



St. Matthias United Methodist Church

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Reverend Pat B. Tony

Dear Brothers and Sisters in Christ,

"It could never happen here," is a common response to reports of child abuse that occur in other churches. It seems almost impossible that such an activity could taint our community of faith. Unfortunately, it does, in fact, happen. In an effort to protect our children/youth and those who work with them at St. Matthias, the Administrative Council recently revised our Child/Youth Protection Policy and Procedures, as part of our Safe Sanctuary program.

With your support, the policy creates the safest environment we can reasonably provide for our children to grow in Christian love. It protects not only the children and youth involved in church-sponsored programs, but also their teachers/leaders, and our church. The policy is based on recommendations from insurance companies that specialize in church law, and recommendations from other churches that have implemented similar plans. Our policy is available for your review on our website.

In compliance with Virginia United Methodist Conference guidelines and our insurance company requirements, all workers (both paid and volunteer), who work with children and youth now are required to do several things. First, all workers are required to fill out an application form and submit to a background check. Second, all workers are required to attend the training offered periodically by our Safe Sanctuary Coordinator and others.

This policy and associated procedures are not meant to burden or offend anyone supporting our children's or youth's needs, but rather to protect them, employees and volunteers, and to enhance the safety of the church itself. Many thanks for your understanding and commitment to our children and youth ministry! Please pray with us that our church will continue to be a haven of blessing and a place of peace for all as we reach, teach and serve under the banner of God's great love in Jesus Christ.

Grace and peace,

Pat B. Tony

Rev. Pat B. Tony

**St. Matthias United Methodist Church
Child and Youth Protection
Policy and Procedures**

January 2015

Approved: 15 January 2015

I. INTRODUCTION

St. Matthias United Methodist Church (SMUMC) is a Christ-centered community of faith, reaching, teaching, loving, and serving. We are committed to providing a place to nurture the spiritual growth of people of all ages, which includes a caring and secure environment for children, youth, and adults in all phases of church life.

We realize no person, group, or organization can absolutely guarantee the safety and security of all people at all times. However, we believe the risk of harm to children, youth, and adults who attend SMUMC and participate in programs and events can be reduced through the establishment of and adherence to these policies and procedures.

II. PURPOSE

The purpose of this policy is to:

- Protect our children and youth
- Protect our staff and volunteers from false allegations of misconduct, and
- Establish reasonable procedures to reduce the risk of physical, emotional, and sexual abuse of our children and youth as they participate in SMUMC events.

The United Methodist Virginia Conference Protection Guidelines and the Safe Sanctuary Training Program were considered in the development of this policy. This update includes procedures for required background checks for volunteers, as well as other policy changes.

III. BIBLICAL FOUNDATION

SMUMC seeks to express God's love of children and provide for their personal wholeness. This caring community seeks to prevent child abuse of any form to our children and youth 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. Mark 10:13-16 is clear in defining our relationship with all children.

And they 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.

Jesus teaches us explicitly that children 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—a place where caregivers, teachers, and leaders (both staff and volunteers) minister appropriately to their needs.

IV. VIRGINIA'S CHILD ABUSE LAW

Child protection programs are mandated by statute. The Commonwealth of Virginia's current child abuse reporting statute was first enacted in 1975. Section 63.2-100 has been amended and modified a number of times. The statute is comprehensive, requiring the reporting of numerous types of maltreatment. The law applies to any child under 18 years of age when a parent or any person responsible for the child's care:

- Causes or threatens to cause non-accidental physical or mental injury;
- Has a child present during the manufacture or attempted manufacture of a controlled substance or during the sale of such substance where such activity would constitute a felony violation;
- Neglects or refuses to provide adequate food, clothing, shelter, emotional nurturing, or health care;
- Abandons the child;
- Neglects or refuses to provide adequate supervision in relation to the child's age and level of development;
- Knowingly leaves a child alone in the same dwelling with a person, not related by blood or marriage, who has been convicted of an offense against a minor for which registration is required as a violent sexual offender; or
- Commits or allows to be committed any illegal sexual act upon a child, including incest, rape, indecent exposure, prostitution, or allows a child to be used in any sexually explicit visual material.

An act of child abuse may be committed by any person responsible for the care of another individual who is less than 18 years of age. It does not matter whether the person caring for the child under the age of 18 is a compensated or a volunteer worker. It does not matter whether the person routinely is entrusted with the care of children or whether such individual only occasionally comes in contact with children. It does not matter whether the person was entrusted with the care of a child for an hour or only a moment. It only matters that a child was abused or neglected by the person who, on the occasion in question, was responsible for the child's care.

V. TYPES OF CHILD ABUSE

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) that is not accidental and harms or threatens to harm a child's physical or mental health or welfare. Types of abuse noted in administrative code for the Virginia Department of Social Services as follows.

- **Physical Abuse:** A 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, is inflicted or allowed to be inflicted by non-accidental means. Examples: 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 shelter, inadequate personal hygiene, inadequate food, and malnutrition.
- **Sexual Abuse:** Any act defined in the Code of Virginia that is committed or allowed to be committed, upon a child by his/her parent or other person 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 caregiver 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 that 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 caregiver that results in harm to a child's psychological or emotional health or development.
- **Educational Neglect:** The failure of the child's caretaker to ensure the child attends school or an approved alternative program of study.
- **Bizarre Discipline:** Any actions in which the caregiver uses eccentric, irrational, or grossly inappropriate procedures or devices to modify the child's behavior.

Abuse under the definition of the Virginia Department of Behavioral Health and Developmental Services means “any act or failure to act by an employee or other person responsible for the care of an individual that was performed or was failed to be performed knowingly, recklessly, or intentionally, and that caused or might have caused physical or psychological harm, injury, or death to an individual receiving services. Examples of abuse include but are not limited to the following:

- Rape, sexual assault, or other criminal behavior;
- Assault or battery;
- Use of language that demeans, threatens, intimidates, or humiliates the person;
- Misuse or misappropriation of the person’s assets, goods, or property;
- Use of excessive force when placing a person in physical or mechanical restraint;

- Use on a person of physical or mechanical restraints that is not in compliance with federal and state laws, regulations, and policies, professionally accepted standards of practice or the person's individualized services plan; and
- Use of more restrictive or intensive services or denial of services to punish the person or that is not consistent with his individualized services plan.

VI. CONVICTED SEXUAL PREDATORS

The *Social Principles of the United Methodist Church* state that recent studies suggest a low likelihood pedophiles can or will change. Without extensive professional treatment, virtually all child sexual predators will re-offend. Repentance, prayer, and pastoral support, always in combination with lifelong professional treatment, can be crucial in helping to change behavior but, in themselves, offer slim hope of changing the behavior of perpetrators. In other words, many studies say child molesters are almost impossible to change. They will continue to be sexually attracted to children. It also states no matter how well a church conducts a program to minister to child molesters (pastoral support, counseling, monitoring, etc.), the outcome is rarely positive. The overwhelming majority will molest children again. Therefore, in view of the stated and the fact SMUMC is not equipped to minister to sexual predators, and the protection of children and youth is one of our highest priorities, convicted sexual predators will not be allowed to attend worship or any functions sponsored by SMUMC. However, if a sexual predator comes seeking a church, we will make every effort to guide him/her to churches with staffing and programs that can minister to his/her needs.

VII. REDUCING CHILD ABUSE

In an effort to create the safest possible environment, several child protection measures will be used. These measures include screening of paid (staff) and unpaid (volunteer) workers for past child abuse convictions or expungements, training on child abuse issues and risk reduction rules, and standards for appropriate classroom discipline. Speakers, short-term presenters, facilitators, performers, or temporary maintenance personnel (i.e., groundskeeper, repair persons, etc.) are not considered staff or volunteers and will not be screened in accordance with this policy. These individuals will never be left alone with any child/youth.

For clarity, the following definitions should be used when reading this policy.

- **Staff:** Any adult hired by the Staff Parish Relations Committee (SPRC) for a paid staff position, regardless of whether the position is full-time, part-time, permanent, or temporary and regardless of whether such position directly or routinely involves the care of children/youth.
- **Volunteer:** Uncompensated adults approved by SMUMC to provide education or care for children/youth.
- **Helper:** Any uncompensated adult or youth who supports a volunteer.

- **Roamer:** Any adult who has the responsibility to monitor multiple classrooms or events that are occurring simultaneously.
- **Child:** Any person up to 12 years of age, generally persons from birth through 6th grade.
- **Youth:** Any person 12 to 18 years of age, generally persons from 7th grade through 12th grade.
- **Adult:** Any person age 18 or older.
- **Family Members:** Husband, wife, sibling, child, or grandparent.
- **Safe Sanctuary Coordinator (SSC):** A volunteer who is responsible for day-to-day implementation of this policy, working with the Pastor, the Lay Leader, and the Safe Sanctuary Policy Committee (SSPC). The SSC must be a member of SMUMC and passed a background check as defined herein. The SSC will be responsible for helping ensure orientation/training and background checks are conducted and the proper forms are completed for all who work with children or youth and up-to-date lists of all approved individuals are maintained and available. The SSC, on a continuing basis, will evaluate the church's compliance with this policy and provide a report in the annual Charge Conference Report.
- **Safe Sanctuary Policy Committee:** A group working in conjunction with the SSC, Lay Leader, and Pastor to develop, revise, monitor, and enforce this policy. This group is formed as needed and its membership is determined by the Pastor and SSC. All members of the SSPC must be a member of SMUMC and passed a background check as defined herein.

VIII. SCREENING PROCESS, REQUIREMENTS, ADJUDICATION, AND RISK REDUCTION

A. Screening Process

Application: Before employment for a current staff position at SMUMC (Administrative Assistant, Choir Director, Youth Director, Sexton, Nursery Worker) the applicant must complete an employment application (Attachment 1).

Interviews: As part of the employment process, an applicant will be interviewed by the Pastor, the chair of the SPRC, and the position advocate, who is a member of the SPRC.

References: Applicants will be required to provide references from prior employment, a previous church pastor, and personal acquaintance. A reference

cannot be related to the applicant by blood or marriage. Under normal circumstances, volunteers are not required to provide references, but will if requested.

Background Checks: Prior to service, the staff or volunteer will complete the process for a background check. The SSC will act as the background check coordinator and will report to the Pastor.

- The individual will sign an authorization and release form for the background check (Attachment 2), which includes a disclosure page. The form requires the following information: identification, including former and alias names, current and former addresses, date of birth (DOB) and social security number (SSN). DOB and SSN information will not be retained and will be shredded after it is entered into the online background check application. DOB and SSN may be self-entered on the background check application website with the assistance of the SSC. Once entered, only the last four digits of the SSN and day and month of DOB are visible on the background check application and report.
- All criminal background checks will be conducted securely online by Screening One, which is the Virginia Conference approved organization, under the supervision of the SSC.
- Background checks will be repeated every five years and will be conducted in accordance with recommendations from the Virginia Conference.
- Any staff or volunteer, who has previously had a background check completed by another church or an office under the Connectional Ministries of the Virginia Conference within the last five years will not be required to undergo an additional check. It is the responsibility of the individual to obtain a copy of the background check from their previous church or Conference and give it to the SSC. The following is the contact information for obtaining a copy of the background check from the Virginia Conference.

Office of Inclusivity & Lay Leadership Excellence
Virginia Conference United Methodist Church
P.O. Box 5606, Glen Allen, VA 23058
804-521-1153 or 800-768-6040 ext.153
Fax: 804-521-1179 Website: www.vaumc.org

- SMUMC will pay the cost of the background checks for staff and volunteers.

Child and Youth Protection Training: All staff and volunteers working with children/youth will be required to attend a training session of the SMUMC's Child and Youth Protection Policy and Procedures.

- The SSC or a trained volunteer with a thorough understanding of the policy will conduct a formal training every year. The training session schedule will be announced well in advance to maximize attendance.

- A modified training session can be given to a volunteer who is scheduled to work with children/youth on an as needed basis. The SSC should be contacted to schedule this training.
- A copy of the policy will be made available and a covenant statement signed after completion of training.

Information Security/Confidentiality

- All SMUMC background check results will be stored on Screening One's secure website, with password access only by the Pastor, SSC, and Lay Leader. In addition, the Virginia Conference, being the umbrella organization, will also have access to the results by limited personnel.
- All signed background check authorization and release forms and covenant statements for staff and volunteers will be maintained under the supervision of the SSC. A copy will be provided to the individual if requested.

B. Screening Requirements

Staff: Before beginning service, applicants will fill out an application (Attachment 1), participate in an interview, provide references, and undergo a background check. Once employed, the individual will attend training, read the Child and Youth Protection Policy and Procedures, and sign the covenant statement (Attachment 3). Currently employed staff will attend training, read the Child and Youth Protection Policy and Procedures, sign the covenant statement (Attachment 3), and undergo a background check. Staff will undergo a background check update and re-sign the covenant statement every five (5) years.

Volunteer: Before beginning service, all volunteers working with children/youth will undergo a background check, attend training, read the Child and Youth Protection Policy and Procedures, and sign the covenant statement (Attachment 4). References will be provided upon request. Volunteers will undergo a background check update and re-sign the covenant statement every five (5) years.

Helper: Before beginning service, all helpers will read the policy and sign the covenant statement (Attachment 5) indicating they have read and understand the policy and procedures and agree to abide by them. Youth helpers must have a parent or guardian co-sign the covenant statement. Helpers do not count towards the Two Adult Rule or the minimum adult-child ratio and work under the direction of a volunteer. Use of adult helpers must be limited to infrequent, short-term support such as Vacation Bible School (VBS) and transportation. Helpers will re-sign the covenant statement every five (5) years.

Roamer: Before beginning service, all roamers will read the Child and Youth Protection Policy and Procedures and sign the covenant statement (Attachment 6). Roamers will re-sign the covenant statement every five (5) years.

Exception: *All staff and volunteers can act in the capacity of a roamer without signing the roamer covenant statement.*

Community Groups: Background checks are required from community group volunteers; however, many youth organizations (e.g., Boy Scouts of America, Girl Scouts of America, youth sports, etc.) have well-developed youth protection policies and procedures in place requiring background checks. The Pastor, SSC, and Lay Leader will determine if the volunteers from children or youth community groups need to have additional background checks. Registered leaders of community groups involving activities for children or youth who use the church facilities will be required to read the policy and procedures, and sign the covenant statement (Attachment 7). Church facilities will not be available to groups whose leaders refuse to read and sign the covenant. Community group leaders will re-sign the covenant statement every two (2) years prior to the annual facilities use approval.

Exception: *Scout groups will provide a list of registered adult volunteers to the SSC PRIOR TO their annual facilities use approval.*

Exception: *All Community Group volunteers will be provided the current training material for self-training.*

C. Adjudication: The Pastor, SSC, and Lay Leader will review all background check results and record their recommendations using Attachment 8 as an official record for adjudications. The SSC and Pastor will adjudicate the Lay Leader, the Pastor and Lay Leader will adjudicate the SSC, and the Lay Leader and SSC will adjudicate the Pastor. The Pastor is the final approval/disapproval authority for all adjudications based on the recommendations of the Lay Leader and SSC. Once adjudication has been conducted, the SSC will notify the subject of the background check of the results.

- Anyone who has had a child abuse conviction or expungement, as well as anyone refusing to authorize the background check or sign the covenant statement, will not be permitted to work with children.
- No staff or volunteer will be allowed to serve: (a) until the individual has met all of his/her obligations as set forth in this policy; (b) if it is determined the individual has a pending charge of, has been convicted of, or has pled guilty to a charge of sexual misconduct, child abuse, molestation, neglect, or other violent misconduct, including but not limited to those offenses set forth in Section 63.1-198.1 of the Code of Virginia; or (c) if the individual refuses to participate in any part of the screening procedures set forth in this policy.

- The Code of Virginia prohibits individuals with certain barrier offenses as defined in Section 63.2-1719 from working with children and youth in regulated and licensed programs. The Virginia Conference adheres to these same requirements for volunteers in any capacity that involves direct contact with or supervision of children and youth. Employment applicants and/or volunteers who have been identified as having committed sexual or physical abuse or having a criminal record involving violent crime to another person will not knowingly be employed for service or accepted as a volunteer, respectively, with programs or activities for children and youth. A list of barrier offenses/crimes can be found on the internet at: http://www.vdh.virginia.gov/OLC/Laws/documents/barrier_crimes_guide.pdf.
- Under the law, convictions for offenses unrelated to abuse or neglect would not disqualify an applicant for employment or service. Even if the applicant has been convicted of a barrier crime, it may not always prevent employment or service. An applicant who has one misdemeanor conviction specified in the law may serve or be hired if:
 - The criminal offense did NOT involve abuse or neglect; AND
 - Five years have lapsed since the conviction occurred.

D. Additional Protection in Reducing Potential Abuse

Age Requirement: All staff, volunteers, and roamers must be at least 18 years of age. Helpers must be at least 12 years of age.

Three Month Rule: SMUMC will not approve volunteer workers for children or youth in the church unless they have been a regular attendee/member of the church for at least three months.

Exception: Volunteers who have transferred from another church will be permitted to work with children or youth, provided their previous pastor provides a positive recommendation to an inquiry from the SMUMC Pastor. These volunteers will be subject to all other procedures and requirements set forth in this policy.

Two Adult Rule: No fewer than two staff and/or adult volunteers will be assigned for all children/youth activities. 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/youth that meet at the church. When family members work together, an additional adult volunteer shall be present. If two adults are not available to physically be in each room a Roamer will satisfy the two-worker requirement. The Roamer must physically observe all one worker rooms on a sporadic and constant base throughout the duration of the event.

Exceptions include:

- *Escorting children/youth in hallways*
- *Monitoring the arrival or departure of children/youth*
- *In cases of emergency care*

If an SMUMC youth group stays overnight at the church or at a church-sponsored off-site event, adult leaders must be present and must include at least two males for an all-male group and two females for an all-female group. If the group is of mixed gender, then two male and two female leaders are required. If these requirements cannot be met, the activity will be canceled.

Visibility

- Doors will be left open or contain a window with all children's activities. Classrooms or childcare rooms may be visited without prior notice by parents, church staff, or volunteers.
- Any one-on-one mentoring or consultation between staff or volunteer and a child/youth is to be conducted in an area that is in plain view of others or with written permission signed by the parent/guardian.

Participant to Supervisor Ratios: Adequate supervision will be provided at all times. The following are minimum guidelines, but all ratios shall fall into compliance with the "Two Adult Rule."

- One adult to three children, 0 up to 12 months of age
- One adult to four children, ages 12 months up to 24 months
- One adult to six children, ages 24 months up to 12 years
- One adult to eight children ages 12 up to 18 years

Three Years Older Rule: All staff/volunteers who count toward the Two Adult Rule will be at least three years older than the oldest child/youth they are teaching or leading.

IX. TRANSPORTATION OF CHILDREN AND YOUTH

- When transporting children or youth, an adult driver will always take at least two or more children/youth in their car. There should never be only one child/youth in a car, unless there are two adults (not related), or if the driver is the parent/legal guardian of the child/youth. If there is an extenuating circumstance causing only one adult and one child/youth to travel together in an automobile, permission must be obtained by a parent or legal guardian of the child/youth. This permission should be in writing and signed by the parent/guardian or documented by the volunteer if only verbal consent is obtainable.
- All vehicles must be covered by automobile liability insurance with limits that meet or exceed state requirements in which the vehicle is licensed.
- A driver must be at least 21 years of age and have a valid driver's license that has not been suspended or revoked for any reason.
- In the event of an accident while traveling to, from, or during a SMUMC-sponsored event in a privately owned vehicle, the driver's insurance is the primary insurance, while SMUMC insurance is secondary.
- Seatbelts are to be worn by all vehicle occupants.
- All laws will be obeyed, including the speed limit.
- The driver of the vehicle should refrain from cell phones and text-messaging devices while driving.
- No smoking, consumption of alcohol, or use of other drugs at any time by a driver or passenger while traveling to, from, or during a SMUMC-sponsored event (unless prescribed medication is necessary for the health and safety of the driver and/or passenger).
- All drivers traveling to, from, or during a SMUMC-sponsored event with children/youth must first sign a transportation covenant (Attachment 9) acknowledging that their vehicle has adequate automobile liability insurance, they possess a valid driver's license, they are aware of their insurance is the primary insurance in the event of an accident, and that they will comply with the rules as stated herein. This form will be updated at least every two (2) years.

X. DISCIPLINE

A. Church School Discipline

If a child/youth is behaving inappropriately, the teacher or worker will tell the child/youth specifically what he/she is doing that is not acceptable and state what the expected behavior is. If this measure is not effective, the child/youth will be guided to another activity. If inappropriate behavior continues, the child/youth may be placed

at a table to work alone away from the other students. If the child/youth's disruptive behavior continues after these steps have been taken, the child/youth will be taken to the Director of Children's Ministries or the Sunday School Superintendent who will contact the parent(s) to come pick up their child/youth, unless the parent is in the building, then the child/youth will be returned directly to the parent(s) by the teacher or worker.

NO physical punishment or verbal abuse; e.g., ridicule, is to be used at any time. If isolating the child/youth within the classroom or removal of the child/youth from the room becomes necessary, the situation will be discussed with the child's parents or guardian as soon as possible.

B. Non-Church School Discipline

If a child/youth is behaving inappropriately, the leader will tell the child/youth specifically what he/she is doing that is not acceptable and state what the expected behavior is. If inappropriate behavior continues, the leader will contact the parent(s) to come pick up their child/youth. It will be up to the leader, Pastor, and parent to determine when/if the child/youth will be allowed to continue to participate.

NO physical punishment or verbal abuse; e.g., ridicule, is to be used at any time.

XI. REPORTING AND DOCUMENTING ALLEGED CHILD ABUSE

Those who observe others' inappropriate behavior are always very troubled by what they have seen and often have questions regarding the appropriate course of action to take. These procedures set forth are designed to: (1) provide reassurance to those who have observed such behavior, by setting forth the appropriate actions to be taken; (2) establish procedures that are in accordance with the statutes of the Commonwealth of Virginia; and (3) establish procedures that are in accordance with the notification requirements of the 1992 General Conference of The United Methodist Church and the Virginia Conference Policy on Sexual Misconduct.

A. Statutory Obligation to Report

Certain persons who suspect that a child or youth is abused, neglected, or exploited are required to report what they suspect to the Virginia Department of Social Services. These people are referred to as mandatory reporters. For example:

- The Virginia Annual Conference expects when United Methodist clergy and religious professionals of the Virginia Conference become aware of suspected child abuse or neglect, they will ensure that a report to Child Protective Services will be made. When a Virginia United Methodist Conference clergy person or religious professional has completed a conference workshop on "*Clergy and the Reporting of Suspected Abuse or Neglect*" they become mandated reporters of suspected child abuse in the Commonwealth of Virginia. Clergy can make reports themselves, anonymously if desired.

- Section 63.1-248.3 of the *Code of Virginia* requires “[a]ny teacher or other person employed in a public or private school, kindergarten, or nursery school, any person providing full-time or part-time child care for pay on a regular planned basis . . . and any person associated with or employed by any private organization responsible for the care, custody, or control of children who has reason to suspect that a child is abused or neglected, to 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 or to the Department of Social Services’ toll free child abuse and neglect hotline.”
- Other professionals who hold specific licenses and certifications validated by the Commonwealth of Virginia are also mandated reporters.

In addition, although not required by law to do so, anyone else who knows or reasonably suspects abuse of a child or youth may choose to report such suspected abuse immediately. All reports of child abuse are confidential and will be investigated. The person making such a report cannot be held liable for making the report, unless it is proven that the person acted in bad faith or with malicious intent.

B. Reasonable Suspicion

In accordance with Section 63.1-248.3 of the *Code of Virginia* (1950), all staff and volunteers should report any behavior that, “in [his or her] professional or official capacity, leads the individual [to] have reason to suspect that a child is an abused or neglected child.” Staff and volunteers should report even if they lack certainty that an individual has been abused. Neither the law nor The United Methodist Church requires an individual to know, with certainty, or to confirm that an individual has been abused prior to notifying appropriate officials. Moreover, investigating whether an individual has or has not been abused and ultimately whether a report of suspected abuse is, in fact, based upon actual abuse is a matter to be resolved by local and state professionals.

Virginia statutes simply require individuals to report their own suspicions. Such suspicions can be very well founded; i.e., based upon behavior that would lead any reasonable person to suspect child abuse, even though ultimately local or state professionals determine that no child abuse has occurred. Moreover, Virginia law protects those who report suspicious behavior that is found not to be associated with or involve child abuse. An individual who reports suspected child abuse, or participates in a judicial proceeding resulting from such a report is, under Virginia law, immune from any civil or criminal liability in connection with the report or participation. The only requirement for such immunity is that the individual reporting or participating in the judicial proceeding cannot be proven to “have acted in bad faith or with malicious intent.” In other words, staff and volunteers cannot be held liable for notifying officials regarding suspected abuse if the person reporting the behavior honestly suspects that an individual has been abused.

- **Suspicion of Abuse:** If the staff member or volunteer believes the child/youth that is the subject of his or her suspicions is in danger, immediate steps must be taken to protect the health, welfare, and well-being of the individual.
- **Inappropriate Behavior:** Certain behavior, while inappropriate, does not lead a reasonable person to suspect that a child has been or is currently being abused; therefore, does not require notification of local or state officials or church officials. Nevertheless, such behavior must be addressed in a timely manner to protect children/youth. Any inappropriate language or conduct between staff or volunteers and a child/youth should be discussed with the appropriate staff member or volunteer who is responsible for administration and/or coordination of the activity in which the individual is participating. Inappropriate conduct includes, but is not limited to, any action that violates: (1) Virginia law or (2) this or any other written SMUMC policy.

C. Reporting Procedures

Should there be reasonable suspicion of child abuse at SMUMC, whether observed or suspected, the allegation shall be reported to the Department of Social Services (DSS) within 24 hours as described.

If a mandatory reporter observes or suspects an incident, they are required by law to report the incident within 24 hours. They can report directly to DSS or, if they chose, have the Pastor report the incident. If the Pastor is not reachable, notify the designee who is either the SPRC chairperson or Lay Leader. If reporting directly, it is recommended the Pastor be made aware of the incident and the fact it has been reported.

If anyone other than a mandatory reporter observes or suspects an incident, it is recommended they immediately report the incident to the Pastor. The two shall jointly decide who shall report the incident to DSS within 24 hours. If the Pastor is not reachable, notify the designee. In addition, although not required by law, anyone other than mandatory reporters may choose to report such suspected abuse directly to DSS. If reporting directly, it is recommended the Pastor be made aware of the incident and the fact it has been reported. Regardless of who makes the report, the incident shall be reported to DSS within 24 hours.

All reports of child abuse are confidential and will be investigated by DSS. The individual making the report cannot be held liable for reporting the incident, unless it is proven the person acted in bad faith or with malicious intent.

Reports can be made to the local DSS or, if after hours, to the Virginia DSS Children/Youth Hotline. The local Sheriff's Department can also be contacted, but this is not required.

- Stafford County DSS: 540-658-8720
- Virginia Toll Free DSS Children/Youth Hotline: 1-800-552-7096
- Stafford County Sheriff's Department (non-emergency): 540-658-4400

DSS officials will request the following information:

- Name and address of the child and the parent or other responsible person
- Child's age, sex and race
- Description of the alleged abuse
- Name of the school the child attends
- Names of other people in the home
- Directions to the home
- Reporter's relationship to the child

The reporter may choose to remain anonymous. If the reporter gives his or her name, it will remain confidential unless otherwise ordered by a court.

D. Other Required Procedures: It is the ultimate responsibility of the person reporting to DSS to ensure the following five requirements are completed. If the person reporting to DSS is not the Pastor, it is *recommended* the Pastor (or designee as stated above) be made aware of the incident and assist in ensuring the requirements in this section are completed.

- 1. Documentation:** Record all conversations and actions. This includes phone calls, which includes the name of the person called, date and time of the call, and a summary of the conversation. Include any direction given by DSS.
- 2. Discussion and Publicity:** Do NOT investigate the allegation, assign blame, or take any steps that involve establishing or refuting the allegation. Discussion concerning the reported incident or behavior will not be held except between:
 - The individual reporting the behavior, the individual to whom the behavior was reported and the Pastor (if applicable)
 - Appropriate supervisory authorities
 - The parents/guardians of the involved individual unless the parents or others in the home are suspected of abusing the individual
 - State or local officials

No outside media shall be contacted and no statements generated other than by the Pastor. Every effort will be made to protect the identity of the child/youth and those accused of and those reporting the suspicious behavior or incident. It is at the Pastor's discretion if information should be provided to the congregation. Information shall only be provided by the Pastor if the incident is determined to be valid by DSS, and all information must be within the boundaries of confidentiality requirements.

- 3. Confrontation of Accused:** No one shall confront the accused with the allegations unless and until advised by state or local authorities and/or the Pastor. If the accused holds assigned duties within the life of the church, that person must be temporarily relieved of their duties until the investigation is concluded. If a Pastor is accused of child abuse, the chairperson of the SPRC or Lay Leader must immediately contact the District Superintendent (Fredericksburg District Office Phone Number: 804-448-8326). The Virginia Annual Conference Policy on Sexual Misconduct states that the District Superintendent will contact the Conference Response Team. The Response Team will send a representative to SMUMC within 24 hours to conduct an investigation.
- 4. Care for the Victims:** The Pastor should extend whatever care and resources he/she feels necessary however, under no circumstances should anyone investigate the allegation. In providing care to the principals (alleged victim and the accused) and their families, no one should under no circumstances be drawn into a discussion of the truth or falsity of the allegation that could undermine the investigation.
- 5. Notify the SMUMC Insurance Company:** If the incident of child abuse is determined to be valid by DSS and one that involves the church, the incident shall be reported to Brotherhood Mutual at 804-590-3345.

XII. POLICY REVIEW

The Child and Youth Protection Policy and Procedures of SMUMC shall be reviewed every two (2) years by the Pastor, SSC, and Lay Leader.

XIII. POLICY APPLICABILITY

The Child and Youth Protection Policy stated herein is applicable only to SMUMC-sponsored events. For attendance at an event sponsored by another organization, the organization sponsoring the event is responsible for the standards by which they operate.