

Working with Children or Vulnerable Adults
In Ministries Of
Saint Paul Lutheran Church – Wyoming, MN

A. Introduction

Jesus values children. The Bible makes this clear. He welcomed children (Matthew 19:13-15) and warned those who might desire to do harm to them (Matthew 18:6). All children of God need a safe and nurturing place to worship, celebrate and learn. To ensure Saint Paul Lutheran Church provides that safe, nurturing environment, the Church is establishing a policy for the prevention of sexual, physical and emotional misconduct. It is the purpose of this policy and the associated procedures to lessen the risk to all parties involved and to balance each individual's right to privacy with the needs of the congregation to protect itself and those who rely on the church for protection.

B. Policy

It is the policy of Saint Paul Lutheran Church to maintain an environment free of sexual harassment, sexual assault, sexual abuse, sexual exploitation, physical abuse, and emotional abuse (see Appendix A for definitions) for all employees, volunteers, members and participants of the congregational community. Such conduct will not be tolerated. Saint Paul Lutheran will follow reasonable safety measures in the selection and recruitment of paid and volunteer staff; will provide orientation materials to paid staff and make materials available for volunteers regarding these policies; will have a procedure for reporting a suspected incident of abuse that conforms to the requirement of Minnesota State Law; and will cooperate with any necessary investigation into any report of suspected abuse.

C. Implementation

1. Saint Paul Lutheran will provide an orientation to all paid staff and volunteers on an annual basis and make orientation materials available to volunteers at other times during the year. Paid staff and volunteers who will have regular contact with children or vulnerable adults are to receive the orientation prior to starting their duties. Occasional volunteer workers (See Appendix A for definitions), those who are not regularly scheduled to work with children or vulnerable adults, will be exempt from this orientation. Participants in the orientation will sign an acknowledgment form (see Appendix D) stating that they have received this orientation that they have received a copy of this policy and that they agree to abide by the policy.
2. Members of Saint Paul Lutheran and interested persons will be informed about the policy and copies will be made available to everyone.
3. The Church Council will determine the appropriate person or persons to implement the screening process. Paid and volunteer staff (except volunteer occasional workers) who will have contact with children or vulnerable adults will complete an application form listing any previous work with children or vulnerable adults and personal references. This application form will also give to Saint Paul Lutheran the applicant's permission to contact the work and personal references and to conduct a criminal background check. Driving record checks may be conducted when appropriate. All information will be handled discreetly and disclosed only on a need-to-know basis and/or as required by law (see Appendix B).
 - i. This procedure will apply to current and future paid and volunteer staff of Saint Paul Lutheran.

- ii. Reference checks, criminal background checks and driving record checks may be a factor in determining employment or volunteer placement. (See appendix C)
- iii. A person with a criminal conviction for, or who has pled guilty to, child abuse, a sexual offense, child pornography, kidnapping, or other related offenses will not be allowed to work with children or vulnerable adults at Saint Paul Lutheran.

D. General Guidelines

1. Open and Accessible -- Reasonable attempts will be made to ensure that the church premises used for children or vulnerable adults will be open and not isolated from view.
2. Two Adult Rule -- Two adults will be present during congregational activities involving children or vulnerable adults. Pastors may be exempt from this rule.
3. Physical Contact -- Physical contact with children or vulnerable adults should be made with care. Examples of appropriate contact include administering first aid, guiding or assisting a child or vulnerable adult to a particular location, assisting a child or vulnerable adult into or out of a vehicle, careful touch on the arm or shoulder of a child or vulnerable adult, or shaking a child's or vulnerable adult's hand.
4. Restroom -- If a child or vulnerable adult needs assistance in a restroom, it is recommended that two adults accompany the child or vulnerable adult. Allow the child or vulnerable adult as much privacy as possible. Adults, staff or volunteers should enter a private bathroom stall or other area only when necessary to assist a child or vulnerable adult.
5. Programs and Events -- Programs and events that involve children and vulnerable adults should include "supervisory personnel." Supervision should be maintained before and after the event until all children and vulnerable adults are in the custody of their parents or legal guardians.
6. Adult Alone with a Child -- When there is a legitimate reason for an adult to be alone with a child, such as an interview or counseling session, the session should be conducted in an area that is private but still open to observation. In these situations the volunteer should, if possible, keep a record in the church office of all persons interviewed or counseled, including date and time of visit.

E. Reporting Obligations and Procedures

1. Minnesota has mandatory reporting laws that apply to abuse situations [Minn. Stat. 626.556 – Maltreatment of Minors; and Minn. Stat. 609.557 – Maltreatment of Vulnerable Adults. Copies of these provisions are available at the church office]. Persons mandated to report known and reasonably suspected cases of abuse are:
 - i. St. Paul Lutheran professional and ministry staff engaged in the practice of social services, child care and education.
 - ii. Those employed as ordained clergy who receive the information about abuse while engaged in non-privileged ministerial duties.
2. Any perceived inappropriate conduct or relationship between an adult volunteer or paid staff member and a child or vulnerable adult should immediately be reported to a pastor and the president or acting president of the Congregation.

3. Any person, staff or volunteer who has reason to believe or suspects that a child or vulnerable adult has been maltreated or is at risk of being neglected, physically or sexually abused, the person must immediately notify a pastor, who will assist in reporting the information. Any person making a voluntary or mandatory report will be immune from liability if she/he is acting and reporting in good faith.

F. Response to Allegations

1. In the event that an allegation of abuse is made against a paid or volunteer staff member of St. Paul Lutheran, or against the congregation in general, the following underlying principles shall guide St. Paul Lutheran's response to those allegations.

- i. All allegations will be taken seriously.
- ii. Situations will be handled in a forthright manner with due respect for the sensitive nature of the issues involved. Information gathered will be handled discreetly and will only be disclosed to authorized representatives of the congregation as designated by the church council of St. Paul Lutheran, those with a need-to-know and/or as required by law.
- iii. Adequate care will be shown for the well-being of all persons involved in any allegation.
- iv. The Church Council President or acting president, or a pastor will contact St. Paul Lutheran's insurance carrier.
- v. Full cooperation will be given to civil and/or criminal authorities under the guidance of St. Paul Lutheran's legal counsel.

2. Response Plan

- i. The safety of the alleged abused is the first priority. Do not pre-judge the situation, but take the allegation seriously and reach out to the alleged abused and the alleged abused person's family. Provide care and support to help prevent further hurt. Notify the parents or guardians of the alleged abused, if he/she is a child or vulnerable adult.
- ii. A pastor or church council president or acting president will report the incident or allegation to St. Paul Lutheran's legal counsel, insurance company, and synod officials. Do not handle further details or attempt an investigation without professional assistance. Investigations should be handled by professionals familiar with handling abuse allegations.
- iii. Contact the proper civil and/or criminal authorities with the assistance of St. Paul Lutheran's legal counsel and insurance company.
- iv. Ensure that the records of the accused person are accessible and up to date. These should include the application, reference checks and criminal background checks.

- v. If possible, have St. Paul Lutheran's legal counsel present while answering any investigative questions from the police and/or social service agencies.
 - vi. Do not notify the accused person of the allegations against him/her until the safety of the alleged victim is secured and an investigator has been selected.
 - vii. Treat the accused with dignity and support. Any staff or volunteer accused of abuse should be relieved of his/her duties until the investigation is finished and the accused should be asked not to come to the church premises until further notice.
 - viii. Document all actions taken in regard to handling the incident.
 - ix. Obtain a written report from the investigator summarizing his/her findings. Determine appropriate corrective and/or disciplinary action to take. Follow up with the alleged victim and accused. Take other measures as necessary to conclude the matter.
3. St. Paul Lutheran Church's Response to the Public and the Media
- i. A pastor, Church Council President or acting president or an appointed delegate will be the spokesperson for St. Paul Lutheran Church regarding abuse allegations. This person will speak to the media and congregation as necessary regarding the matter. Any communication shall take place in a discreet, informed and diplomatic manner. Whenever possible, only one person will speak for St. Paul Lutheran Church on any single case.
 - ii. The details of an accusation will not be shared with the media or public.

APPENDIX A

Definition

Child - a person under 18 years of age.

Emotional abuse – includes, but is not limited to, repeated and/or irrational criticism, insults, humiliation and/or rejections.

Occasional volunteer – a person not regularly scheduled to work in a volunteer capacity and who only works with children or vulnerable adults with or under the direct supervision of another adult who has participated in an orientation session of the “Policy for Working with Children or Vulnerable Adults” in the ministries of St. Paul Lutheran Church.

Physical abuse – includes but is not limited to, hitting, beating, burning, human bites, strangulations and other violent actions that cause bodily harm.

Sexual abuse – includes, but is not limited to, subjecting a child or vulnerable adult to any unwanted touching, of the subject’s breasts, buttock, or genitalia with aggressive or sexual intent, in a manner that is in violation of Minnesota Criminal Code. Further it includes, but is not limited to, sexual contact by force, threat, or intimidation; rape and any contact of the subject by a child’s or vulnerable adult’s caregiver that is in violation of Minnesota Criminal Code.

Sexual assault – any assault that is sexual in nature, such as “rape.”

Sexual exploitation – any sexual contact or activity (not limited to sexual intercourse) between a person in a helper/helpee, or therapeutic or counseling role/relationship and a congregant/client. It may also include being asked to date the counselor, or any representation by the counselor that sexual contact will help in dealing with the emotional struggles the client is having (this is called “therapeutic deception”). Such behavior is illegal under Minnesota law, and can give rise to civil and criminal penalties. Minnesota State law also specifically addresses sexual contact by a person who is, or claims to be clergy with someone (other than spouse) during a private meeting for spiritual aid and comfort as a criminal offense.

Sexual harassment – any unwanted sexual advance or demand, either verbal or physical, that is reasonably perceived by the recipient as demeaning, intimidating, or coercive. Sexual harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual issue. Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender. It can be initiated by males or females and can occur between persons or different or the same gender.

Vulnerable adult – a person, who because of physical or mental disability is unable or unlikely to report abuse or neglect without assistance, or is defined as such under Minnesota law.

APPENDIX B

Application for Working with Children or Vulnerable Adults

This application is to be completed by all applicants for any position (volunteer or compensated) involving the supervision or custody of children or vulnerable adults. This is not an Employment Application form. This form is used to help provide a safe and secure environment for those children and/or vulnerable adults who participate in the church's programs or use the facilities.

Complete all sections. Please print clearly.

Name _____ confirmed by state drivers
First Middle Initial Last. or picture identification (attached)

Home/Cell Phone Nos. _____ E-mail _____

Present Address _____ Length _____
Street City State/Zip yrs/mo

Prior Addresses. (List all residences in past five (5) years – use additional page, if necessary)

Previous Address _____ Length _____
Street City State/Zip yrs/mo

Previous Address _____ Length _____
Street City State/Zip yrs/mo

Occupation _____ Current Employer _____

Work Phone _____ Work Address _____

Background information.

Have you ever been: (check all that apply) charged with pled guilty to convicted of found to have committed
Offense Level/Type: Felony Misdemeanor Juvenile delinquency-level offense
 None of the above—I've never been charged with nor convicted of a crime.

If boxes checked - explain each: (include date of offense, city, county, state – use separate page if necessary)

Have you been a victim of abuse or inappropriate touching? Yes No Wish to discuss privately.

If you prefer, you may choose not to answer this question. If you leave it blank, answer "yes" or "wish to discuss privately," you may discuss the response in private with a pastor. Answering "yes" does not, by itself, disqualify an applicant from volunteering or working with children or vulnerable adults at St. Paul Lutheran. Many of us are victims of some form of abuse. Sometime the abuse has left wounds that have not yet adequately healed. If you have any concerns about any abuse in your life and/or its possible negative effect on your relationship with children or vulnerable adults, you are encouraged to initiate a confidential conversation with a pastor for guidance and hope for health and healing.

Do you have a current driver's license? Yes No Driver's Lic. # and state where issued: _____

Are you a member of St. Paul Lutheran Church? Yes No Length of membership _____
Yrs/Mos.

If "no" – list church where you are a member, if any: _____
Church name City, State

Application for Working with Children or Vulnerable Adults – cont'd

Prior experience working with children or vulnerable adults.

Church/Organization Name _____ Phone: _____

Address _____ Contact Person _____

Type of Work: _____

Church/Organization Name _____ Phone: _____

Address _____ Contact Person _____

Type of Work: _____

Church/Organization Name _____ Phone: _____

Address _____ Contact Person _____

Type of Work: _____

References.

Please list two (2) references who have observed your work with children or vulnerable adults. If you are unable to list persons who have observed you in that role, list persons who have known you in an employment or volunteer situation. Please do not list persons who are related to you by blood or marriage.

1. Name _____
Address _____
Phone (home, work, cell) _____
2. Name _____
Address _____
Phone (home, work, cell) _____

APPLICANT'S STATEMENT AND RELEASE

The information contained in this application is true, correct and complete to the best of my knowledge. I authorize any person or entity listed in this application to give St. Paul Lutheran Church any information (including opinions) that they may have regarding my character and fitness for work with children or vulnerable adults. In consideration of the receipt and evaluation of this application by St. Paul Lutheran Church, I hereby release any individual, church, youth organization, charity, employer, reference or other person or organization, including record custodians, both collectively and individually, from any and all liability for damages of whatever kind or nature which may at any time result to me, my heirs, or family on account of compliance or any attempts to comply with this authorization. I waive any right that I may have to inspect any information provided about me or by any person or organization identified by me in this application. I have read and acknowledge receipt of a copy of the Policy for Working with Children or Vulnerable Adults in the Ministries of St. Paul Lutheran Church in effect as of the date of this application.

Should my application be accepted, I agree to be bound by the Constitution, Bylaws and Policies of St. Paul Lutheran Church, and to act in ways that honor and respect children and vulnerable adults and protect them from harm, in the performance of my services on behalf the congregation.

I further state that I HAVE CAREFULLY READ THE FOREGOING RELEASE AND KNOW THE CONTENTS THEREOF TO BE TRUE AND CORRECT, AND I SIGN THIS RELEASE AS MY OWN FREE ACT. This is a legally binding agreement that I have read and understand.

Applicant's signature _____ **Date** _____

Witness Name (print) _____ **Date** _____

Witness Signature _____ **Date** _____

Application for Working with Children or Vulnerable Adults – Addendums

Parent Authorization.

This parent authorization form must accompany any application for a person under 18 years of age.

Name of Minor Applicant _____
First Middle Initial Last

Name of Parent or Guardian _____
First Middle Initial Last

Address _____

Home/Cell Phone Nos. _____

I have read and reviewed the foregoing release and know the contents thereof to be true and correct as it relates to the above-named minor. I give my permission for my child to participate and to submit to this application.

Signature of parent/guardian _____ **Date** _____

* * * * *

Authorization for Criminal Background Check and Driving Record Check.

Full Name _____ **Date of Birth** _____
First Middle Initial Last mo./dy/year

Maiden Name _____

Former Name or any Aliases used _____

Gender Male Female; **Social Security No.** ____-____-____ **Race** Caucasian Other _____
specify

Driver’s License Number and State and Date Issued _____

I give permission for St. Paul Lutheran Church and/or their designee to obtain criminal history records and driving records from the Minnesota Department of Public Safety, Bureau of Criminal Apprehension, Criminal Justice Information System, the Minnesota Department of Motor Vehicles and other local law enforcement agencies in the jurisdictions where I have resided, as I set forth in this application. The use of this information shall be limited and used only for the purpose of evaluating my application for Working with Children and Vulnerable Adults.

I further give permission to St. Paul Lutheran Church to contact prior employers or agencies which I have worked as a volunteer or employee, for the purposes of requesting information about my work with children or vulnerable adults. I understand that this authorization will be effective for one year and shall terminate one year from the date of execution.

Applicant signature _____ **Date** _____

Witness signature _____ **Date** _____

APPENDIX C

Form for Reference Check

Applicant Name _____

Reference Name _____

Reference Address _____

Reference Phone Number (____) _____

1. What is your relationship to the applicant?
2. How long have you known the applicant?
3. How well do you know the applicant?
4. How would you describe the applicant?
5. How would you describe the applicant's ability to relate to children?
6. How would you describe the applicant's ability to relate to vulnerable adults.
7. How would you describe the applicant's leadership abilities?
8. Do you know of any characteristics that would negatively affect the applicant's ability to work with children or vulnerable adults? If so, please describe.
9. Are you aware of any alleged situations of abuse or sexual misconduct on the part of this applicant in his/her work with children or vulnerable adults? If so, please describe.
10. Do you have any knowledge that the applicant has ever been convicted of a crime? If so, please describe.
11. Please provide any other comments you would like to make:

Reference inquiry completed by: _____ Date _____
Signature

APPENDIX D

**Acknowledgment of Receipt
Of Policy for
Working with Children or Vulnerable Adults
In the Ministries Of
St. Paul Lutheran Church – Wyoming, MN**

Receipt of Policy

I hereby acknowledge that I have received a copy of the Policy for Working with Children or Vulnerable Adults in the Ministries of St. Paul Lutheran Church. I have read and understand the policy. I agree with the policy and will abide by the policy and its procedures.

Name (print) _____
First Middle Initial Last

Address _____

Home phone (____) _____ Alternate Phone (____) _____

Signature _____ Date _____

Witness Name (print) _____

Signature _____ Date _____

**Attended Orientation Session on
“Working with Children or Vulnerable Adults”
Policy**

I hereby acknowledge that I have attended an orientation session on the Policy for Working with Children or Vulnerable Adults in the Ministries of St. Paul Lutheran Church – Wyoming, MN.

I attended this orientation on _____
Date attended

Name (print) _____
First Middle Initial Last

Signature _____ Date _____