

# ABUSE PREVENTION PROGRAM

## ADULT

### INTRODUCTION

---

Lutheran Memorial Church (LMC) has adopted the following Abuse Prevention Program. It is important that all Lutheran Memorial Church congregation members, paid staff and volunteers understand and implement these guidelines to help create a safe and secure environment for all members and visitors of the congregation. The following includes the purpose and definitions for these guidelines, the outline of protection and prevention, and an acknowledgement to be signed by those people working with children.

### PURPOSE

---

This program and outlined procedures are designed to reduce the risk of abuse in order to:

- Provide a safe and secure environment for children, youth, adults, members, volunteers, visitors, and paid staff.
- Assist Lutheran Memorial Church in evaluating a person's suitability to supervise, oversee, and/or exert control over the activities of children, youth, and other ministries at LMC.
- Satisfy the concerns of parents and staff members with a screening process for paid staff and volunteers.
- Provide a system to respond to alleged victims of abuse and their families, as well as the alleged perpetrator.
- Reduce the possibility of false accusations of abuse made against volunteers and paid staff.

### DEFINITIONS

---

The following terms used herein are defined as follows:

- Paid Staff: Any rostered leader, pastor, minister, preacher, cleric, or employee who is employed by the church, not to include those reimbursed for expenses.
- Children/Youth/Minor: Any person who has not reached his/her 18th birthday or the age of majority as defined by state law.
- Adult: Any person who has reached his/her 18th birthday.
- Volunteer: Any person not employed by the church who is 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.
- Abuse includes the any of the following:
  - 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 but 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.

- 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.
- Physical Abuse: Any intentional act causing injury or trauma to another person or by way of bodily contact.

## **KNOWN SEXUAL OFFENDERS AT LUTHERAN MEMORIAL CHURCH**

---

Lutheran Memorial Church may allow a person known to be or identified as a sexual offender to attend, engage in activities or become or remain a church congregational member. Such person if known or identified to church staff must be encouraged by church staff to communicate regularly with church staff and to establish appropriate boundaries for engagement in church life at LMC. If applicable, the member advise their probation/parole officer, if any, for any considerations regarding attending services or other functions where children are present. Church staff may ask the probation/parole officer to put any restrictions in writing. The council may be advised by church staff or the offender and may consider the matter upon request or on its own motion.

## **RESPONSE TO ABUSE**

---

Lutheran Memorial Church will respond promptly to investigate any accusation of abuse. All accusations of abuse will be considered and pursued. It is important to be respectful to the needs and feelings of those who allege abuse and those who have been accused of abuse.

When an allegation is made involving abuse, the person reporting the complaint is to be told about the guidelines and the procedures to be followed. LMC Senior Pastor and a church council member or an appointed person will begin investigating the allegations and may use the assistance of legal counsel or other consultants, including the Synod Office. If the LMC Senior Pastor and a church council member or an appointed person is the individual accused of abuse, then the Associate Rostered Leader (pastor or deacon) and a church council member or appointed person will conduct the investigation. The investigation will be conducted as follows:

- Report the incident to appropriate authorities with due consideration for mandatory reporting laws.
- Report the matter to the Synod.
- Report the matter to LMC's insurance carrier.
- Cooperate with authorities, synod and the insurance carrier.
- LMC Council may suspend the alleged offender while a confidential investigation is being conducted.
- LMC will investigate and create an incident report that must be maintained on file, either electronically or paper, for 10 years.
- An official of LMC (and legal counsel or other consultants) will then meet with the LMC Council and present the report on their investigation, which will include findings and recommendations of actions.
- The alleged offender will be presented with the investigation and recommendations for actions.
- The alleged victim, along with his/her parents or guardians when appropriate, will be presented with the investigation and recommendations for actions.

- During the investigation, LMC will maintain contact with the parties and his/her parents or legal guardian when appropriate and inform them of the actions taken and assist them in their process of healing.
- If appropriate, hire a consultant or assign a spokesperson to respond to the media or prepare a statement for the media.

## **VOLUNTEER AND EMPLOYEE SCREENING PROCEDURES**

---

The following screening procedures are to be used with paid staff and adult volunteers who are entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight of a church activity, or at the church's discretion for other congregational activities. All information collected should be maintained in confidence.

Youth volunteers must fill out the youth volunteer covenant and adhere to the covenant guidelines and are exempt from all background check screening processes.

### **Employee and Volunteer Process**

#### Employee Application and Volunteer Information Form

Any paid staff and adult volunteers who meet the above criteria must complete the Employment Application and/or the Volunteer Information Form. The release statement attached to the Application or Information Form must be signed by the individual completing the Application or Information Form to apply for and qualify for service.

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.
- Criminal history information.
- Background check will be completed by applicant through the source approved by LMC policy. It is expected that if any criminal charges occur after and/or between background checks, that the employee would notify pastoral staff.

Our Volunteer Information Form includes questions regarding:

- Current address.
- Volunteer experience.
- Background check will be completed by volunteer. Information on completing check will be emailed to volunteer via Trusted Employees. It is expected that if any criminal charges occur after and/or between background checks, that the volunteer would notify pastoral staff.

#### Application and Information Review

Lutheran Memorial Church will review all statements made in the application and background check information, 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.

#### Application and Information Interview

Lutheran Memorial Church will conduct interviews with qualified applicants for paid employment and with volunteers when appropriate.

If detrimental information is uncovered during the interview or background check process but the applicant or adult volunteer remains desirable, discuss this information with the applicant or volunteer. In the event the applicant or adult volunteer is ultimately hired or accepted as a volunteer, document the reasons for overriding the detrimental information except in the case of sexual misconduct in which the applicant must submit an appeal to the church council. (See Applicant and Volunteer Appeals Process)

#### Application and Information Reference Check

Lutheran Memorial Church will contact all listed references for applicants and adult volunteers when appropriate. LMC will ask questions to get information that might help determine the applicant or volunteer's suitability for the position. If a response is not received within a reasonable period of time, follow up and keep notes if possible. For employment only, LMC will inquire with previous employers 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 if possible.

#### Criminal Background Check

Lutheran Memorial Church will conduct a criminal background check on all paid staff and adult volunteers who are entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight of a church activity, or at the church's discretion for other congregational activities. All criminal background checks will be updated annually.

#### **Confidentiality**

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

#### **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 may disqualify an applicant or adult volunteer:

- Any offense against minors as defined by state law.
- A misdemeanor or felony offense as defined by state law that is classified as sexual assault, indecency with a minor or adult, assault or injury to a minor or adult, abandoning or endangering a minor, possession or promoting child pornography, enticing a minor, incest, drug-related offenses, and domestic violence.

### Applicant and Volunteer Appeal Process

If the applicant or adult volunteer is flagged for disqualification based on the above criteria or knows they will be flagged during the application process, the applicant or volunteer may submit a formal written appeal to the Church Council. The written appeal must include what the offense is, date of the incident(s), and legal consequences of the offense. It also must include how the applicant has rectified or changed since the incident(s). If applicable, a letter from the applicant's probation/parole officer must be attached. Other attachments may include letters from members of the congregation or other community members speaking to the character of the applicant or volunteer. The church council has 15 business days from the date of the appeal to respond.

## **EMPLOYEE AND VOLUNTEER CHILD SUPERVISION PROCEDURE**

---

Unless an extenuating situation exists, Lutheran Memorial Church:

- will have an adequate number of screened and trained paid staff and/or volunteers present at events.
- will have an adequate number of screened and trained paid staff and/or volunteers present during activities involving children.
- will release minors to parents or guardians or approved caregivers and utilize sign-in and sign-out sheets when appropriate.
- 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.
- will require that young children be accompanied to the restroom and the paid staff or volunteer wait outside the facility to escort the child back to the activity. Whenever possible, the escort will be the same sex as the minor.
- will encourage minors to use a "buddy system" whenever minors go on trips off of LMC property.
- will screen all paid staff and volunteers and approve those individuals in advance for any overnight activities.
- will encourage all outside groups that use our facilities to adhere to these supervision policies

## **EMPLOYEE AND VOLUNTEER BEHAVIORAL GUIDELINES**

---

All volunteers and paid staff will observe the following guidelines:

- Do not provide alcoholic beverages, tobacco, drugs, contraband, or anything that is prohibited by law to minors.
- To the extent possible, LMC events that are co-educational will have both male and female chaperones.
- 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.
- 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.
- Avoid meeting with any minor in isolated environments.
- Anyone who observes an inappropriate relationship developing between a minor and adult or abuse of a minor, will take appropriate steps to immediately intervene and provide assistance to the minor. Any inappropriate instances must be reported to the proper authorities and officials of LMC for handling.



## EMPLOYEE AND VOLUNTEER ABUSE AND PREVENTION ACKNOWLEDGEMENT FORM

---

These guidelines have been designed to guide and assist you when working with minors. The information establishes general practices and guidelines and should not be construed in any way as a contract of employment or continued employment. Lutheran Memorial Church reserves the right to make changes in the content or application of this program and to implement those changes with or without notice.

The terms defined herein are defined for the purposes of the program and do not suppose or establish a legal relationship. These terms are not defined for the purposes of creating a legal relationship with the Lutheran Memorial Church or any related or associated entity and instead are to be used with this document.

I have received a copy of the Lutheran Memorial Church's Abuse Prevention Program. I understand it is my responsibility to become familiar with and adhere to the information contained herein. I understand that these policies are the property of the Lutheran Memorial Church.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**OFFICE USE ONLY**

RECEIVED \_\_\_\_\_

ORDERED \_\_\_\_\_

CLEARED \_\_\_\_\_

ENTERED IN BREEZE \_\_\_\_\_