

Salem Lutheran Church: Keeping God's People Safe

Policy Concerning Abuse Prevention

Provided by Salem Lutheran Church Council
August 2015

Foundation

Salem Lutheran Church (SLC) is a congregation rooted in Christian Faith which proclaims God's intent for the safety of all people and calls us to especially care for children and the most vulnerable in our midst. Therefore, SLC will not tolerate any form of abuse (including: physical, emotional, verbal, sexual or neglect) exploitation, or harassment by anyone. SLC is committed to creating and maintaining programs, facilities and a community in which members, friends, staff and volunteers can worship, learn and work together in an atmosphere free from all forms of discrimination, harassment, exploitation or intimidation.

SLC Affirms the resolution adopted by the 1992 Church wide Assembly of the Evangelical Lutheran Church in America (ELCA): *Strategy for Responding to Sexual Abuse in the church, and the 1989 Resolution on Sexual Harassment*, which reads in part:

"Whereas, all persons were created by God in the divine image and the human sexuality is a gracious gift from God;

Whereas, our baptism into the family of God calls us to stand firmly and pastorally against all forms of abuse and to respect and empower our brothers and sisters in Christ;

Resolved, that the ELCA commit itself to work to make our church a safe place for all persons by working to eliminate these abuses; and be it further

Resolved, that each congregation commit itself to be a safe place."

As Christians we are called to be good stewards of all God's people of any age who seek a safe place to worship, work and be engaged in the body of Christ.

Purpose

This policy seeks to:

- Ensure a safe and trusting environment
- Protect the most vulnerable among us, including children, youth and adults, as well as volunteers, paid staff, and all of God's people at SLC
- Outline the staff and volunteer policy and practices for working with children/youth and vulnerable adults.
- Use screening and training policies to set an expectation and level of trust among our staff, volunteers, congregation and those that we serve.

- Implement best practices and training universally to be most faithful and fair.
- Proactively reduce the risk of harassment, exploitation, abuse, and outline procedures for response.

Definitions

Paid Staff: Any pastor, minister or employee paid by SLC

Child/youth/minor: Any person who has not reached his/her 18th birthday

Adult: Any person who has reached his/her 18th birthday

Vulnerable Adult: An adult with limited ability to adequately defend themselves against abuse, neglect, or exploitation.

Volunteer: Any unpaid person providing service to the congregation or its ministries.

Approved adult: Anyone 18 years or older who has satisfied all of the requirements of the Safeguarding policy and the application and training procedures for the approved adults. Approved adults are entrusted with care and the supervision of minors or other vulnerable populations, including volunteer or paid staff.

Sexual Misconduct: In this document “sexual misconduct” is a comprehensive term which covers:

1. Child sexual abuse. Child sexual abuse includes any contact or interaction between a child or youth and an adult or older youth when the child or youth is being used for the sexual stimulation or gratification of the adult or older youth or third person. The behavior may or may not involve touching, and includes the display of private or sexual parts of the body. Sexual contact between an adult and any person under eighteen years of age is always considered forced and inappropriate whether or not there has been any form of consent.
2. Sexual harassment. Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors, and other written, verbal or physical conduct of a sexual nature or any inappropriate conduct directed at an individual as a result of that individual’s gender.
3. Rape or any sexual contact by force, threat, or intimidation.

Child Emotional Abuse: Verbal or nonverbal conduct including mental exploitation, degrading communication, or humiliating or threatening conduct that may or may not include bullying as defined by state law.

Physical Abuse: Means the willful infliction of physical pain, injury or mental anguish or unreasonable confinement whereas otherwise defined by Virginia Law.

Neglect: Means the knowing and willful failure by any staff, congregation member or volunteer responsible for the care or supervision of another to provide care, supervision or assistance which

results in injury to the health or endangers the safety to the person or persons in his care or under his or her supervision.

Exploitation of Vulnerable Adults: is defined by the Per 22 VAC 30-100-10 "Exploitation" as the illegal use of an incapacitated adult or his resources for another's profit or advantage. This includes acquiring an adult's resources through the use of the adult's mental or physical incapacity, the disposition of the incapacitated adult's property by a second party to the advantage of the second party and to the detriment of the incapacitated adult, misuse of funds, acquiring an advantage through threats to withhold needed support or care unless certain conditions are met, or persuading an incapacitated adult to perform services including sexual acts to which the adult lacks the capacity to consent.

Protection and Prevention

Safeguarding Team: Who they are and what they do

Safeguarding Team:

The safeguarding team will be a subcommittee of the Church Council/Steven Ministry group. The team will at all times operate with a minimum of two members, one male and one female. The committee will be comprised of the executive team from the church council and one team member from the Steven Ministry Committee along with The Pastor when available and needed.

The Safeguarding Team will:

1. Oversee and implement Approved Adult screening and any training needed, and be cleared and trained as Approved Adults themselves.
2. Oversee and implement any ongoing awareness/education programs that may be needed within the congregation or Approved Adult Team.
3. Utilize outside research, experts, and local collaborative safe church groups as possible for best use of resources and best practices.
4. Keep written, confidential records and reports.
5. In the case of an allegation or incident, oversee and document:
 - a. Any contact with alleged victim(s) and offender(s).
 - b. If allegations have been made involving a minor, a representative (s) from the safeguarding team will meet with the individual and his/her parents and notify them of the steps of the investigation.
 - c. Communication, compliance, and efficiency with all authorities to assist in transparency and aid in healing.
 - d. Written reports to be confidentially kept.
6. Provide regular communication via reports and periodic council reports.
7. Review and revise this policy as needed in collaboration with the congregation and approval of council.

8. Report to congregational council (and to the congregation in the annual report). Team members will be confirmed by congregational council.

Procedures for Approved Adult Status

1. Any volunteers seeking to become Approved Adults must have been active (determined at the discretion of the pastor(s) and the Safeguarding Team) in the life of SLC and acquainted with the pastor, staff, or members of the Safeguarding Team for six months before applying.
2. Any paid staff and volunteers who will work with minors must complete an Employment Application or Approved Adult Application. ELCA rostered are considered Approved Adults through their own screening and education processes. However, they must agree to abide by the SLC Safeguarding Policy and additional training may be required.
3. SLC will conduct a criminal background check on all paid staff at the time of employment and volunteers who apply to become Approved Adults, using accepted standards to ensure the safety and confidentiality of everyone. The Pastor and The Safeguarding Team reserve the right to deny applications to be an Approved Adult. Reasoning for this must be documented and communicated appropriately and pastorally with the individual applying. Grounds for automatic denial to become and Approved Adult include:
 - a. Any offense against minors as defined by state law, including (but not limited to) a criminal history of such offense.
 - b. A misdemeanor or felony offense as defined by state law that is classified as 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, possession or promoting child pornography, enticing a minor, incest, or family violence.
4. Applications for Approved Adults and any coordinating materials or notes will be kept confidential unless otherwise required by law. The information therein will be kept in confidence and the materials will be safely archived.
5. Training for Approved Adults may be required by SLC and will include education on awareness, prevention, and recognition of abuse, sexual abuse, and reducing risk when supervising minors. A record of any training held will be kept on file with the applications and or screening forms. The Safeguarding Team will oversee and document training.

Approved Adult Interaction Guidelines

1. Two adults Goal: In any setting or activity regarding children there will be the goal of 2 adults at all times. When this goal cannot be met all workers should let parents and/or guardians know and obtain consent of the child's parent or guardian prior to being alone with the child.
2. Follow a visibility policy: No two people (adults or minors) will be completely unobservable at any time. When there are not two Approved Adults available doors will be left open unless there

is a window where visibility remains. Speaking to a minor or minors one-on-one should be done in public spaces or where parties can be easily observed.

3. Social Media and Electronic contact: "Any prohibited conduct listed above is also prohibited during any telephone or electronic communication (Facebook, Twitter, Instagram, telephone, texting. Etc.) Adults should refrain from texting, calling or otherwise communicating electronically with minors on a one-on-one basis without appropriate, specific purpose and the knowledge of the parents/guardians.
4. During a classroom setting attendance will be taken at the start of each session.
5. Have adults (age 18 or over) present with teenage volunteers.
6. Any Approved Adult is responsible to address suspicious behavior or any behavior that may be contrary to church policy. This Approved Adult should immediately contact a member of The Safeguarding Team.

Investigation and Response

1. In the event of any concern or allegation made of sexual harassment, the congregation will follow the guidelines and recommendations of the "Virginia Synod Policy Statement on Sexual Harassment." (November 1991)
2. In the event of any concern or allegation made of sexual misconduct by any rostered leader, the congregation will follow the definitions, guidelines, and recommendations in the Virginia Synod's "Statement of Policy and Protocol Regarding Sexual Misconduct by Rostered Leaders" and the adjoining policy of protocol implementing said document of the Office of the Bishop.
3. Commonwealth of Virginia (Code of Virginia Section 63.2-1509) requires that any person 18 years of age or older associated with or employed by any public or private organization "responsible for the care, custody, or control of children" who has reason to suspect abuse or neglect must report the matter immediately to the Department of Social Services in the city/county in which the child resides or wherein the abuse or neglect is believed to have occurred or to the departments toll free child abuse and neglect hotline. In the event any staff member or volunteer of SLC suspect abuse or neglect on church campus or a church related event such person shall immediately report such incident to the proper authorities, the Pastor, president of the congregational council, or a member of the Safeguarding Team. If such a report is made to the pastor, council president, or member of the Safeguarding Team, he or she must comply with Virginia Reporting requirements. If a report is made, the council president should be notified by the person making the report. If an allegation involves the council president, report should be made to the vice president (both of these are members of the Safeguarding Team).
4. Any staff or volunteer must immediately report any allegation or suspicion that a person has acted inappropriately toward a child/youth/vulnerable adult while involved in congregational activities or on the SLC premises. The report should be made to the local authorities, the Pastor, congregational president, or a member of the Safeguarding Team.

5. Anyone witnessing abuse should take immediate reasonable action to stop the abuse and/or prevent further abuse until further investigation can occur. No one will be expected to intervene where such intervention may jeopardize that person's safety or the safety of themselves or others. The witness should report the observed abuse and attempt no further investigation, including questions of the potential victim(s) on their own. All investigation must be entrusted to those specifically trained and empowered to do so. The Pastor or council president will forward any allegations or reports on to the remaining members of the Safeguarding Team and local authorities.
6. Allegations will be reported to SLC's insurance carrier.
7. SLC will cooperate fully with authorities, the insurance carrier, and ELCA synodical/church wide recommendations.
8. SLC may suspend (with pay for paid staff) an alleged offender while a confidential investigation is being conducted.
9. Any allegation, report, or witnessed inappropriate activity (of the type outlined in this policy) by someone at an off-campus, non-SLC event (out of town trips, synodical events, other) outside the SLC community will be reported to event leadership as well as local authorities as appropriate.
10. Retaliation of any kind will not be tolerated against any individual involved in an allegation or anyone responsible for investigating the allegation.