

FIRST PRESBYTERIAN CHURCH CHILD PROTECTION POLICIES

MISSION

First Presbyterian Church (“FPC”) seeks to be a faith community where all of God’s children are accepted, invited to follow Christ and encouraged to experience meaning and purpose for living through joyful worship, fellowship, study, prayer and service.

FPC strives to provide a safe, welcoming spiritual home in which every infant, child and young person may come to know Christ and develop a strong spiritual relationship with the Church universal.

INTRODUCTION

FPC recognizes its responsibility to exercise reasonable care to protect the children and youth of the church against hurt and abuse that might occur while they are in its care. To help protect children, FPC has adopted the following Child Protection Policies. It is important that all FPC paid staff and volunteers understand and implement these guidelines to help prevent sexual abuse against children. The purpose of this policy is to help FPC provide a caring and secure environment for children and youth, as well as adults involved in ministering to such persons in all phases of the Church’s life. The following includes the Purpose and Definitions for these guidelines, established Protection and Prevention procedures, and an Acknowledgement to be signed by those working with children.

In addition, this document will help FPC understand and reduce the risk of child abuse and create a safe sanctuary for all of God’s children while undertaking this mission.

PURPOSE

These Child Protection Policies are designed to reduce the risk of child sexual abuse in order to:

1. Provide a safe and secure environment for children, youth, adults, members, volunteers, visitors, and paid staff.
2. Assist FPC in evaluating a person's suitability to supervise, oversee, and/or exert control over the activities of children and youth.
3. Satisfy the concerns of parents and staff members with a screening process for paid staff and volunteers.
4. Provide a system to respond to alleged victims of sexual abuse and their families, as well as the alleged perpetrator.
5. Reduce the possibility of false accusations of sexual abuse made against volunteers and paid staff.

BIBLICAL FOUNDATION

FPC seeks to express God's love of children and youth to provide for their personal wholeness. Our church wants to provide an environment which is caring and secure for all persons, to reduce the risk of child abuse in any form and to be in ministry to families where abuse may occur. The Bible is foundational to our understanding upon which all policies, procedures and ministries must stand.

And people were bringing children to Him, that he might touch them, and the disciples rebuked them. But when Jesus saw it He was indignant, and said to them, "Let the children come to me, do not hinder them; for to such belongs the kingdom of God. Truly, I say to you, whoever does not receive the kingdom of God like a child shall not enter it." And He took them in His arms and blessed them, laying His hands upon them." (Mark 10:13 – 16)

Jesus teaches us explicitly that young people have the right and the keys to the Kingdom of God. He demonstrated this through blessing and touch. Our goal in response to this Biblical mandate is to maintain a safe, secure and loving place where children may grow. This should be a place where caregivers, teachers and leaders (both paid and volunteer) minister appropriately to their needs.

Definitions

The following terms used herein and are defined as follows:

1. *Paid Staff*: Any pastor, minister, preacher, cleric, or employee who is paid.
2. *Children/Youth/Minor*: Any person who has not reached his/her 18th birthday or the age of majority as defined by state law.
3. *Adult*: Any person who has reached his/her 18th birthday or as defined by state law.
4. *Volunteer*: Means any unpaid person engaged in or involved in activities and who is entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors or adults.
5. *Sexual Abuse*: The employment, use, persuasion, inducement, enticement, or coercion of any minor or adult to engage in, or assist any other person to engage in, any sexually explicit conduct or any simulation of such conduct for the purpose of producing any visual depiction of such conduct or rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of minor or adult, or incest with a minor or adult, or as defined by federal and state law. This includes and is not limited to unwelcome sexual remarks, jokes, advances, leering, whistling, or sexual gestures; sexual touching, fondling, molestation, assault, or other intimate physical contact; compelling another person to engage in a sexual act by threats or fear or undue influence; and providing or displaying pornographic materials to another person.
6. *Child Emotional Abuse*: Verbal or nonverbal conduct including mental exploitation, degrading communication, or humiliating or threatening conduct that may or may not include bullying or as defined by state law.

THE LAW

Under Virginia Code, **Section 63.1-248.2**, an abused child is defined as one who is less than eighteen years of age, “whose parents or other persons responsible for his/her care, creates or inflicts, threatens to create or inflict, or allows to be created or inflicted upon such child a physical or mental injury by other than accidental means, or create a substantial risk of death or disfigurement, or impairment of bodily or mental functions”.

This includes the following: failure to provide care necessary for health, abandonment, commits or allows sexual exploitation, or endangers or neglects any child under their care. Child abuse may be physical, sexual, emotional or mental, and may be the result of actions or omissions to act (lack of care for a child).

Section 63.1-218.3 of the Virginia Code states that “... any teacher or other person employed in a public or private school, kindergarten, or nursery school, any person providing fulltime or part-time child care for pay on a regularly planned basis... (and) any person associated with or employed by any private organization responsible for the care, custody or control of children” who has a reason to suspect that child is abused or neglected shall report the matter immediately to the local department of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred (Norfolk: 664-6022) or to the Virginia Department of Social Services toll-free child abuse and neglect hotline (1-800-552-7096 after 5:00 p.m., weekends or holidays).

In addition, everyone should report any known or reasonably suspected child abuse immediately. Any report is confidential and the person making the report is immune from liability for making such a report, unless it is proven that such a person acted in bad faith or with malicious intent.

TYPES OF CHILD ABUSE

Definition

Child abuse refers to an act committed by a parent, caregiver or person in a position of trust (even though he/she may not care for the child on a daily basis) which is not accidental and which harms or threatens to harm a child’s physical or mental health or welfare.

The following definitions and explanations in this section are from the Virginia Department of Social Services.

Types of Abuse

- **Physical Abuse:** The risk of any physical injury, threat of injury or creation of a real and significant danger of substantial risk of death, disfigurement or impairment of bodily functions. Such injury or threat of injury, regardless of intent or allowed to be inflicted by non-accidental means.
- Examples may include (but are not limited to) asphyxiation; bone fracture; brain damage skull fracture, subdural hematoma; burns, scalding; cuts, bruises, welts, abrasions; internal injuries, poisoning; sprains; dislocations; gunshot, stabbing wounds.

- **Physical Neglect:** The failure to provide food, clothing, shelter, or supervision for a child if the child's health or safety is endangered. Physical neglect may include multiple occurrences or a one-time critical or severe event that results in a threat to health or safety, such as a toddler left alone. Other types of neglect include abandonment, inadequate supervision, inadequate clothing, inadequate personal hygiene, inadequate food and malnutrition.
- **Sexual Abuse:** Any act defined in the Code of Virginia, which is committed, or allowed to be committed, upon a child by his/her parent or other persons responsible for the child's care. Examples of such abuse are: sexual exploitation, sexual molestation, intercourse/sodomy and other sexual abuse.
- **Medical Neglect:** The refusal or failure by a caretaker to obtain and/or follow through with a complete regimen of medical, mental or dental care for a condition, which if untreated, could result in illness or developmental delays.
- **Failure to Thrive:** A syndrome of infancy or early childhood development, which is characterized by growth failure, signs of severe malnutrition, and variable degrees of developmental retardation. Children are considered to be in this category only when the syndrome is diagnosed by a physician and is caused by non-organic factors.
- **Mental Abuse/Neglect:** A pattern of acts or omissions by the caretaker, which result in harm to a child's psychological or emotional health or development.
- **Educational Neglect:** The child's caretaker is directly responsible for the failure of the child to attend school or an approved alternative program of study.
- **Bizarre Discipline:** Any actions in which the caretaker uses eccentric, irrational or grossly inappropriate procedures or devices to modify the child's behavior can be considered bizarre discipline.

REDUCING THE RISKS OF CHILD ABUSE

In an effort to create the safest possible environment within FPC, several measures to reduce risk of abuse will be utilized. These measures include screening of paid and volunteer workers for past child abuse convictions or investigations with Social Services, or related issues provision for regular training on child abuse issues to paid and volunteer staff members, use of the two leader rule, standards of appropriate classroom discipline and open classrooms.

For the purposes of this policy and in all related procedures, a leader is defined as any adult (18 years of age or older), who is responsible for or regularly works with FPC youth and/or children.

Six-Month Rule

FPC will not use anyone as a leader for children or youth ministries in the church unless such person has had continuous active involvement in the church for at least 6 months, or is specifically approved, in writing, by the Session. Continuous active involvement includes regular attendance at worship and in other events of the life of the Church.

Volunteer and Employee Screening Procedures

The following screening procedures are to be used with all paid staff members, long-term independent contractors and his/her employees, and volunteers who are entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors. The volunteer positions include leaders for children or youth ministries, children or youth teachers, childcare workers, and youth workers. All information collected will be maintained in confidence and distribution will be limited to those with a need to make determinations regarding employability or service as a volunteer.

Before beginning any period of service, each covered individual will be asked to complete and submit a signed statement indicating whether he/she has ever been convicted or investigated by Social Services for child abuse. The statement will also ask for additional general information including, but not limited to, criminal convictions, prior church membership, prior church volunteer work, prior experience with children or youth and three personal references from those not related to the applicant. The application form will request the individual's consent to a criminal records check and a reference check. References will be checked, and if responses are not received, additional references may be requested.

Each such individual will also be provided with a copy of the FPC Child Protection Policy and Procedures documentation, and will be asked to sign a document acknowledging that they have read the policies and procedures outlined therein.

1. *Employment Application and Volunteer Application:* Any applicant for a covered staff or volunteer position must complete the Employment Application and/or the Volunteer Application.

Our Employment Application includes questions regarding:

- Current and previous residence addresses.
- Current and previous employment, including addresses, dates, duties, titles, and reasons for leaving.
- Names and addresses of schools attended and degree(s) earned.
- References from previous employers and organizations that serve children.
- Pending criminal charges (where not prohibited by state law).
- Criminal history information.

Our Volunteer Application includes questions regarding:

- Current address.
- Prior church membership.
- Prior Church Volunteer experience.
- Prior experience working with children or youth
- Criminal history information.
- Three Personal references from those not related to the applicant - These references will be checked, and if responses are not received, additional references may be requested.

Applications include a statement, which asks the applicant to certify that statements provided in the application are true and complete, and any misrepresentation or omission may be grounds for rejection of the applicant or for dismissal if he or she is employed. An application without this certification will not be considered complete and will not be processed. The certification statement authorizes FPC to contact any individual or organization listed in the application.

2. Review all statements made in the application, paying specific attention to any gaps in time and irregular employment patterns or unexplained absence. Pursue these gaps with employers listed and in a subsequent interview.
3. Conduct interviews with qualified applicants.

If detrimental information is uncovered but the applicant remains desirable, discuss this information with the applicant. Another staff member will participate in the interview. Record in writing any information provided by the applicant to explain the events in question. In the event the applicant is ultimately being recommended for hire or acceptance as a volunteer, document the reasons for finding the applicant suitable. Obtain concurrence for an exception to the policy from the Chair of the Personnel Committee for employees and the Director of Family and Children's Ministries for volunteers. Forward recommended exceptions to the Senior Pastor, with whom final decision-making authority rests.

Whenever possible, FPC will have a member of the Personnel Committee participate in the interview.

4. Contact all listed references for volunteers. Contact each of the volunteer applicant's references and ask for any information that might help determine the applicant's suitability for the position. If a response is not received within a reasonable period of time, follow up and keep notes of any contacts and attempted contacts.
5. Contact all listed references and employers for paid staff. Inquire as to the reason the applicant left and ask for any information that might help determine the applicant's suitability for the position. If a response is not received within a reasonable period of time, follow up and keep notes of any contacts and attempted contacts.
6. *Criminal Background Check*: FPC will conduct a criminal background check in accordance with this policy prior to employment or service as a volunteer. All criminal background checks will be updated annually.

Criminal background checks will be conducted using the Department of Corrections Prison/Parole Release Files; Administrative Office of Courts records; State and County criminal records; and Sexual/Violent Offender Registries.

FPC will pay for and receive the results of these criminal background checks. Information obtained through the screening, application, reference check, interview, and criminal background check will be kept in confidence, unless otherwise required by law. The results of these background checks will only be provided to the Senior Pastor and/or Minister of Administration and will be used strictly as a guide for suitability to serve in a trust position with FPC's youth and children. All information

discovered or obtained through the above-referenced means will be kept in a secure location and the results will not be shared with or made public outside of a strict “need to know” basis for determining this suitability. These materials will be archived.

The Christian Education Committee and Session must first review and approve all teachers and volunteers before they will be allowed to work with youth or children.

Each of the following individuals will be responsible for providing to the Minister of Administration names and information for screening on all staff, volunteers, and teachers assigned to his/her ministry area who have received approval from the Christian Education Committee. In addition, each ministry leader listed below will be responsible for training and completing reference checks on all staff, volunteers, and teachers assigned to his/her ministry area:

- Children’s Ministry Coordinator
- Nursery Coordinator
- Preschool Director
- Youth Director

In the event that any of the aforementioned positions are vacant, the responsibilities of that position will be performed by that position’s supervisor.

The Minister of Administration will be responsible for supervising all administrative activities supporting background checks.

Checkpoint

FPC’s Children’s Ministry utilizes ACS Checkpoint, a check-in/check-out system, which is designed to ensure the safety of each child birth-5th grade that enters FPC’s doors. Parents are required to “sign-in” at a kiosk before dropping a child off at the Nursery or Sunday School. Once a child is checked in the parent or guardian will receive a printed label. This label must be placed on his/her child’s clothing. Each child must have a Checkpoint label to enter/remain in the Nursery or Sunday School. All kids must wear their nametag. If for some reason a child enters a classroom without a Checkpoint label, a staff member or Sunday School teacher will locate the parents and help him/her check in his/her child. Each parent must have a matching Checkpoint label to pick up his/her child. Children under 18 years of age will not be allowed to drop off siblings; however, siblings under 18 years of age can pick up younger siblings if they have the parent portion of the label.

Staff Training

Before beginning their first year of service, all paid and volunteer leaders (including childcare workers, children and youth Sunday School teachers and youth workers) will be required to read the church’s child protection policy and agree to abide by it. Anyone

failing to do so will not be permitted to serve until the policy has been read and the form signed. Leaders and teachers will be required to attend a training session offered by the church at least annually on child protection which will include:

- Appropriate discipline measures with children and youth
- Church's policies for the prevention of child abuse
- Procedures to be used in all ministries with children and youth
- Appropriate steps to report an incident of child abuse
- Details of state laws regarding child abuse.

This training covers all programs, Sunday School, Vacation Bible School, etc., which will deal with children and youth. Other workers, that is parents and other adults who may be called upon to assist with children and youth programs, are also encouraged to attend such training sessions.

In addition, leaders of community groups of children or youth who use the church facility, including the outdoor facilities, will be required to read the policy and sign the acknowledgment form. Church facilities, including the outdoor facilities, will not be available to groups when their leaders refuse to read and sign the policy.

Two Leader Rule

Leaders will be assigned in teams of two or more unrelated adults, for all children or youth activities (excluding certain Sunday School classes). If the group is divided, each subgroup will have two leaders. If there are not two leaders available for each group, then either the group will be combined with another group to make possible the presence of two leaders or the activity will be cancelled on that occasion. This policy shall also apply to community groups of children or youth that meet at the church.

If any group stays overnight at the church, or if a church sponsored group leaves the premises, two or more youth leaders, adults 18 years of older, not related by marriage and at least five years older than the oldest youth served must be present and must include at least one male and one female, if the group is mixed in gender.

In addition, it is strongly recommended that the following guidelines be observed at a minimum for the number of leaders necessary to provide for the safe and effective supervision of our children and youth:

- There must be at least two leaders not related by marriage (at least one of each gender for a mixed gender group) for any youth group event or gathering.
- Children up to 12 months of age: Because we have a two leader rule in place, there must be two leaders at all times for up to six children. Additionally, there must be one leader for an additional child to maintain the 3:1 ratio of children to adults at all times.
- Children between 12 and 24 months of age: Because we have a two leader rule in place, there must be two leaders at all times for up to eight children. Additionally, there must be one leader for an additional child to maintain the 4:1 ratio of children to adults at all times.
- Children between 25 and 36 months of age: Because we have a two leader rule in place, there must be two leaders at all times for up to twenty children.

- Additionally, there must be one leader for an additional child to maintain the 10:1 ratio of children to adults at all times.
- Children between 3 and 5 years old: Because we have a two leader rule in place, there must be two leaders at all times for up to 24 children. Additionally, there must be one leader for an additional child to maintain the 12:1 ratio of children to adults at all times.
 - Children between 6 and 11 years old: Because we have a two leader rule in place, there must be two leaders at all times for up to thirty children. Additionally, there must be one leader for an additional child to maintain the 15:1 ratio of children to adults at all times.
 - Youth between 12 and 18 years old: Because we have a two leader rule in place, there must be two leaders at all times for up to twenty youth. Additionally, there must be one leader for an additional youth to maintain the 10:1 ratio of youth to adults at all times.

This guideline requires that at least one additional leader be present for each ten additional youth who are attending or expected to attend an event. As a rule of thumb, there should be no more than a 10:1 ratio of youth to adult leaders.

For events that include an overnight stay or leaving the church property for any reason, this guideline should be observed by gender (at least one male leader for every ten male youth AND at least one female leader for every ten female youth).

As an example, if there were thirty youth attending an event away from FPC, which included fifteen male and fifteen females, two male leaders and two female leaders – totaling four leaders – which exceeds the 10:1 ratio and observes the ratio per gender requirement.

Drivers

Adult leaders who are also responsible for driving must be aware that being distracted by passengers, cell phones, or other activities cannot be permitted. The greatest risk of serious injury or death comes from a driver's inattention either by being distracted or being too tired to provide full time and attention to the operation of the motor vehicle.

All drivers will be required to sign a statement before each trip that indicates that the driver:

- Is experienced, licensed and fully insured
- Has not had a moving violation within the past 12 months
- Has not had a conviction for driving under the influence or driving while intoxicated
- Has had a complete night's sleep, is fully rested, and not taking any medications that may cause drowsiness
- Is responsible for the safety of the vehicle and has performed a preliminary check to ensure that lights, mirrors, wipers, tires and brakes are functional and operating properly, and that fluids are at their proper levels
- Will ensure that all occupants are properly restrained using approved seat belts before the vehicle is allowed to move
- Will have necessary medical and emergency care forms for the occupants of their vehicle

- Has checked and confirmed that the vehicle has an adequate first aid kit available and accessible
- Will always drive within the posted legal speed limits
- Will not drive more than six hours in a day, and not more than two hours continuously before taking a break
- Will, when driving at night, in inclement weather, or at any other time visibility is reduced, commit to using extra caution, employ more frequent stops and alternating drivers

If the duration of the event exceed twelve hours, then whenever possible hiring professional transportation is strongly recommended. If professional transportation is not possible, the use of multiple drivers and more frequent stops are required.

Classroom Discipline

All leaders and those who work with children and youth will use the following disciplinary measures:

- If a child is behaving inappropriately, the leader or worker will tell the child specifically what he/she is doing that is not acceptable and state what the expected behavior is (“We do not throw blocks. We use blocks for building”). If this measure is not effective, the child will be guided to another activity.
- If inappropriate behavior continues, the child may be placed at a table to work alone (away from other students).
- If the child’s disruptive behavior continues after these steps have been taken, the child may be returned to his/her parent(s), or taken to the primary leader for the activity and left under his/her supervision. No physical punishment or verbal abuse (such as “ridicule”) is to be used at any time.
- If isolating the child within the classroom or removal of the child from the room becomes necessary, the situation will be discussed with the child’s parents or guardian as soon as possible.
- Other measures such as “time out” which are not inconsistent with the above, may also be utilized.
- Positive reinforcement for good behavior is encouraged.

Open Classrooms

Classrooms or childcare rooms may be visited without prior notice by church staff, parents, or other volunteer church workers, at any time. Brief observations of childcare rooms and classrooms of children or youth may be conducted by the primary leader during any activities.

Guidelines for Volunteers and Staff

All volunteers and paid staff will observe the following guidelines:

1. Do not provide alcoholic beverages, tobacco, drugs, contraband, or anything that is prohibited by law to minors.
2. FPC events that are co-educational will have both male and female chaperones.

3. At least two unrelated paid staff or volunteers will be in the room when minors are present. Doors will be left fully open if one adult needs to leave the room temporarily and during arrival to the class or event before both adults are present. Speaking to a minor or minors one-on-one should be done in public settings where paid staff or volunteers are in sight of other people.
4. Avoid all inappropriate touching with minors. All touching shall be based on the needs of the individual being touched, not on the needs of the volunteer or paid staff. In the event a minor initiates physical contact and/or inappropriate touching, it is appropriate to inform the minor that such touching is inappropriate.
5. Never engage in physical discipline of a minor. Volunteers and paid staff shall not abuse minors in any way, including but not limited to physical abuse, verbal/mental abuse, emotional abuse, and sexual abuse of any kind.
6. If you recognize an inappropriate relationship developing between a minor and adult, maintain clear professional boundaries and refer the minor to another individual with supervisory authority.
7. If one-on-one pastoral care is necessary, avoid meeting in isolated environments.
8. Anyone who observes abuse of a minor will take appropriate steps to immediately intervene and provide assistance. Report any inappropriate conduct to the proper authorities and officials of FPC for handling.

SUPERVISION OF CHILD AND YOUTH PROTECTION POLICY

The supervision of the paid staff shall fall under the jurisdiction of the Personnel Committee and the oversight of the volunteer youth and children's leaders by the Christian Education Committee in regard to the following:

- Seeing that the provisions of this document are carried out
- Amending and updating these provisions as circumstances and experiences may dictate
- Appointing any committees required in this document and overseeing the activities
- Assuring that all present paid staff satisfies the policy on child protection. Upon completion of this, the paid staff then shall undertake appropriate screening of all persons having contact with youth and children.
- Training or arranging for training, of all persons having contact with children, both current and future. This training shall educate the people on how to conduct their responsibilities so as to minimize opportunity for harm to the children.
- Informing the entire congregation of this program annually
- Such other duties as may be assigned

Disqualification

No person may be entrusted with the care and supervision of minors or may directly oversee and/or exert control or oversight over minors who has been convicted of the offenses outlined below, been on a probated sentence or received deferred adjudication

for any offense outlined below, or has presently pending any criminal charges for any offense outlined below until a determination of guilt or innocence has been made, including any person who is presently on deferred adjudication. The following offenses disqualify a person from care, supervision, control, or oversight of minors:

1. Any offense against minors as defined by state law.
2. A misdemeanor or felony offense that is defined by state law as a barrier crime. This includes but is not limited to the following offenses: sexual assault, indecency with a minor or adult, assault of a minor or adult, injury to a minor or adult, abandoning or endangering a minor, sexual performance with a minor or adult, possession or promoting child pornography, enticing a minor, bigamy, incest, drug-related offenses, or family violence.
3. In addition to the offenses listed above, also included is the conviction of any felony unless five years have elapsed since the conviction and a founded complaint of child abuse or neglect within or outside the Commonwealth of Virginia. Convictions include prior adult convictions, juvenile convictions, and adjudications of juvenile delinquency if offenses would be a felony if committed by an adult within or outside the Commonwealth of Virginia.
4. A prior criminal history of an offense against minors.
5. Conviction of any other misdemeanor or felony offense determined by FPC to make the employee or volunteer unsuitable in a position working with children and youth.

Sexual Offender at FPC

FPC may allow a person known to be a sexual offender to remain or become a member of the congregation but they must adhere to specific guidelines. However, first check with the offender's probation/parole officer for any restrictions regarding attending services or other functions where children are present. Ask the probation/parole officer to put any restrictions in writing. If restrictions don't prohibit participation, implement the following four guidelines.

1. A known sexual offender cannot participate in any of the child or youth programs in any way.
2. A known sexual offender can participate in church functions that do not involve minors under the conditions of a specifically drawn limited access agreement that the offender must sign and adhere to as a condition of participation. Failure to abide by the terms of the agreement may result in denied access to future involvement with the church.
3. A known sexual offender must report in with a staff member at the Welcome Desk each time he or she arrives at the church and must identify and be accompanied by an adult escort at all times.

REPORTING CHILD ABUSE

Authority: The code of Virginia Chapter 12.1 Sections 63.1-248.2 et seq. outline the statutory requirements of reporting suspected cases of child abuse and/or neglect, and sexual abuse for children under the age of eighteen years.

- A. 63.1 – 248.3 WHO MUST REPORT SUSPECTED ABUSE/NEGLECT: Physicians, Nurses, Teachers, etc. to report certain injuries to children; penalty for failure to report. Any person licensed to practice medicine or any of the healing arts, any hospital resident or intern, any person employed in the nursing profession, any person employed as a social worker, any probation officer, any teacher or other person employed in a public or private school, kindergarten or nursery school, any person providing full or part-time child care for pay on a regularly planned basis, any duly accredited Christian Science practitioner, any mental health professional, any law enforcement officer, in his professional or official capacity and any professional staff person, not previously enumerated, employed by a private or state operated hospital, institution or facility which children have been committed to or placed in for care and treatment who has reason to suspect that a child is an abused or neglected child, shall report the matter immediately, except as a hereinafter provided, to the local department of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or to the Department of Social Services toll-free child abuse and neglect hot line. If neither locality is known, then such report shall be made to the local department of the county or city where the neglect was discovered or to the Department of Social Services toll-free child abuse and neglect hot line. If any employee of the local department is suspected of abusing or neglecting a child, the report shall be made to the Juvenile and Domestic Relations Court of the county or city where the abuse or neglect was discovered. If the information is received by a teacher, staff member, resident, intern or nurse in the course of professional services in a hospital, school, or similar institution, such person may, in place of said report, immediately notify the person in charge of the institution or department or his designee who shall make such report forthwith. The initial report may be an oral report but such report shall be reduced to writing by the child abuse coordinator of the local department on a form prescribed by the State Board of Welfare. The person required to make the report shall disclose all information which is the basis for his suspicion of abuse or neglect of the child and, upon request, shall make available to the child protective services coordinator and the local department investigating the reported case of child abuse or neglect any records or reports which document the basis for the report.
- B. Any person required to file a report pursuant to subsection A of this section who is found guilty of failure to do so within seventy-two (72) hours of his first suspicion will be fined not more than five hundred dollars (\$500) for the first failure and for any subsequent failures not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000).
- C. 63.1-248.5 IMMUNITY FROM CIVIL LIABILITY: Immunity of person making report, etc. from liability. Any person making a report pursuant to 63.1-248.9, or who participates in a judicial proceeding resulting therefrom, shall be immune from any civil or criminal liability in connection therewith, unless it is proven that such person acted in bad faith or with malicious intent.

- D. 63.1-248.9 **AUTHORITY TO TAKE CHILD INTO CUSTODY:** A physician or protective service worker of a local department or law enforcement official investigating a report or complaint of abuse and neglect may take a child into custody for up to seventy-two hours without prior approval of parents or guardians provided:
1. The circumstances of the child are such that continuing in his place of residence or in the care of custody of the parent, guardian, custodian or other person responsible for the child's care, presents an imminent danger to the child's life or health to the extent that severe or irreparable injury would be likely to result; and
 2. A court order is not immediately obtainable; and
 3. The court has set up procedures for placing such children; and
 4. Following taking the child into custody, the parents or guardians are notified as soon as practicable; and
 5. A report is made to the local department; and
 6. The court is notified and the person or agency taking custody of such child obtains, as soon as possible, but in no event later than seventy-two hours, an emergency removal order pursuant to Va. Code Section 16.1 – 251; provided, however, if a preliminary removal order is issued after a hearing held in accordance with Section 16.1-252 within seventy-two hours of the removal of the child, an emergency removal order shall not be necessary.
- E. 63.1-248.10 **AUTHORITY TO TALK TO CHLD OR SIBLING:** Any person required to make a report or investigation pursuant to this law may talk to any child suspected of being abused or neglected or to any siblings without consent of and outside the presence of his parent, guardian, legal custodian or other person standing in loco parentis, or school personnel.
- F. 63.1-248.11 **PHYSICIAN – PATIENT AND HUSBAND – WIFE PRIVILEGES:** In any legal proceeding resulting from the filing of any report or complaint pursuant to this chapter, the physician-patient and husband-wife privileges shall not apply.
- G. 63.1-248.13 **PHOTOGRAPHS AND X-RAYS OF CHILD: USE AS EVIDENCE:** In any case of suspected child abuse, photographs and X-rays of said child may be taken without the consent of the parent or other person responsible for such child as a part of the medical evaluation. Photographs of said child may also be taken without the consent of the parent or other person responsible for such child as a part of the investigation of the case by the local department of the Juvenile and Domestic Relations Court; provided, however, that such photographs shall not be used in lieu of medical evaluation. Such photographs and X-rays may be introduced into evidence in any subsequent proceeding.
- The court receiving such evidence may impose such restrictions as to the confidentiality of photographs of any minor as it deems appropriate.
- H. 63.1-248.14 **COURT MAY ORDER CERTAIN EXAMINATIONS:** The court may order psychological, psychiatric, and physical examinations of the child alleged to be abused or neglected and of the parents, guardians, caretakers, or siblings of a child suspected of being neglected or abused.
- I. 63.1 – 248.15 **PRIMA FACIE EVIDENCE FOR REMOVAL OF CHILD CUSTODY:** In the case of a petition in the court for removal of custody of

child alleged to have been abused or neglected shall constitute prima facie evidence to support such petition.

Should there be allegations of physical and/or sexual abuse at FPC, the following procedures will be followed, to the fullest extent possible:

Act of Reporting:

1. The leader, staff member or volunteer suspecting a case of child abuse and/or neglect and/or sexual abuse shall:
 - a. Immediately notify the local child protective services and/or the Virginia Department of Social Services of the allegation.
 - b. Immediately notify his or her immediate supervisor, who shall immediately notify the Senior Pastor or (in the Senior Pastor's absence) the Executive Associate Pastor, the Clerk of Session, or the Chair of the Personnel Committee of the allegation, unless the allegations involve the Senior Pastor, in which case the Executive Associate Pastor, the Clerk of Session, or the Chair of the Personnel Committee shall be notified.
2. Care should be taken to minimize repetitive interviews of children regarding potential child abuse. Because of the possible contamination of evidence, professional staff should contact Pediatric Social work immediately. If the patient reveals any information regarding his/her abuse or neglect.
3. The Senior Pastor, or the Minister of Administration, or the designee:
 - a. Will coordinate the activities between the local child protective services and the church
 - b. Will immediately notify the child's parents if it is not known that they have previous knowledge, unless he or she reasonably believes that the child's safety warrants otherwise (e.g. allegation is against a parent)
 - c. Immediately notify the church's insurance company.
 - d. Cooperate with authorities and the insurance carrier.
4. TOLL FREE – Statewide Reporting Number 1-800-552-7096

Once the above immediate notifications have been accomplished, the following steps shall be taken:

- Any allegation of child abuse shall be treated seriously
- Immediately begin to document all actions that occur in handling the allegation
- During the investigation, an official of FPC shall maintain contact with the alleged victim and his/her parents or legal guardian, and inform them of the actions taken and assist them in their process of healing. Assure the alleged victim that any abuse is not their fault and commend them for coming forward and trusting in you to report the incident
- The Pastors should extend whatever care and resources are necessary to those impacted by the allegation, but under NO circumstances should a Pastor or any church leader or member investigate the allegation. In providing care to the principals (alleged victim, the accused and their families), the Pastors or church leaders should under NO circumstances be drawn into a discussion of the truth (or lack thereof) of the allegation, which could contaminate the investigation. Do not assign blame or take any steps that involve establishing or refuting the allegation.

- It is appropriate to show care and comfort for the alleged victim. This should be the pastoral objective from the moment the allegation is received or otherwise made known.
- An official of FPC (and legal counsel or other consultants) may meet with the alleged perpetrator, the alleged victim, and any others with knowledge of relevant facts. Do not confront the accused with the allegation. If the accused has assigned duties within the life of the church, that person must be temporarily relieved of their duties until the investigation is concluded.
- Communicate with criminal and civil legal counsel of FPC.
- Communicate with those affected by the ministry of the alleged perpetrator.
- Pray for the church and all persons affected by the allegation.
- There should be a single spokesperson for the church that will be designated by the Senior Pastor, in consultation with the Session.
- Hire a consultant or assign a spokesperson to respond to media or prepare a statement for the media if the need shall arise, subject to the approval of **FPC's** attorney. No outside media will be contacted and no statements provided to the media, other than "holding statements". Holding statements are designed to show that the church is concerned, taking all appropriate actions and protecting the rights and privacy of all concerned parties without releasing any proprietary information, or information that may be a part of the investigation.

Examples may include language, such as:

1. The church is aware of the allegations and has implemented its Child Protection Policy in an effort to quickly resolve this matter.
 2. Our first obligation is to the people allegedly involved until the matter is fully resolved.
 3. The appropriate officials have been notified.
- Once the investigation is complete an official of FPC (and legal counsel or other consultants) will then meet with the governing body of FPC and present a report on their investigation, which will include findings and recommendations of actions.
 - An official of FPC will meet with the alleged perpetrator and notify him/her of the results of the investigation and recommendations for actions.
 - An official of FPC will meet with the alleged victim, along with his/her parents or guardians, and notify them of the results of the investigation and recommendations for actions.
 - It is important to note that the duty to report is an individual duty. Therefore, it is the responsibility of the individual making the initial report to follow the reporting requirements in Virginia Code 63.1-218.3

EXPRESS EXCEPTIONS

The Child Protection Policy and Procedures of FPC are enacted for the specific purpose of protecting the safety and well being of our youth and children and for providing a safe sanctuary for all of God's children.

Emergency

If it is necessary to respond reasonably and responsibly to an emergency situation (including, but not limited to a medical crisis), leaders may find that adherence to the

procedures set forth in this policy are either impossible or based upon the reasonable judgment of the leader, not in the best interest of the participants.

Under such circumstances, adherence to this policy will not be required. However, once an emergency is resolved all efforts must be made to resume compliance with the policy.

Inadvertent Failure

In the course of our active ministry at FPC, there may be unusual circumstances where a leader will find it necessary to care for FPC's youth or children without assistance of another approved leader. This inadvertent failure must not occur frequently and such instances must be reported to the Senior Pastor and the Christian Education Committee chairperson.

Reporting Requirement

The Child Protection Policy and Procedures of FPC shall be reviewed annually by the Personnel Committee and then by the Session. A verification follow-up report will be made each year to ensure the integrity of the policy and procedures.

Additional Childcare Staffing Policies

For any church-related event, only FPC approved staff, teachers or leaders shall be allowed to provide childcare. This policy has been developed to insure that those with appropriate training, experience and a certified FPC criminal background check will be allowed to care for our children and youth.

Minors will be released only to a parent, guardian, or sibling under 18 years of age who has the parent portion of the Checkpoint label.

Prior to taking minors on trips information will be provided in writing to the parents regarding the trip and written parental permission, including a signed medical treatment form and emergency contacts will be required.

Volunteer and staff members should not be intentionally isolated with a child in a bathroom. If a child is escorted to the bathroom or needs personal assistance, a door must remain ajar at all times. Other than parents and other family members, only paid Children's ministry staff members (including but not limited to Sunday School teachers and nursery workers) may change a child's diaper.

Staff and volunteers always utilize appropriate discipline measures which focus on the inappropriate behavior but not the child. Use of verbal direction or redirection of activity is appropriate. If disruptive behavior continues, the child's parent will be located and told of the behavior and asked to remove the child from the activity. Physical punishment or verbal abuse will never be used at any time. FPC is committed to working with children to determine what they need in order to fully participate, but not to the detriment of other children in the program.

The scheduling of childcare staff for events (other than those regularly scheduled – such as Sunday School, worship, Wednesday night activities, etc.) must be arranged through

FPC's Childcare Coordinator after the approval or direction of the Senior Pastor or Session.