deemed as reasonable cause to suspect child abuse are to be reported in accordance with Georgia state law as outlined above.
2. The Senior Pastor and/or Congregation Council President and/or the Sunday School Superintendent, or a designee chosen in consultation with the Congregation Council, will inform the Southeastern Synod office of the ELCA of any reports of suspected child abuse made to either DFCS or local law enforcement.
3. Volunteers alleged to be involved in incidents of inappropriate behavior will be temporarily relieved of their duties until the investigation is complete.

4. Any allegations of sexual misconduct on the part of a rostered leader in the ELCA are to be reported immediately to the Bishop of the Southeastern Synod or a member of the Leadership Sexual Abuse Prevention (LSAP) Team either by the complainant or by the Congregation Council President. The investigation of allegations of sexual misconduct by a rostered person falls under the jurisdiction of the Southeastern Synod and is conducted according to the *ELCA -Southeastern Synod Policies and Procedures for Responding to Allegations of Sexual Misconduct in the Church By ELCA Rostered Persons*. Visit [www.elca-ses.org/LSAP.html](http://www.elca-ses.org/LSAP.html) for additional information. In cases where the suspected abuser is a rostered leader and the victim is a child or youth, the duty to fulfill your legal mandate to report as required by Georgia state law must also be fulfilled. Therefore, in cases where there is reasonable cause to suspect that a child or youth has been abused by a rostered leader in the ELCA, there is a duty to fulfill both your legal requirement by Georgia state law as well as to report the allegation of sexual misconduct to the Bishop of the Southeastern Synod or a member of the Leadership Sexual Abuse Prevention (LSAP) Team.
5. The Senior Pastor, or a designee chosen in consultation with the Congregation Council, will act as spokesperson on behalf of Good Shepherd to convey information, as necessary, to the congregation, the media, and in response to any other public inquiry.