

# SALEM LUTHERAN CHURCH SAFE SANCTUARY POLICY

## I. STATEMENT OF POLICY

Consistent with the directive of the Evangelical Lutheran Church of America, “the Church is Called to be a Safe Place”. (Statement of the ELCA). Salem desires to provide safe sanctuary and spiritual growth for both its members and visitors. Salem is committed to creating an environment that encourages respect, support, safety and equality for all persons. Further, Salem uses all reasonable efforts to ensure the safety of all children and youth participating in church sponsored ministries and activities.

## II. PREVENTION OF CHILD ABUSE

**A. Screening Process.** Screening is one method utilized to prevent the abuse of children or youth. Any person who is employed by Salem, volunteers with or who has or may have direct access to or oversight of Salem’s children or youth (“Worker”) shall participate in a screening process, including a criminal background check, to be performed under the direction of Salem’s Personal Protection Advocate (PPA). The PPA is delegated with wide discretion in the implementation and monitoring of this Policy and nothing in this Policy is intended to create personal liability for the PPA.

1. Each Worker shall complete an application provided by the PPA which may include the use of a third party website designated by the Church that includes an acknowledgement for the release of information to complete the background check. [All volunteer Workers must have been a member of Salem for at least six (6) months before completing the screening process and working with children or youth in church sponsored ministries or activities.]
2. Reasonable efforts will be made to have screening completed prior to working with children or youth. The PPA shall have authority to accept documentation of successful completion of similar screening such as those conducted with public school districts, law enforcement personnel, etc. Paid Church staff shall assist the PPA in identifying all Workers and securing their participation in the screening process.
3. Once screening has been completed, the PPA shall determine if an application is approved. An “approved” Worker is a person who has passed the screening process. Salem reserves the right to turn away persons from service in working with children or youth. An applicant may appeal the PPA’s decision to the Pastor. The Pastor’s decision on the application shall be final. Applicants understand that by submitting a screening application they consent to a criminal background check and agree that rejection shall create no liability on the part of Salem, the PPA, or any other Salem members because of such rejection.

4. Any conviction of a crime against children or youth or any violent offenses shall automatically disqualify a person. Other offenses, depending upon how recent, how frequent, and the nature of offense, may also preclude an individual from serving with children or youth. Furthermore, Pastor shall have the authority to disapprove any person when Pastor has reasonable cause to believe that the person may have a history of abusing or neglecting a child, may have unresolved issues based upon his or her own childhood or life experiences, or for any other reason known to the Pastor, or in confidence or otherwise.
5. Results of the screening shall be kept confidential and will only be shared with those persons who have a "need to know".
6. Background checks on Workers should be conducted once every three (3) years.

**B. Education and Training.** No less than once every two (2) years, all Workers shall attend at least one hour of child abuse awareness training provided by Salem or an authorized third party.

### **III. PROCEDURES.**

The following guidelines are intended to assist Workers in working or interacting with children and youth to make decisions that safeguard the well-being of our members and to identify interactions that may be harmful. Due to extenuating circumstances, it may not be possible to always meet every guideline; however, verbal, sexual or physical abuse or neglect is not permissible and will not be tolerated.

**A. General Conduct.** For purposes of this Section, all reference to Workers shall mean approved Workers, having completed and passed the screening process.

1. A reasonable effort shall be made to have at least two unrelated, adult Workers present and supervising all church sponsored ministries and activities for children or youth. Supervision shall increase in proportion to the risk of the activity and the number of minors attending.
2. To the extent possible, all activities at Salem involving children or youth should be held in places where either a door can be left open or the room can be viewed through a window at all times. When the activity is noisy, for example, and no window is available, the door may be closed if there are at least two Workers present. If the activity is outdoors or in a setting that makes compliance with this Policy difficult, the Worker in charge of the activity shall take appropriate measures to make sure the setting suits the activity and the children/youth are properly supervised.
3. Workers shall not provide alcoholic beverages, tobacco, drugs, contraband, or anything that is prohibited by law to minors and shall not

allow minors to possess or consume such items while under their supervision.

4. In youth counseling, one-on-one interactions are sometimes necessary and appropriate but care must be taken that they are conducted in an environment that provides visibility to other adults.
5. All Workers supervising children or youth in a Church ministry or activity shall remain at each activity or event until its scheduled conclusion and all children/youth have been picked up. It may be inevitable that one child or youth may unavoidably be in the individual presence of one Worker. In this situation, the rule for the presence of two Workers is suspended and the Worker is responsible for exercising his/her best judgment for the child or youth's best interest.
6. All Workers, children and youth shall exercise appropriate and reasonable use of computers, televisions, electronic equipment, telephones, wireless devices and any other similar media (hereafter "equipment") located at Salem, brought into Salem, or owned, leased and used primarily by Salem. Accessing, viewing or sharing pornography or other obscene materials on such equipment is prohibited.
7. The following rules shall apply to Church sponsored overnight activities:
  - a) No adult will share a bed with any child or youth.
  - b) Children and youth will not sleep in the same room with other children or youth of the opposite sex.
  - c) All chaperones of overnight events shall be Workers twenty-one (21) years of age or older.
  - d) If the overnight activity is a "lock-in" type event (whether on premises or held elsewhere), then at all times during the activity there shall be at least two adult Workers – one male and one female if both genders of children or youth are present and two of the same gender chaperones if one gender of students attend.

**B. Transportation.**

1. Drivers transporting children and youth for church sanctioned events must be at least eighteen (18) years old and a high school graduate with a valid driver's license and proof of automobile liability insurance. Drivers shall have also completed a background check.
2. When transportation originates from Salem (i.e. going in a group), individuals who have not completed a background check will not be permitted to transport children or youth unless there is written or verbal permission of the parent(s) whose children will be riding with the driver.
3. When transporting children and youth, drivers will operate motor vehicles in a safe and reliable manner and will comply with all state regulations and

laws. Drivers shall have his/her complete attention and focus on driving and should not use a wireless communication device while driving.

4. All transported children and youth shall be properly secured according to state law and the manufacturer's recommendations.
5. The driver shall not drive when the driver's ability to operate a motor vehicle is impaired.
6. This Policy does not apply when parents "carpool" to or from events on their own and the transportation does not begin and end at Salem. In those situations, parents are responsible for securing and approving their own transportation arrangements.

#### **IV. REPORTING**

##### **A. Observation or Allegation of Child Abuse**

1. Once an incident of child abuse occurs in a church sponsored ministry or activity, or an allegation of child abuse during such event is made, then the person who observes such alleged abuse or to whom such alleged abuse is reported, is required to:
  - a) make reasonable efforts to immediately intervene and stop the abuse or inappropriate conduct; and
  - b) report the incident to the Worker in charge and either the PPA or the Pastor.
2. During investigation of the allegations, any person who is the object of the allegation shall not be permitted on the Church premises and not be permitted to participate in any Church sponsored ministry or activity. This communication shall be handled discreetly, recognizing that an investigation is still being conducted. This does not preclude the individual from receiving pastoral support.
3. The PPA or Pastor shall report the alleged abuse occurring within a Church sponsored activity in accordance with K.S.A. 38-1522. The PPA or Pastor shall also notify the parent or guardian of the child as soon as possible after learning of the alleged abuse, unless the allegation involves the parent or guardian, in which case no notification will be made.
  - a) If the allegations are made against the PPA, reporting shall be handled by the Pastor.
  - b) If the allegations are against the Pastor, reporting may be made to the PPA or the Council President. If the report is made to the PPA, he/she shall also inform the Council President who shall notify the Bishop of the Central States Synod. If the report is made directly to the Council President, he/she shall notify the Bishop and also notify the PPA. The PPA shall make the report in accordance with this Policy and K.S.A. 38-1522. The Pastor or PPA shall also be

responsible for notifying the Church's liability insurer of the pending allegation.

4. The Pastor is not required by K.S.A. 38-1522 to report child abuse, but if the Pastor knows or has reason to suspect child abuse while a child is participating in a church sponsored ministry, the Pastor shall make such a report as part of this Policy. This requirement does not apply to information the Pastor learns in a confidential communication provided the allegation of abuse or neglect did not occur within the parameters of a church sponsored ministry. In those instances, the Pastor shall use his/her professional discretion in determining whether or not to report the alleged abuse or neglect.
5. If there is an allegation of child abuse or neglect within a church sponsored ministry or activity, the utmost care and concern shall be given to the alleged victim, the child's parents and the party making the allegation. Absent clear and convincing evidence to the contrary, the PPA will take all reports seriously and assume that all such reports are made in good faith.
6. The PPA shall document all efforts in handling any incident.
7. Upon conviction, the convicted individual shall not be permitted on the Church premises, nor participate, in any manner, in any Church sponsored ministry or activity. This provision does not preclude the convicted individual from receiving pastoral support if requested.

**B. Media.** If there is a media inquiry as to any allegation of child abuse, the Pastor shall be the primary spokesperson for the congregation, unless the Pastor is the subject of the allegations, in which case the responsibility shall be delegated to the Council President or PPA. Any such comments to the media or the congregation shall be coordinated with Salem's attorney and the Synod Office.

## **V. ADULT & FAMILY PROTECTION**

**A. Safe Sanctuary.** Salem has a responsibility to provide a safe and protected environment for both its members and members of the community. The Congregation shall use its best efforts to increase awareness, prevention and understanding among its members of the detrimental impact of abuse and neglect not only on children, but also the impact on vulnerable adults, families and congregations and the importance of reporting such abuse.

1. Members of the congregation or others in the community are encouraged to report incidents of domestic violence, sexual assault, or allegations of elder abuse, whether occurring within the parameters of a Church sponsored ministry or otherwise, to either the PPA or the Pastor.
2. When a person discloses domestic violence, elder abuse, sexual assault to a Salem member or when a Salem member suspects or observes

domestic violence or elder abuse of a Salem member, the member is encouraged to notify the Pastor or the PPA. If reported to the PPA, the PPA will inform the Pastor of the disclosed information. A victim may also make a direct disclosure to the Pastor. The Pastor at his/her discretion may request a meeting with the alleged victim and offer resources as described herein.

3. Upon receipt of a domestic violence report, the PPA and Pastor will communicate and develop an approach for reaching out to the alleged victim of abuse. They will provide and/or assist the victim in obtaining counseling and securing the necessary resources to protect them and prevent additional abuse. Counseling will include referral of the victim to the services of the local Domestic Violence Program, SAFEHOME, for further assessment and services. In addition, the Pastor will counsel the victim regarding the option to notify local law enforcement for further investigation.
4. Upon receipt of a sexual assault report, the PPA and Pastor will provide and/or assist the victim in obtaining counseling and if necessary, securing the resources to protect them and prevent further assault. Counseling will include referral of the victim to the services of MOCSA (The Metropolitan Organization to Counter Sexual Assault). The PPA and Pastor shall also assist and encourage the victim to report the abuse or sexual assault to the appropriate authorities.
5. The Pastor will make every effort to be aware of the signs of elder abuse. When possible, the Pastor will make himself/herself aware of the caretaking arrangements for elder and vulnerable members. Upon receipt of an elder abuse report, the Pastor shall use professional discretion in addressing the situation directly with the alleged victim and/or a trusted family member, keeping in mind that many times the caretaker can be the abuser. If at any time the Pastor feels the level of concern reaches the point of safety, he/she will make a report to the SRS Adult Protective Office. In addition, the Pastor will provide community services referral assistance to the victim or a trusted caretaker.
6. In each of these situations, the Pastor shall exercise his/her discretion to provide other resources available from Salem, including but not limited to financial assistance.

**B. Family Members.** If the alleged abuse involves multiple members of Salem, care shall be taken to address the needs of all persons.

1. If the alleged perpetrator is also a member of Salem, the Pastor may also seek to provide counseling. For a perpetrator of abuse or domestic violence, the counseling may include referral to a local Batterer Intervention Program and can also provide assistance and direction in understanding the legal process and mandated Johnson County protocols in place for prosecution of domestic violence. In an elder abuse or sexual

assault situation, the Pastor will proceed with professional discretion in providing counseling and direction to the alleged perpetrator. If the case results in criminal charges, the Pastor will consult with the PPA on the criminal justice process and provide consultation to the alleged perpetrator regarding cooperation with the legal process.

2. In the counseling process with the victim, perpetrator or both, the well-being of any children involved in the violence, through witnessing or direct victimization shall be addressed. The Pastor shall encourage that the personal needs of the children be recognized and the appropriate referrals are made.
  3. In the situation where the victim and alleged perpetrator are both members of Salem, the Pastor may counsel and provide assistance to each member individually and/or the Pastor may make appropriate referrals to individual counselors.
  4. The Pastor shall obtain training regarding sexual abuse, domestic violence and elder abuse as provided by approved training resources. The Pastor shall have knowledge of elder abuse, including the signs of elder abuse; as well as the dynamics of domestic violence, including the “cycle of violence”, effects of violence on children, understanding the batterer and the basic skills in assisting a member to develop a safety plan.
  5. Throughout the counseling process, the Pastor will uphold safety as the primary concern for all involved parties. If violence or other abuse is occurring within a marriage, the Pastor will use his/her professional discretion in any direction regarding preserving the marriage. If the relation proceeds to dissolution of the marriage, the Pastor will continue to provide all family members with individual support and guidance.
- C. Confidentiality.** At all times the PPA and the Pastor shall hold in strict confidentiality all information shared regarding the victim, batterer and children.

## **VI. DEFINITIONS**

**A. Terms.** For purposes of this Policy, unless otherwise defined herein, these following terms shall mean:

1. **Abuse** - the physical or mental injury, sexual abuse, negligent treatment or maltreatment of a person. Abuse also includes but is not limited to sexual harassment as well as verbal or nonverbal conduct that is degrading, humiliating or threatening.
2. **Child abuse** – abuse or neglect of a person under the age of 18 or a person 18 years of age but still in high school.
3. **Church sponsored ministries or activities** – Any Salem sponsored activity, program or event, including Sunday School, Cornerstone, Confirmation, youth group meetings, committee or social meetings, daycare, recreational events, service projects, or any other gathering that

includes children or youth and is conducted either on the premises of Salem or at any other place, including public and private places. This definition does not include outside organizations that use, lease or rent Salem for its activities. In addition, when a parent or caregiver brings a child or youth to participate in or attend a ministry or activity at Salem which is primarily intended for adult participation, then the parent or caregiver shall be responsible for the care and supervision of the child/youth and this Policy shall not apply.

4. **Domestic abuse** – a pattern of violent, coercive or threatening behavior where one partner in an intimate relationship controls another through force, intimidation or threat of violence. Sometimes domestic violence will take the form of a pattern or “cycle of violence” where the violence is followed by a period of remorse and reconciliation, only for the violence to be repeated.
5. **Elder abuse** – any individual 18 years of age or older alleged to be unable to protect their own interest (vulnerable adults) and who is harmed whether financial, mental or physical in nature, through action or inaction by another individual, or by their own action or inaction.
6. **Neglect** – an act or omission of a parent or caretaker to fail to provide basic needs and proper care for a child or vulnerable adult.
7. **Pastor** – when capitalized, “Pastor” shall mean an ordained person whom Salem called to serve the community of Salem.
8. **Personal Protection Advocate (PPA)** – paid or unpaid worker(s) to whom the Church Council has given authority to administer the Safe Sanctuary Policy for Salem. The PPA may designate Assistant PPAs with consent of Pastor, which person(s) shall have the same authority as the PPA.
9. **Sexual assault** – Any sexual activity to which the victim does not consent.
10. **Vulnerable adults** –adults with diminished physical, mental or emotional capacities.
11. **Worker** – any persons, paid or unpaid, over the age of 18, who work with or assist in Salem’s child or youth ministries, or with programs for vulnerable adults and have or may have direct contact with children, youth or vulnerable adults. Workers include, but are not limited to, paid staff, Sunday School and VBS superintendents, teachers and helpers, nursery director, choir and band directors, persons assisting with any of Salem’s children or youth ministries that provides an opportunity for direct contact with children or youth. An “approved Worker” is a worker that has successfully passed the screening procedure.
12. **Youth** – children over the age of 12 years or who are in the 6<sup>th</sup> grade through children 17 years of age or if 18, then also in high school.