

**CHILDREN, YOUTH, and VULNERABLE
ADULTS PROTECTION POLICY
FOR
CHRISTIANIA LUTHERAN CHURCH**

**Adopted
September 11, 2018**

Overview

1. Any staff or councilperson in a consultation with the Senior Pastor can request background checks.
2. The Senior Pastor will communicate with volunteers to explain the policy, where to access it, and the process for completing a background check. If the pastor is unavailable (due to absence, accusation, or other serious, qualifying situation), the President of the Executive Council will assume this responsibility.
3. Volunteers will provide information to the company administering the background check on behalf of Christiania Lutheran Church.
4. Volunteers who choose not to submit to a background check will not be allowed to work with children and will be asked to excuse themselves from any ministry in direct contact with children and/or teens.
5. The Senior Pastor will document the results and counsel any volunteers who do not pass the background check.
6. A record of all results will be stored in a restricted file and will remain confidential.

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Introduction

To help protect the most vulnerable among us, **CHRISTIANIA LUTHERAN CHURCH** has adopted the following Children, Youth, and Vulnerable Adults Protection Policy. It is important that all **CHRISTIANIA LUTHERAN CHURCH** paid staff and volunteers understand and implement these guidelines to help prevent abuse against children, youth and adults. The following information includes the Purpose and Definition Guidelines, the outlines of Protection and Prevention, and an Acknowledgement to be signed by those working with children and vulnerable adults.

Purpose

Supporting our Lutheran Theology to “fear and love God so that we do not hurt our neighbor in any way, but to help him/her in all his/her physical needs,” these procedures are designed to reduce the risk of child or vulnerable adult abuse in order to:

1. Provide a safe and secure environment for children, youth, adults, members, volunteers, visitors, and paid staff.
2. Assist **CHRISTIANIA LUTHERAN CHURCH** in evaluating a person’s suitability to supervise, oversee, and/or exert control over the activities of children, youth, and vulnerable adults.
3. Address the concerns of parents and staff members with screening processes for paid staff and volunteers.
4. Provide a system to respond to possible victims of abuse and their families, as well as to the alleged perpetrator.
5. Respond to the accusations of abuse made against volunteers and paid staff.

Definitions

The following terms used herein and are defined as follows:

1. *Paid Staff*: Any pastor, minister, or employees hired by Christiania Lutheran Church to perform regular job duties.
2. *Children/Youth/Minor*: Any person who has not reached his/her 18th birthday.
3. *Adult*: Any person who has reached his/her 18th birthday.
4. *Vulnerable Adult*: One who receives services from a qualified provider or who possesses physical, mental, or emotional infirmity or dysfunction.
5. *Volunteer*: Any unpaid person involved in activities and entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors or adults.
6. *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/or providing or displaying pornographic materials to another person.
7. *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.
8. *Physical Abuse*: The intentional act of causing injury or trauma to another person.

Protection and Prevention

Volunteer and Employee Screening Procedures

The following screening procedures are to be used with paid staff 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. All information collected should be maintained in confidence.

1. *Employment Application and Volunteer Application:* Any paid staff and/or volunteer who may work with a minor must complete the Employment Application and/or the Volunteer Application. The individual completing the Application to apply for and qualify for service must sign the release statement attached to the Application.

Our Employment Application, including background check 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.
- Nationwide criminal search
- Nationwide sexual offender registry

Our Volunteer Application, including background check includes questions regarding:

- Current address
- Volunteer experience
- Criminal history information
- Nationwide sexual offender registry

Applications for staff or volunteers include a statement in which the applicant is asked to acknowledge in writing, certifying that statements provided in the application are true and complete, and any misrepresentation or omission may be grounds for rejection of the applicant for dismissal if he or she is employed or is a volunteer. This statement authorizes **CHRISTIANIA LUTHERAN CHURCH** to contact any individual or organization listed in the application.

2. The Senior Pastor or, if he or she is unavailable, the President or Vice President of the Executive Council:
 - a. May review all statements made in the application, paying specific attention to any gaps in time and irregular employment patterns or unexplained absence. May pursue these gaps with employers listed and in a subsequent interview.

- b. Conduct interviews with qualified applicants. If detrimental information not listed in this document is uncovered but the applicant remains desirable, discuss this information with the applicant. In the event the applicant is ultimately hired or accepted as a volunteer, the reasons may be documented for overriding the prior information. Whenever possible, **CHRISTIANIA LUTHERAN CHURCH** will have an associate participate in the interview.
 - c. May contact all listed references for volunteers and request any information that might help determine the applicant's suitability for the position.
 - d. May contact all listed references and employers for paid staff and inquire as to the reason the applicant left, requesting any information that might help determine the applicant's suitability for the position.
3. *Criminal Background Check*: **CHRISTIANIA LUTHERAN CHURCH** will conduct a criminal background check on all paid staff and volunteers. All criminal background checks will be updated yearly.

Confidentiality

Information obtained through the screening, application, reference check, interview, and criminal background check will be kept in confidence, unless otherwise required by law. All information discovered or obtained through the above-referenced means will be kept in a secure location and access to it will be restricted. These materials will be archived.

Supervision Procedures

Unless an extenuating situation exists, **CHRISTIANIA LUTHERAN CHURCH**:

- 1. Will have an adequate number of screened and trained paid staff or volunteers present at all events involving minors. Supervision will increase in proportion to the risk of the activity.
- 2. Will monitor facilities during activities involving children.
- 3. Will release minors through grade 5 or as directed by parents to a parent or guardian and utilize sign-in and sign-out sheets, as feasible.

4. Will obtain written parental permission, including a signed medical treatment form and emergency contacts, before taking minors on trips and should provide information regarding the trip.
5. Will take recommended precautions, in case of a pending divorce or possible spousal kidnapping, if Christiania is informed of any risk to children.
6. Will have two or more minor or vulnerable adults in the car if only one adult is present, unless it is the adult's own child.
7. Will have minors through grade 5 or vulnerable adults escorted to the restroom and the paid staff or volunteer will wait outside the restroom to escort the child or vulnerable adult back to the activity.
8. Will have minors use a "buddy system" whenever minors go on trips off of **CHRISTIANIA LUTHERAN CHURCH** property.
9. Will screen all paid staff and volunteers and approve those individuals in advance for any overnight activities.

Behavioral Guidelines for Religious Organization Paid Staff and Volunteers

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. Holy Communion is excluded from this procedure.
2. **CHRISTIANIA LUTHERAN CHURCH** events that are co-educational will have both male and female chaperones.
3. Whenever possible, at least two unrelated paid staff or volunteers will be in the room when minors 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, as defined by law. In the event a minor initiates physical contact and/or inappropriate touching, it is appropriate to inform the minor that such touching is inappropriate and involve parents or guardians as necessary.

5. Never engage in physical discipline of a minor or vulnerable adult. Volunteers and paid staff shall not abuse minors in any way, including but not limited to physical abuse, verbal/mental abuse, emotional abuse, and/or sexual abuse of any kind.
6. If you recognize an inappropriate relationship developing between a minor or vulnerable adult, and an adult, maintain clear professional boundaries and refer the minor or vulnerable adult to another individual with supervisory authority. It is against the policy of Christiania Lutheran Church for an inappropriate relationship between an adult and a youth or vulnerable adult, even if that individual has reached the age of consent, per state law.
7. Anyone who observes abuse of a minor will take appropriate steps to immediately intervene and provide assistance. Report any inappropriate conduct to the senior pastor, the police (as required by law), the President of Christiania Lutheran Church Executive Council, the Bishop of the St Paul Area Synod, and other proper authorities.
8. If one-on-one pastoral care is necessary, avoid meeting in isolated environments.

Disqualification

The following offenses, even if the charges are pending, disqualify a person from care, supervision, control, or oversight of minors or vulnerable adults, until a determination of guilt or innocence has been made. A guilty verdict is an automatic disqualification:

1. Any offense against minors or vulnerable adults as defined by state law.
2. 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, sexual performance with a minor or adult, possession or promoting child pornography, enticing a minor, bigamy, incest, drug-related offenses, or family violence.
3. A prior criminal history of an offense against minors.

Sexual Offender at CHRISTIANIA LUTHERAN CHURCH

CHRISTIANIA LUTHERAN CHURCH 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, the Senior Pastor or the President of the Executive Council must 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 only participate in a predetermined service each week.
3. The identity of the sexual offender will be disclosed to the congregation by the senior pastor.
4. A known sexual offender must identify him or herself to the senior pastor. The senior pastor may assign an escort to this individual who will accompany him or her at all times.

Response to Sexual Abuse

CHRISTIANIA LUTHERAN CHURCH will respond promptly to investigate any accusation of sexual abuse. All accusations of sexual abuse will be taken seriously. It is important to be appropriately respectful to the needs and feelings of those who allege sexual abuse and those who have been accused of sexual abuse.

When an allegation is made involving sexual abuse, the person reporting the complaint is to be told about the guidelines and the procedures to be followed. Senior Pastor will facilitate investigating the allegations and may use the assistance of legal counsel or other consultants. If Senior Pastor is the individual that is accused of sexual abuse, then the President or the Vice President of the Executive Council will alert the Bishop of the St. Paul Area Synod immediately and notify police, as required by law and then facilitate the investigation. The investigation will be conducted as follows:

1. Report the incident to appropriate authorities in accordance with the state mandatory reporting laws and the Bishop of the St. Paul Area Synod.
2. Report the matter to **CHRISTIANIA LUTHERAN CHURCH's** insurance carrier.
3. Cooperate with legal authorities, the St. Paul Area Synod, and insurance carrier.
4. **CHRISTIANIA LUTHERAN CHURCH** will suspend (with pay for paid staff) the alleged offender while a confidential investigation is being conducted.

5. The Senior Pastor and/or the President or Vice President of the Executive Council of **CHRISTIANIA LUTHERAN CHURCH** and legal counsel or other consultants will then meet with the governing body of **CHRISTIANIA LUTHERAN CHURCH** and present a report on their investigation, which will include findings and recommendations of actions.
6. The Senior Pastor and/or Executive Council President or Vice President of **CHRISTIANIA LUTHERAN CHURCH** 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.
7. The Senior Pastor and/or Executive Council President or Vice President of **CHRISTIANIA LUTHERAN CHURCH** will meet with the alleged perpetrator and notify him/her of the results of the investigation and recommendations for actions.
8. During the investigation, the Senior Pastor and/or Executive Council President or Vice President of **CHRISTIANIA LUTHERAN CHURCH** 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. Every effort will be made to separate the victim and alleged perpetrator while at church until the investigation is complete.
9. The Senior Pastor and/or Executive Council President or Vice President of **CHRISTIANIA LUTHERAN CHURCH** (and legal counsel or other consultants) may meet with the alleged perpetrator, the alleged victim, and any others with knowledge of relevant facts.
10. The Senior Pastor and/or Executive Council President or Vice President of **CHRISTIANIA LUTHERAN CHURCH** (and legal counsel or other consultants) will communicate with criminal and civil legal counsel of **CHRISTIANIA LUTHERAN CHURCH** and those affected by the actions of the alleged perpetrator.
11. The Senior Pastor and/or Executive Council President or Vice President of **CHRISTIANIA LUTHERAN CHURCH** may hire a consultant or assign an appropriate person to respond to media and/or congregation or prepare a statement for the media and/or congregation if the need shall arise, in consultation with the involved legal counsel.

Staff and Volunteer Background Information and Background Check Permission Requested by Christiania Lutheran Church

Thank you for your faithful service to Christiania Lutheran Church. As you know, our children, their learning, their safety, their health, and their faith experiences are of the greatest importance. Due to challenges in our world and as per the requirements of our Church Mutual Insurance policy, it is crucial that every staff member and every volunteer who works with or around our children agrees to a background check. It is also crucial that all the information submitted in that check is true.

Please Complete the Form in its entirety:

To apply for the background check, you need to honestly answer the questions posed there.

Name: _____

Your current address: _____

Current email: _____

Current phone number/s: _____

Are there any pending charges against you? **YES** or **NO** (circle your response)

Role/Position Applying For: _____

A brief summary of your volunteer experience: _____

Two references (include names, addresses & contact numbers):

(1) _____

(2) _____

My signature below signifies that the information contained on this form is correct to the best of my knowledge and that I have read through Christiania's Children, Youth and Vulnerable Adults Protection Policy. I authorize the persons listed as references to give Christiania Lutheran any information of which they are aware regarding my character and fitness for work with and around youth and children.

Signature: _____

Date: _____

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