

**Trinity Presbyterian Church
Presbyterian Church (USA)
(TPC)
CHILD AND YOUTH PROTECTION POLICY**

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CHILD AND YOUTH PROTECTION POLICY

I. PURPOSE, POLICY TERMS, SCOPE, AND APPLICABILITY

Purposes

The purposes of this policy are

- to describe and facilitate a safe and secure environment for children and youth at TPC;
- to define sexual, physical, and emotional abuse and to describe means for protecting children and youth from such abuse while participating in TPC activities;
- to establish clear guidelines for reporting suspected abuse;
- to train employees and volunteers who work with children and youth at TPC to construct a safe and secure environment for children and youth and to recognize abuse; and
- to protect volunteers and employees who work with children and youth at TPC from unwarranted allegations of child abuse.

This policy provides for

1. screening applicants for employment and volunteer service with children and youth at TPC;
2. training employees and volunteers with children and youth at TPC in the Child and Youth Protection Policy;
3. reporting and responding to incidents of abuse; and
4. reporting and responding to other concerns regarding the safety of children and youth at TPC.

Policy Terms (glossary):

Best Practices and Operating Procedures - to be revised from time to time, by the Child Protection Committee, providing practical guidance for working with children and youth.

Child Abuse - A non-accidental injury or pattern of injuries to a child or youth that include

Emotional Abuse – an adult’s non-accidental chronic and persistent acts that endanger the mental health or emotional development of a child including rejection, ignoring, terrorizing, corrupting, constant criticism, mean remarks, insults and giving little or no love, guidance and support.

Neglect – the non-accidental failure of adults responsible for the well being of a child to provide for the physical needs of the child. Neglect may include withholding food, clothing, shelter, or medical care; failure to keep children clean; or lack of supervision.

Physical Abuse – the presence of a non-accidental injury or pattern of injuries to a child. Such injuries may include beatings, burns, bruises, bites, welts, strangulation, broken bones or death.

Sexual Abuse – the sexual assault, molestation or exploitation of children. Sexual abuse may consist of numerous acts over a long period of time or of a single incident. The age range for such abuse is infancy through adolescence. The perpetrator may use intimidation, threats, and rewards to prevent a child or youth from reporting abuse.

Child or Youth – Any person 18 years old or younger and/or considered a minor under North Carolina law. This term shall also include legally incompetent persons.

Child Protection Committee – A sub-committee of the Personnel Ministry Team comprised of one member each of the Christian Education Ministry Team, the Weekday School Ministry Team, the Youth Ministry Team, the Worship Ministry Team, the Personnel Ministry Team, and the Director of Christian Education (if such position exists and is filled), which regularly reviews concerns, provides appropriate feedback, and assists in the implementation of Child and Youth Protection Policy and the associated Best Practices and Operating Procedures handbook. At-large members may be permitted to participate by the Personnel Ministry Team.

Children and Youth Programs – Such programs include but are not limited to: Sunday school classes, Childcare, Children and Youth fellowship programs, Acolyte training, Weekday School, Children and Youth choirs, Church sponsored retreats and mission trips, Vacation Bible School, Church sponsored athletic teams, Outreach, Nursery and child care for special events.

Church Sponsored Activity - Includes any and all worship, educational, fellowship, administrative, pastoral, outreach or recreational events conducted by one or more persons acting on behalf of and with the consent and knowledge of TPC. These events include on-campus and off-campus gatherings.

Employee – Any person who works for salary or wages at TPC including clergy, staff, and Weekday School employees.

Member – An active member of TPC who has made a profession of faith in Christ, has been baptized, has been received into membership of TPC, has voluntarily submitted to the government of TPC, and participates in TPC's work and worship.

Outside Groups—Any non-TPC program or non-TPC group using TPC facilities.

Pastor – the Pastor of TPC or acting head of staff.

Program Staff- Associate Pastor, Christian Educator, Minister of Music, and Director of Weekday School.

TPC—“Trinity Presbyterian Church,” a member congregation of the Presbyterian Church (USA) located at 3115 Providence Road in Charlotte, NC.

Volunteer – Any person, ordinarily an adult member of TPC, who gives of his/her time to participate in a Church Sponsored Activity involving children and/or youth.

Scope and Applicability

Whom does this Policy cover?

This policy supersedes all prior TPC child and youth protection policy statements.

EMPLOYEES. This policy governs all employees of TPC and is the “Child Protection Policy” to which the TPC Personnel Manual and the Weekday School Personnel Policy Handbook refer. With regard to any employee(s) of TPC, the Personnel Ministry Team shall resolve any perceived conflicts or ambiguities in interpretation and application of this policy.

INDEPENDENT CONTRACTORS. TPC does not directly control independent contractors. All independent contractors who work with TPC children and youth shall sign an Acknowledgement stating that they have received and reviewed a copy of this policy.

VOLUNTEERS. All volunteers of TPC who work with children and youth are governed by this policy.

What Does the Policy Require?

1. All employees and volunteers shall abide by the Code of Conduct (see Section IV).
2. Each person must assume responsibility for his or her own actions in working with children and youth and for attending training offered on child and youth protection.
3. An employee may be terminated from employment and a volunteer may be removed from volunteer service with children or youth for failure to observe and abide by this policy. This action may be taken regardless of the outcome of any investigation if the Pastor and Personnel Ministry Team determine that the Child and Youth Protection Policy and procedures have not been followed.

Outside Groups Using TPC Facilities

Prior to using TPC Facilities, outside groups shall receive a copy of this policy and shall sign an Outside Group Leaders Release acknowledging that they have received and reviewed the policy and agree to hold TPC harmless for any violation of the policy.

Given the nature of the outside groups that use TPC facilities, TPC will not perform background checks, seek personal and professional references, review employment records, or obtain civil and criminal records for such groups. TPC will not offer training to leaders of non-TPC child or youth programs/groups. Outside groups are expected to conduct their own due diligence in this regard.

II. SCREENING OF EMPLOYEES AND VOLUNTEERS

Employees

Personal interviews, application forms, personal and professional references, employment records, and criminal background checks are required for all employees. Information gained by these means will be used to determine eligibility to work with children and youth.

Interviews, application forms, releases, reference checks, employment records, and criminal background checks are to be documented and become confidential church property. These records will not be released to any party except as required by law. The Pastor and the Personnel Ministry Team will document the release of any such records. Employment records and criminal background checks will be made available to the employee upon written request to the Pastor.

All prospective employees will be required to sign an Applicant's Statement and Release, agreeing to follow the policies and procedures of TPC pertaining to child and youth protection. This Statement and Release shall become part of the employee's personnel file. Each fall, all employees of TPC will be required to: (1) review the current Child and Youth Protection Policy, (2) complete a Recommitment Acknowledgment Statement and Release and (3) sign a Recommitment Acknowledgement. If an employee refuses to perform any of these requirements then they are not eligible for any position involving work with children and youth.

Any candidate for employment who has a past conviction of or pending proceeding addressing an allegation of child abuse or neglect cannot be employed by TPC in any capacity without the express written approval of the Pastor and Personnel Ministry Team.

Active substance abuse or a conviction for any crime against public morality and decency, including pedophilic behavior, incest, rape, assaults, indecent exposure, pornography, sodomy, abuse or neglect of a minor, will automatically disqualify a candidate from employment with children or youth.

Volunteers

Application forms, releases and personal references are required for all volunteers working with children and/or youth. Background checks, personal interviews, and professional references may be conducted on any TPC volunteers at the discretion of the program staff. Background checks are ordinarily required on any volunteer accompanying children and youth on overnight trips. Information gained by these means will be used to determine eligibility to work with children and youth.

Application forms and any reference checks, volunteer records, criminal background checks performed as a result of an application will be documented and become confidential church property. These records will not be released to any party except as required by law. The

Pastor and the Personnel Ministry Team will document the release of any such records. Volunteer records and the results of any criminal background check will be made available to the volunteer upon written request to the Pastor.

All volunteers with Children and Youth Programs will be required to sign an Applicant's Statement and Release, agreeing to follow the policies and procedures of TPC pertaining to child and youth protection. This Statement and Release shall become part of a volunteer's application and be maintained in a notebook of volunteer forms. Each fall, all volunteers with youth and children shall: (1) review the current Child and Youth Protection Policy and (2) sign a Recommitment Acknowledgement Statement and Release. A volunteer refusing to perform these requirements shall not be eligible for any position involving work with children and youth.

Any prospective volunteer who has a pending proceeding alleging child abuse or neglect cannot work with children and youth at TPC without the express written approval of the Pastor and Personnel Ministry Team.

Active substance abuse or a conviction for any crime against public morality and decency including pedophilic behavior, incest, rape, assaults, indecent exposure, pornography, sodomy, abuse or neglect of a minor, will automatically disqualify a prospective volunteer from service with children and youth.

No candidate for volunteer service will be considered for any position involving children, youth, or the legally incompetent until the candidate has been a member at TPC for at least six months.

The Pastor or Personnel Ministry Team will inform any volunteer applicant denied the opportunity to serve with children and youth the reason(s) for disqualification and how to obtain information relevant to the decision.

III. TRAINING

Training for Adults

All employees and volunteers shall participate in training sessions and sign the relevant documents regarding child and youth protection. The church will offer a training session online. This training will include the following:

- Purposes of the Child Protection Policy
- Definition of child abuse
- Situations conducive to the occurrence of child abuse
- Definition of inappropriate conduct
- TPC policies governing working with children and youth
- Code of Conduct and Specific Policies of TPC
- Procedures for responding to allegations of abuse from a child

- Procedures under North Carolina Law for reporting observed or suspected misconduct
- Potential civil and criminal consequences of misconduct
- Procedures for reporting other concerns regarding the safety of children or youth at TPC

Following successful completion of the above training and approval of their application, employees and volunteers may be deemed eligible to work with children and youth at TPC. Employees and volunteers must undergo training at least once every three years, though such training may take the form of a self-study program approved by the Personnel Ministry Team. Employees and volunteers shall also participate in additional educational opportunities that TPC provides for these purposes.

Training for Children and Youth

Parents bear the primary responsibility for teaching their children about child and youth protection and safety issues. Nonetheless, from time to time, TPC may offer age-appropriate educational opportunities for children and youth to provide them with necessary information about child and youth protection issues including their right to be free from unwelcome and inappropriate touching or remarks, how to report any concerns they may have, and TPC policies regarding their safety. TPC will notify parents of these opportunities prior to offering them.

IV. CODE OF CONDUCT AND SPECIFIC POLICIES

1. TPC employees and volunteers shall not engage in any abuse of children or youth as defined in this policy.
2. TPC employees and volunteers shall not use physical punishment or withhold necessary care in order to discipline a child or youth.
3. TPC employees and volunteers may use physical restraint only in situations necessary to protect the child or others from harm.
4. TPC employees and volunteers shall comply with the Child and Youth Protection Policy, this Code of Conduct, and the Best Practices and Operating Procedures.

V. REPORTING CHILD ABUSE

1. North Carolina law requires all adults to report any suspicions of child abuse to the Department of Social Services immediately.
2. Should any child on the TPC campus or participating in any church sponsored activity report to any TPC employee or volunteer an incident of abuse or neglect, the employee or volunteer shall immediately and in no case more than 24 hours after receiving such report

contact (1) the Mecklenburg County Department of Social Services and any other authority as North Carolina law requires; and (2) the Pastor or designated program staff.

3. Should a TPC employee or volunteer observe any situation on the TPC campus or during any church sponsored activity in which he or she suspects that child abuse may have occurred, he or she shall report such situation immediately and in no case more than 24 hours after observing the situation to (1) the Mecklenburg County Department of Social Services and any other authority as North Carolina law requires; and (2) the Pastor.

VI. RESPONDING TO A REPORT OF CHILD ABUSE

TPC employees and volunteers shall respond to any allegation of child abuse as follows:

1. TPC employees and volunteers shall take every allegation of child abuse seriously and shall offer care, respect, and confidentiality to alleged victims and perpetrators until the allegation is substantiated or cleared.
2. The Pastor shall communicate with the liability insurance carrier as provided in the liability insurance policy.
3. Should the Clerk of Session receive a written statement of any allegation of child abuse against a TPC member, the Clerk shall follow the procedure for disciplinary cases set forth in Chapter Ten of Section D of *The Book of Order*.
4. Any allegation of child abuse against a Minister of the Word and Sacraments should be made to the Stated Clerk of Presbytery in compliance with the procedure for disciplinary cases set forth in Chapter Ten of Section D of *The Book of Order*.
5. Any written documentation of alleged child abuse shall be kept in a confidential file.
 - a) The Pastor and/or the Personnel Ministry Team may complete an informal investigation in addition to any formal investigation initiated by legal authorities and/or the Session.
 - b) An employee or volunteer accused of child abuse may be placed on leave from his or her responsibilities at the discretion of the Pastor or Personnel Ministry Team. For employees, such leave may be with or without pay.
 - c) To protect the child or youth from further possible abuse and to protect the accused from further accusations, TPC shall prohibit interaction between the alleged victim and the accused on TPC grounds or at church sponsored activities.
 - d) In the event of an unsubstantiated allegation, the Pastor and Personnel Ministry Team shall make a decision as to whether the employee or volunteer shall be allowed to return to work or volunteer service with children or youth at TPC. They shall consider the employee or volunteer's likely effectiveness in working with children or youth following an allegation and investigation of child abuse. A volunteer has the right to appeal the Pastor's decision to the Session by providing the Clerk of Session

with a written notice of appeal within thirty days of learning of the decision. The decision by the Pastor and Personnel Ministry Team as to employees is final.

6. Except as directed by an attorney, TPC employees and volunteers shall cooperate fully with investigative authorities, such as the Child Protective Services Unit of the Department of Social Services.

7. All TPC employees and volunteers shall refer any inquiries regarding alleged child abuse to the Pastor. Except where North Carolina law requires otherwise, the Pastor shall have sole authority to release any information regarding an allegation of child abuse.

VII. REPORTING ISSUES OF CONCERN REGARDING CHILD AND YOUTH SAFETY

North Carolina law and this policy make the responsibility for reporting and responding to child abuse clear. *See* Section V and VI of this policy for guidance regarding reporting of child abuse.

From time to time issues may arise regarding the safety and/or conduct of children, youth or adults at TPC that do not involve child abuse but may nonetheless require attention and review. The Best Practices and Operating Procedures provides guidance for identifying, reporting, and addressing concerns other than child abuse.

VIII. RESPONDING TO REPORTS OF CONCERNS REGARDING CHILD AND YOUTH SAFETY

1. The Pastor or designee shall evaluate every report expressing a concern about the safety and/or conduct of TPC children or youth.
2. The Child Protection Committee shall document and retain all concerns to assure proper follow-up and to look for trends or patterns of unacceptable activity. The Child Protection Committee shall review concerns at least annually.

Procedural History of Child and Youth Protection Policy

Original policy approved by Session October, 2005

Revisions to policy approved June, 2014

Revisions to policy 2018

