

CENTRAL FLORIDA PRESBYTERY

PROTECTION POLICY FOR CHILDREN & YOUTH

INTRODUCTION

Like all councils of the Presbyterian Church (USA), the Central Florida Presbytery is required to adopt a child protection policy (G-3.0106), creating a safe environment for children and youth in which opportunities for abuse are minimized by the provision of proper enlistment and supervision of those persons working with them. This document contains theological foundations, definitions of child abuse, policies and procedures related to prevention, response, and reporting.

FOUNDATIONAL CONCEPTS

Theological Foundation

Our Biblical Mandate:

“Then Jesus took a little child and put her among them; and taking her in his arms, he said to them, ‘Whoever welcomes one such child in my name welcomes me, and whoever welcomes me welcomes not me but the one who sent me.’” (paraphrase of Mark 9:36- 37)

Jesus also said, “If any of you put a stumbling block before one of these little ones ... it would be better for you if a great millstone were fastened around your neck and you were drowned in the depth of the sea.” (Matthew 18:6)

Our Commitment in Baptism:

The Church, above all institutions, is called to welcome and nurture the child. Our goal is to maintain a safe, secure, loving place where children may grow and where those who care for them may administer to their needs in responsible ways.

Our Mandate:

The *Book of Order*, G-3.0106, includes the following required policies: “All councils shall adopt and implement a sexual misconduct policy and a child protection policy.” The intent of this section is that councils adopt separate policies for these concerns.

Statement of Covenant:

We uphold the idea that to report abuse is to be a witness to the world of the love and justice of God and fully recognize that reporting abuse is a form of ministering to the needs of those crying out for help. Simply, to report abuse can help to stop existing and prevent further abuse.

As caring Christians, we are also committed to protect and advocate for children, and youth participating in the life of the church. The Church, at all levels of its organization, is entrusted with the responsibility of providing an emotionally and physically safe, spiritually grounded, healthy environment for children, youth, and adults in which they are protected from abuse. Additionally, we care for abused children and their families by offering resources that will contribute to healing. Further, we recognize the grace that God gives in upholding Christian community; and we will look for grace-filled ways of dealing with both the victim and the accused.

DEFINITIONS

As described in Chapters 39 and 415, Florida Statutes, the Florida Department of Children & Families is charged with providing comprehensive protective services for children who are abused, neglected or at threat of harm in the state by requiring that reports of abuse, neglect, or threatened harm be made to the Florida Abuse Hotline.

- Child - any born, unmarried person less than 18 years old who has not been emancipated by order of the court.
- Council-The Central Florida Presbytery of the Presbyterian Church (PCUSA)
- Volunteer - a person 21 years of age or older who assists in conducting children's or youth's activities under the supervision of a staff person
- Paid staff - any person employed by the Presbytery who is responsible for ministries involving children and youth
- Abuse - any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.
- Neglect - occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired.

POLICIES AND PROCEDURES

Screening and Supervisory Procedures and Policies for Presbytery Staff Whose Position Responsibilities Involve Ministry with Children and Youth

- Written job description and/or expectations provided.
- Must complete and sign consent form authorizing criminal background check and a drug/alcohol screen. A background check, including fingerprinting, should be provided for any staff member participating in Presbytery-sponsored ministries and events with children or youth.
- Background checks must be renewed every three years.
- References will be checked with summary documentation in a confidential file and maintained at the Presbytery Office.

Screening Procedures for Volunteers and Paid Staff working with Children and Youth

- All adults who intend to be in ministry with children or youth at Presbytery-sponsored events, including day, overnight or longer events, must be properly screened and trained on child protection and abuse, and have a current background check. This is the responsibility of their local church.
- All adult volunteers or church staff participants for Presbytery-sponsored events must have had a background check in the last three years that includes a screening from the National Criminal Record database and National Sex Offenders registry and Social Security Verification. If your adult advisors have not been background checked, a member of the Presbytery staff can arrange for the background check for a nominal fee.
- The Pastor or Clerk of Session will be required to sign and certify for each event that all adults—volunteer or staff--participating from their church have had the background screening required by the policy requirements above.

Guidelines for Volunteer and Paid Staff in Ministry with Children and Youth at Presbytery-sponsored events:

- Persons should be at least five (5) years older than the age group with whom they are to work.

- Persons leading a group of children or youth should be at least twenty-one (21) years of age or older.
- Six month rule: Any Volunteer working with children must be a member or attend regularly in the local church for at least six months.
- Two-adult rule: Two non-related adults must always be present in groups of children or youth except in emergency situations and where not reasonably feasible.
- There must be one adult for every seven children or youth, and it is their responsibility to supervise their group through the event.
- It is recommended for overnight or longer events, there be an adult advisor for each gender of children or youth participating in the event.
- When the two-adult rule is not feasible, the adult supervisor will be required to spot check or make unannounced visits as necessary.
- Doors are never to be locked and are to remain open unless equipped with windows. Staff and Volunteers will avoid being alone with a child without being visible to others in the immediate surroundings.

Again, all Conference Staff and Volunteers will be required to read and sign that they understand the guidelines for working with children/youth at conference events.

Overnight trips/events: Adult chaperones with children/youth must be the same gender, must never share a bed with a child/youth or be alone in the room with them at any time. Large room multiple bunk settings allow two same gender adults to share the room with children/youth.

All parents/leaders should have documented contact information exchange and event information.

Transportation recommendations:

- All drivers should be screened including a review of their motor vehicle record.
- If using a church bus, trustee guidelines for use of church owned vehicles should be followed.
- When using private vehicles for church-related events, adult must provide updated insurance and follow the two adult rule in each vehicle when possible. No adult should provide transportation for a single child or youth without the parent's written permission, and it is advisable not to do it at all.
- All children/youth must provide a permission/liability form with emergency information signed by their parent/guardian. These are to be kept with the leader at all times during the travel event.

REPORTING PROCEDURES

Constitutional Requirement

The Presbyterian Church (USA) requires that:

“Any member of this church engaged in ordered ministry and any certified Christian educator employed by this church or its congregations, shall report to ecclesiastical and civil legal authorities knowledge of harm, or the risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity when (1) such information is gained outside of a confidential communication as defined in G-4.0301, (2) she or he is not bound by an obligation of privileged communication under law, or (3) she or he reasonably believes that there is risk of future physical harm or abuse.” (G-4.0302)

Florida Requirements

The state of Florida defines two types of reporters:

Mandated reporter:

- Any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected by a parent, legal custodian, caregiver, or other person responsible for the child's welfare is a mandatory reporter. §39.201(1)(a), Florida Statutes.

- Any person, including but not limited to state, county, or municipal criminal justice employees or law enforcement officers, who knows or has reasonable cause to suspect that a vulnerable adult has been or is being abused, neglected, or exploited must make a report. §415.1034(a), Florida Statutes.

Professionally mandated reporter: Anyone who is legally obligated to report known abuse and must also identify themselves when reporting. These include:

- Physician, osteopathic physician, medical examiner, chiropractic physician, nurse, or hospital personnel engaged in the admission, examination, care, or treatment of persons;
- Health or mental health professional;
- Practitioner who relies solely on spiritual means for healing;
- School teacher or other school official or personnel;
- Social worker, day care center worker, or other professional child care, foster care, residential or institutional worker;
- Law enforcement officer;
- Judge, §39.201(1)(d)(1)-(7), Florida Statutes; or
- Mediators. §44.405(4)(a)(3), Florida Statutes.

How to Make a Report

The information in this and the following section comes from the Florida Department of Children and Families website, page 9.

(<https://www.dcf.state.fl.us/programs/abuse/publications/mandatedreporters.pdf>)

Everyone, including professionally mandatory reporters, should contact the Florida Abuse Hotline when they know or have reasonable cause to suspect that a child has been abused, abandoned, neglected, or exploited. The Florida Abuse Hotline Counselor will determine if the information provided meets legal requirements to accept a report for investigation.

There are four ways to make a report:

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| • By Telephone | 1-800-96ABUSE (1-800-962-2873) |
| • By Fax | 1-800-914-0004 |
| • By TDD | 1-800-453-5145 |
| • Web Reporting | http://reportabuse.dcf.state.fl.us |

Information Needed

Specific descriptions of the incident(s) or the circumstances contributing to the risk of harm are very important. This includes who was involved, what occurred, when and where it occurred, why it happened, the extent of any injuries sustained, and what the victim(s) said happened, and any other pertinent information.

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Callers should have the following information ready or should provide it in the fax or web report:

- Name, date of birth (or approximate age), race, and gender, for all adults and children involved.
- Addresses for all subjects, including current location.
- Information regarding disabilities and/or limitations for vulnerable adult victims.
- Relationship of the alleged perpetrator to the child or adult victim(s).

Other relevant information that would expedite an investigation, such as directions to the victim (especially in rural areas) and potential risks to the investigator, should be given to the Florida Abuse Hotline Counselor.

Do not delay in contacting the Florida Abuse Hotline even if you do not have all the necessary information. The Florida Abuse Hotline Counselor will make an assessment based on the available information, and will decide if it is sufficient to accept a report for investigation.

RESPONSE PROCEDURES

In addition to the mandatory reporting procedures to civil authorities, listed above, a report should also be made to Central Florida Presbytery. A quick, compassionate and unified response to an alleged incident of child abuse is expected. All allegations will be taken seriously. Presbytery personnel are not to undertake an investigation of the incident. However, in all cases of reported or observed abuse in a children's activity, the entire staff of that activity shall be at the service of all official investigating agencies.

The Executive Presbyter/Stated Clerk and/or his/her designee are the only person/s authorized to make statements to representatives of the media. All requests for statements should be directed to the Executive Presbyter/Stated Clerk. Training in how to handle media requests should be a regular part of Presbytery staff training. A spirit of cooperation in helping the media find the "official spokesperson" is crucial.

If the allegation concerns activities or persons outside any relationship to a Presbytery-related event or activity, it is the responsibility of the staff person in charge of the Presbytery-related event or activity to make the initial contact to the appropriate authorities and/or agencies.

If the allegation is against a Presbytery staff person or volunteer or if it occurred in the course of a Presbytery-sponsored children's or youth event, the staff person in charge of the event shall immediately report the incident to the Executive Presbyter/Stated Clerk, who shall then determine the appropriate action(s) to be taken.

RELATIONSHIP OF POLICY TO THE RULES OF DISCIPLINE

If the person performing the alleged abuse is a teaching elder, the Executive Presbyter/Stated Clerk shall determine whether the report rises to the level of initiating disciplinary proceedings, as specified in D-10.0101. If the person performing the alleged abuse is a ruling elder, deacon, or member of a congregation, the Executive Presbyter/Stated Clerk shall inform the Clerk of Session and Moderator of the session, with the recommendation that disciplinary proceedings be initiated.

If the alleged abuse involves sexual activity and the alleged abuser is a teaching elder, then the Presbytery's Clergy Sexual Misconduct Policy applies and should be followed, including the mobilization of the Sexual Misconduct Response Team. Included in this response are the following requirements of the Rules of Discipline:

- If the teaching elder is serving a congregation or other validated ministry under the direct oversight of Central Florida Presbytery, a determination as to paid administrative leave shall be made (D-10.0106).
- The Executive Presbyter/Stated Clerk shall form an Investigating Committee, according to standard Presbytery practice. (D-10.0202 – D-10.0202)
- If civil proceeding have commenced regarding the alleged abuse, the investigation shall be suspended until those proceedings are concluded. (D-10.0401a)

- Sexual abuse is defined by the Rules of Discipline as “Sexual abuse of another person is any offense involving sexual conduct in relation to
 - any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or
 - any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position. (D-10.0401c(1), (2))

Amendments to Policy

This policy shall be approved by Central Florida Presbytery. After the initial approval, any amendments to the policy shall be approved by Presbytery Council and reported to the Presbytery.