



Presbyterian Child
Advocacy Network

“We Won’t Let it Happen Here: Creating a Child Safe Church”

A Project of the Presbyterian Church (U.S.A.)
and the Presbyterian Child Advocacy Network (PCAN)
A Network of the
Presbyterian Health, Education and Welfare Association (PHEWA)





“Creating a Child Safe Church” revision and update

Background: The 220th General Assembly in Pittsburgh, Pennsylvania passed Overture 11-16, directing the Presbyterian Mission Agency “to create a new resource concerning safe child measures in the Presbyterian Church (U.S.A.) that can be available for presbyteries and individual churches;” and to “create sample safe child policies that would be available online for use in presbyteries and individual churches as a resource for developing their own safe child policies.”

With profound appreciation for the work of Lois Rifner, Ph.D and Susan Keil Smith, MA, in the creation of the original “We Won’t Let it Happen Here,” the writing team assembled by the Presbyterian Child Advocacy Network, under the direction of the Presbyterian Mission Agency, has updated and revised its information.

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“We Won’t Let it Happen Here: Creating a Child Safe Church”

Introduction

Joanne first became acquainted with the world of abused children when she was hired as staff at a local daycare program and underwent the criminal background check her state required for all childcare staff and licensed childcare programs. The process led her to think about the vulnerability of organizations that lacked such a requirement, including her own congregation. But when Joanne offered to help develop screening procedures for the volunteers working with children and youth at her church, her pastor was less than enthusiastic.

“Those kind of people don’t attend our church,” she was told. “It’s not going to happen here.”

However, child abuse happens everywhere including church settings and among faith community membership. In fact, four children die every day as the result of abuse or neglect. Many more are physically and emotionally scarred. In 2012, more than 670,000 children were victims of abuse or neglect. 18.3 per cent were victims of physical abuse and 9.4 per cent of sexual abuse. Every 47 seconds – or 1837 children a day – a child is confirmed to have been abused or neglected (U.S. Department of Health and Human Services, 2013: “Child Maltreatment 2012,” <http://www.acf.hhs.gov/sites/default/files/cb/cm2012.pdf>).

Unfortunately, the church has been among the last institutions to respond to this crisis. This is due to a number of reasons:

- We are trusting. We know and like most of its members. We find it hard to imagine that someone we know and like could abuse a child.
- We are welcoming. We want to make new members feel comfortable. The idea of “screening” volunteers might make people feel unwelcome.
- We are forgiving. Many of us believe that “forgiveness” involves the erasure of an offense and that someone who expresses repentance will not re-offend. Perhaps our discomfort with the entire situation makes us want to “forgive” the abuser and put the



matter behind us. Perhaps we have doubts about the veracity of the allegations or worry that we are vulnerable to accusations of abuse as well.

Attitudes like the ones listed makes it easy to deny the likelihood of child abuse in our church or involving our members. It also results in a failure to protect our children.

One church living in such denial discovered to its horror, that a number of their preschool children had been sexually molested by a volunteer who was always willing to help with childcare during worship, committee meetings, and pot-luck suppers. Parents were angry and felt responsible for not having been aware of what was going on. Staff persons who had recruited the volunteer felt responsible. The abuser, a church members themselves, were tried and convicted. The congregation never recovered and many children no longer saw the church as a place of safety.

Another congregation learned from a television news report that their beloved youth minister had been arrested for child exploitation involving youth outside of the church. Conflict and tension arose between those in the congregation who believed him to be innocent and those who thought that he should be fired.

Other congregations have been sued on behalf of children abused by a staff person from the childcare facility housed in their church.

As awareness has grown and regulations refined and put into place, more organizations are requiring background checks to ensure that neither staff nor volunteers both have been convicted of any misconduct related to children. Others require sworn affidavits that charges have never been brought, no matter what the outcome. However, none of this will prevent determined individuals from seeking unsupervised access to children which means that background checks and affidavits are not enough. Safety protocols need to be put into place as well.

About one percent of all congregations have been sued because of child abuse in the church. Because some cases are settled out of



court, the full financial consequences are not known. Increasingly clear, however, is that, if a youngster is abused by a church staff person or volunteer and a civil suit is brought against the church as well as the individual, the court would likely find the church negligent if it could have obtained information about the perpetrator and failed to do so. Companies that insure churches are quite aware of this and are increasingly encouraging churches to develop policies for the screening of volunteers and staff.

The tradition of the Presbyterian Church (U.S.A.) has long been action in the world wherever injustices are present. This tradition is firmly rooted in Scripture and our Confessions, namely that we are created in God's image and are children of God. We share responsibility with God for the care of creation. We are repeatedly enjoined to care for widows and orphans and are assured that God hears their cry. Jesus goes further by telling us that those who harm children (still considered property in his time) would be better off dead.

The General Assembly of the PC(USA) and its predecessor organizations has a history taking actions to meet the needs of children. These actions include resolutions in support of reducing poverty and racism, feeding of the hungry and education for all children. The needs of children, including the need to be protected from abuse, were specifically addressed by the General Assemblies in 1991 and 1996, and designating 2000 – 2001 to be the Year of the Child.



Developing a Policy

Jesus teaches us, "Whoever welcomes one such child in my name welcomes me" (Matthew 18:5).

Children are both our present and our future. They are full participants in the life of the church and in the realm of God. And yet, tragically, churches have not always been safe places for children. Child sexual abuse and exploitation occur in churches, both large and small, urban and rural. The problem cuts across all economic, cultural and racial lines.

Such occurrences are devastating to all involved: the child, the family, the local church, and its leaders. Increasingly, churches are torn apart by the legal, emotional, and financial consequences of litigation following allegations of abuse.

Minimally, churches should have:

- An ongoing plan for educating the congregation and its leaders on the reality of child abuse, risk factors leading to child abuse, and prevention strategies;
- Procedures for screening staff and volunteers;
- Safety procedures for church activities;
- Directory of resources for children who have been abused and their families;
- Liability insurance that includes sexual abuse coverage.

Developing a policy for dealing with child abuse in the church provides an opportunity for a congregation to look at the many ways it can take steps to protect children. Some congregations end up with a "Safe Church" policy, that addresses a variety of safety issues from child sexual abuse to van maintenance, fire extinguisher placement, and First Aid training.

An important first step in developing a policy is to check insurance coverage. It is important to determine if your church is covered in the



event of child abuse in the church and to obtain a rider for such coverage if it is not (There might also be savings in premium cost if the church develops and implements a more comprehensive "Safe Church" policy).

A "Safe Church" policy needs to address

- Insurance coverage
- Selection and screening for volunteers
- Age and gender of volunteers in different capacities (nursery, youth group)
- Number of volunteers necessary in various situations
- Safety precautions and procedures which will be put in place
- Physical arrangements when children and adults are in classes or events
- Procedure for reporting abuse
- Plan for training staff and volunteers

In developing your church's policy, it will be important to become acquainted with your state's child abuse laws and reporting procedure and to obtain legal advice about screening applications and interviews.



What is Child Abuse?

There are many different definitions of what is and is not child abuse. Some lists include “neglect” under child abuse. The primary importance of knowing what is child abuse or neglect lies in knowing when a report to Child Protective Services is necessary. The most important definitions you will need to know are those found in your own state law about abuse and neglect. As your congregation develops a policy to deal with child abuse, working with the local authorities or an attorney is important, so the definitions in your policy are consistent with your state law.

The following is a list of the way the different types of abuse and neglect are sometimes defined, but again, check you own state laws when developing your own policies.

Abuse is generally considered an act that causes physical and/or emotional damage to a child. There are generally three types of abuse delineated in the law.

Physical Abuse involves a person (older and larger) deliberately and intentionally causing bodily harm to a child. Examples include hitting a child with fists or objects, shaking a child (especially an infant), kicking, throwing, scalding, choking, burning, or otherwise causing injuries. The critical aspects of the definition are injury to a child and the injury being non-accidental.

Sexual Abuse generally is considered to be sexual contact between an adult and a child. Sexual abuse is not limited to intercourse, but generally includes fondling. It may also include an ongoing pattern of sexual talk or exposure to sexual material inappropriate for the child’s age. Involving a child in the making of pornographic material or in prostitution is also considered sexual abuse



Emotional Abuse or psychological maltreatment is more elusive, especially in state laws. It is generally considered to be a pattern of behavior that promotes emotional harm to a child. It may include terrifying or humiliating punishments (killing a child's pet, making a child wear a sign that says he or she is a bed-wetter, locking a child in a dark place), isolating a child from others, convincing a child that he or she is bad or incompetent, exploiting a child (for example, using them to commit crimes because of the reduced likelihood that the child will be punished by the law) or repeatedly insulting and humiliating a child.

Neglect is the failure of parents or other caregivers to provide for the basic needs of a child. Neglect can involve educational neglect, in which parents do not ensure that the child goes to school or learns in some other way the basic material required by state law. Medical neglect involves parental failure to obtain needed medical care for their children. Physical neglect can be the failure of parents to provide for basic needs of food, clothing appropriate to the weather, and shelter. Exposing a child to dangerous situations (letting a young child play near a busy highway without adequate protection or supervision) can also be considered neglectful behavior. Emotional neglect includes the failure of a parent to provide the love, nurture, and availability that children need to feel competent, self-confident, and loved.



Who are the Abusers?

People who abuse children cannot be easily characterized or identified. They come from all socio- economic levels, all races, ethnicities, and genders, which is why suspected abuse should never be ruled out on the basis of parental status.

Impact of Abuse in the Lives of Children

Child abuse and neglect harms children, adolescents, adult survivors and society. It impacts child and adolescent development and can have long-term consequences for adults with a history of abuse. Its impact may vary by the type, nature and circumstances of the abuse, characteristics of the child such as the child's age, special needs, and relationship to the abuser, family factors, and support and treatment available to the child, adolescent or adult survivor over time. The harmful impact of abuse in the lives of children and adults varies widely and may be short and long term, intermittent and recurring.

How To Recognize the Suspected Abuse or Neglect of a Child

Not too many years ago, checklists describing "Behavioral Indicators of Child Abuse" were frequently distributed to parents, teachers, staff in child care centers and others staffing programs for children. This is no longer the case, rather, it is widely believed such checklists can be misinterpreted and misused with the actual causes of changes in a child's behavior frequently misdiagnosed or ignored. However, this does not mean that changes in a child's behavior, particularly when dramatic, should not be explored to try to determine the cause of the behavior. It is also important that concern about suspected abuse or neglect of a child, and the basis for the suspicion, be reported to proper authorities. A report does not require certainty. After a report is made the proper authorities will investigate matter and decide whether the report is founded.



When a Child Discloses Abuse or Neglect

When a child discloses that he or she has been abused, church policy on handling reports of abuse and sexual misconduct should be followed. It is important that you remain calm in both your tone and your body language, listen to the child, and convey to the child your concern. ***It is not your job to interview the child about the alleged abuse, others will do that.*** It will be important for you to prepare a written description of what you have been told, using the child's words. Don't make promises you can't keep, like telling the child you will not tell anyone else about the abuse. Where appropriate, let them know that you will have to report the abuse to child protection officials who can help them. Follow church policy in making the report to authorities. It may be that there is a designated person to make the reports. If the abuse occurred on church property or if church personnel or volunteers (staff, elders, deacons, teachers, pre-school staff) are involved, a report to the Presbytery Sexual Misconduct Response Coordination Team must also be made.

Anyone who might have to report child abuse and, especially, those creating a congregation's policy would benefit from reviewing the Sexual Misconduct Policy and Its Procedures of the PC(USA) (<https://www.pcusa.org/resource/presbyterian-church-us-sexual-misconduct-policy-an/>). The goal of the sexual misconduct policy and the established presbytery response coordination teams is to address the "needs that have to be met for the good of all persons, groups, and entities. . . . This team will not investigate the allegation or in any way function as a special disciplinary committee, but should confine itself to coordinating a process that will meet the specific needs of the situation. . . . In cases of sexual misconduct, these are the needs of accuser/victim and their families (if any), the accused and family (if any), employing entities, congregations, and governing bodies."



Procedures for Selecting and Screening Staff and Volunteers

"Not all occupations and volunteer positions merit the time and expense of criminal history record checks. There are other means available to protect children from abuse, including the checking of prior employment history and character references and proper training and supervision of employees and volunteers. The committee expects that the states, in deciding which types or categories of positions require criminal history background checks, will consider the degree to which a particular position or child care activity offers opportunities to those who would abuse children. The committee expects that the states will find for examples, that positions involving long-term or ongoing contact with children in one-on-one situations merit criminal history record checks and that positions that involve infrequent direct contact or contact only in group settings do not merit such checks. The bill as amended leaves that decision to the respective states." The National Child Protection Act of 1993

Like all organizations that sponsor a variety of activities and programs, especially with children, churches face significant legal liability. The first step in reducing that liability is to engage in effective risk management strategies in the selection of church workers, whether those workers are paid or volunteer. A church safety program provides both the strategy and the tools to begin that process. The entire selection and screening process assists the church in recruiting the best possible staff members for both employment and volunteer service.

Some will have concerns about the screening of volunteers and staff, especially when it comes to criminal background checks. Some of these concerns will be addressed when providing education about child abuse. Few people want to run the risk of being responsible for a child who is then abused. Most, when they think about the potential consequences in terms of the trauma to victims, the emotional and spiritual impact on the congregation, the potential for negative news coverage, the potential for litigation, the possible financial cost of litigation, and the personal impact on church members and church



leaders, readily agree that it is best for children and the entire congregation to take precautions.

Reducing the risk of liability based on the negligent selection of church staff and volunteers can be accomplished with several precautions. While the risk can't be eliminated completely, it can be reduced dramatically by following several steps.

A first step in reducing risk might be to check the church's liability policy. It is not uncommon for liability insurance to specifically preclude sexual misconduct claims. This is especially likely if the congregation has sought relatively inexpensive coverage. However, the cost to a congregation if a sexual misconduct claim is brought can be enormous financially as well as emotionally. The congregation needs to seriously consider if it can afford to be without such a rider.

Using employment and volunteer applications can be helpful in reducing the risk of child abuse in the church. In addition to basic information, there needs to be questions about whether the applicant has ever been convicted of, or pled guilty or no contest to a crime other than a minor traffic violation or have charges pending against them at the time of the application. The application should also include a statement authorizing the church to collect information regarding the applicant's character and fitness for work with children and releases the church and those who provide information from liability in the gathering of that information (except, of course, when someone knowingly communicates false information). The applicant needs to sign and date the application (even if a vita or resume is used). Unsigned applications should not be considered. Sample applications are in the back of this resource.

References should be requested. We recommend at least three. The references should be people who know how the applicant interacts with children.

Final candidates for staff or volunteer positions should be interviewed, with questions asked about background and whether or not the person's skills are suitable for the position.



During the interview, be alert for any red flags, such as resistance to supervision or an insistence on working with a particular age group. If someone has moved frequently, are they trying to avoid having a reputation catch up with them? Do the frequent moves allow them to avoid close personal relationships and intimacy? How would this affect their working with children? Or have they been a college student moving back and forth between home, college, and a summer work location?

It is recommended that no person who has been a member of (or active participant in) the congregation for less than six months should volunteer with children and youth. This policy also discourages those who might come to a church to gain access to children.

References should be checked. Contact previous employers and previous places at which the applicant volunteered, especially if the applicant worked with children. Contact previous congregations. Telephone contacts can be most helpful, as it is easier to hear hesitations in the voice of someone who might not be willing to give a bad reference but may also be reluctant to give a good one. Asking questions that can be answered "yes" or "no" may be sufficient to provide the information needed. These may include questions such as "Would you hire this person again?" and "Would you trust this person to work with 20 junior high children?"

Criminal background checks are available in most states. Such checks should be available for all pastoral candidates, and completed on non-minister employees, any who serve in a counseling position, and volunteers who will have unsupervised access to children and youth (not to mention those who work in ministries with the developmentally disabled, chronically mentally ill, senior citizens, and any others who may be vulnerable).

No "second chance" should be given to anyone who has been found in the past to have problems with sexual misconduct or child abuse. Churches have often tried to be forgiving, only to find that child abuse was repeated.



Once staff and volunteers are in place, the congregation continues to have an obligation to provide supervision and to take complaints seriously. Negligence in keeping an employee or volunteer about whom there have been complaints of misconduct will also contribute to the church's legal liability. Your presbytery should have a policy concerning sexual misconduct. A similar policy can be followed for dealing with other complaints.



Providing a Safe Environment

In addition to providing a screening process, making the church safe for children involves supporting volunteers who work with children and providing for resources for child safety. For example, the church may want to have a policy that all vehicles used to transport children have passed a safety inspection within a specified time period. You may want to ensure that there are fire extinguishers in all the classrooms.

In addition to screening staff and volunteers, it is helpful to set some minimum criteria for those who will work with children. Including in your policy a minimum age for volunteers is a good idea. The age needs to be set with consideration of the many situations that can arise. A volunteer working with children needs to be old enough to be seen by the children as having some authority over them. They also need to be old enough to be aware of risks and to be able to take responsibility for reducing these risks.

One of the authors volunteered with a Scout troop a number of years ago. The regional Scout administrator was in his early 20s. On a planned bicycle trip, he and some of the high-school-aged Scouts took a detour for a dip in an abandoned stone quarry, telling no one what they were doing. He clearly did not consider the risks (diving onto boulders beneath the surface, getting tangled in trash under the water) or the liability of the Scouts if someone was hurt or killed.

In other situations, a college student dating a high-school senior and serving as a volunteer supervising a church youth group on a camp-out may not provide adequate supervision for any of the participants.

It is highly recommended that volunteers also be at least five years older than the oldest youth they will be supervising. This increases the likelihood that supervision will be adequate.

Determining an adequate child/youth to adult ratio can also be done as part of the policy developed by the congregation. At least two adults need to be present with all groups of children when other



adults are in the vicinity (in the church building, for example). Having two adults present with a group dramatically reduces the risk that one might abuse a child or that an adult will be falsely accused of abuse. It also allows for someone to go for help, if there is a crisis, while the other stays with the children. In a more remote setting (a camp-out or even a lock-in, when there are few others in the church building), a minimum of three adults is advised. This allows for two to stay with the children or youth while the third goes for help if necessary.

Beyond this basic guideline, it is important to have enough adult supervisors of children and youth to minimize injuries and accidents and to provide needed care. The number may vary with the nature and location of the activity. Children in a church-school class who are discussing a Bible story will obviously need fewer volunteers present than the same number of children on a scavenger hunt in the woods behind the church.

For persons who work with children on a regular basis, First Aid and CPR training can be quite important. Little children, especially, are at risk of choking. Besides making certain that the nursery and the toddlers' rooms don't have toys with small pieces or snacks that are higher choking risks or allergens, having staff or volunteers trained in CPR and First Aid further assures the safety of the children. First Aid training can also be really important for volunteers who work with junior high and high school groups, which are more likely to be leaving church property, going on mission trips, and camping out. First Aid and CPR certification need to be renewed on a regular basis. Training is available through the American Red Cross.

Having a first aid kit readily available to the classrooms (especially those of younger children) or on trips away from the church is also an important safety measure. All volunteers working with children need to know where the kit is located.

Ongoing supervision and education of staff and volunteers are also important. An annual orientation can review your church's policies about safety issues, the screening process, policies on reporting abuse, issues of confidentiality, and appropriate ways to manage discipline with a group of children. It can be a time to role-play



hearing and responding to a report of abuse. Such an orientation session also allows a time to review the policies in an attempt to amend and improve them as necessary. As you put your policy into practice, you will undoubtedly find better ways of managing safety in your church.

The annual orientation is also a time to ask volunteers and staff to renew their commitment to following the safe church policy. Some churches use a participation covenant for all church leaders.

Having a standard format for giving advance notice to parents and getting parental permission for children and youth to participate in special activities (especially those involving leaving the church property) can also reduce the congregation's liability. Parents should be given information about where the children or youth will be, what activities are planned, who will be supervising the activities, when the group will be leaving (and from where) and when they will be expected to return (and to where). Parents will want to know how to get in touch with the group if something unexpected comes up at home.

Some congregations have made structural changes to help insure the safety of their children. For example, one change involving minimal effort and expense, involves putting windows or Dutch-doors (doors in which the top can open while the bottom stays closed) in all classrooms used by children and youth. In that way, anyone going past the room can see in, greatly reducing the opportunity for inappropriate activities. Other churches have gone so far as to rebuild classrooms so that each classroom has its own bathroom, so that children can go by themselves and won't be alone with an adult volunteer while going to the bathroom down the hall.

Keeping the youngest members of the congregation safe can be a special challenge, especially in a very large church or one that has a great deal of transition. Many congregations ask that only a parent drop off or pick up a child from the nursery.

Some put a sticker on the infant or toddler and give a matching sticker to the parent, so that it is easy to see when the parent returns



which child goes with that parent. Other congregations may use code words. Some ask that parents sign the child in and out, allowing for the comparison of signatures. It is always a good idea to know, on any given day, how to contact the parent in the event of an emergency.

Clearly, if church-school staff and volunteers are using equipment with children, the equipment needs to be age-appropriate and in good working condition. A regular check of electronic equipment (e.g., CD and DVD players), of playground equipment, and of any vehicles used to transport children is a good idea. It is equally important that staff and volunteers know how to use equipment safely and will help children be safe in their use of the equipment.

Again, it is a good idea to check the congregation's insurance policy. Are you covered for a trip away from the church? If there is an accident in a volunteer's van, whose insurance will cover that? If the youth group is going rock climbing, will the church's policy cover injuries sustained in such risky behaviors?



Developing a Training Plan

It is very important that congregations develop a training plan to educate staff and volunteers who work with children about the realities of child abuse, how to prevent abuse, how to recognize signs of abuse and what to do in cases of suspected abuse. In planning for such training, the following issues need to be taken into consideration:

1. Any training should be built on a theological base and the acknowledgement that abuse is a criminal act and needs to be treated as such. Take time (or assign trainees) to look up references in Scripture about the treatment of children and orphans. Become acquainted with the teachings about children in our Confessions and in the historical actions of the denomination. You may also want to use this resource and the Sexual Misconduct Policy of the Presbyterian Church (USA) as references.
2. The goals of training are to ensure that staff and volunteers who work with children understand the nature of child abuse and how to respond if it becomes apparent that a child has been abused. Training is also useful in reviewing and modifying the church policy, as volunteers who have had experience working with the policy share their experience.
3. At least part of the training should be provided by someone knowledgeable about child abuse and about the laws and policies in your state. Attorneys, child protective service caseworkers, counselors who have a lot of experience in this field, and school social workers are among those who may have the training and experience to help with your program.

Topics to be covered include:

- What is child abuse?
- How do we recognize child abuse?
- What is the church policy about volunteers working with children and youth?
- Why are an application and references necessary and how will they be used?



- How do we keep children safe?
- What are the state laws concerning reporting?
- How is a report made?
- How can we talk to children about child abuse without scaring them?
- What are the community resources available?
- Any topics which may be specific to your congregation
- Specific information for paid staff
- Specific information for volunteers

Training would ideally occur annually, perhaps at the beginning of the church school year. This allows new volunteers with youth to be trained and returning volunteers to help coach each other and to evaluate the policy and how it has functioned.

The training should involve all employees and volunteers who will be working with children and youth as part of your church program. This may include people who are not members of your church but who work in a church-housed daycare program.

You may want to allow time to review the application procedure and to explain and emphasize the need for references who know the applicants work with children and youth. It is also appropriate to review the "Safe Place" policy. This acquaints new volunteers with the policy and allows experienced volunteers to evaluate how the policy has worked over the past year.

If your congregation chooses to use a covenant, the training session would be a good time for volunteers and staff to discuss what it means and to ask all to sign them.



Creating a Directory of Resources

A directory of resources in the community who can help in the event of child abuse in the church can be a part of the materials handed out during orientation. Such a directory would likely include whom to reach

- Child Protective Services (including their after-hours number)
- The local law enforcement agency.
- Community agencies that are trained to assist in circumstances of suspected abuse.
- Persons within the Presbytery who can assist in helping the families and the congregation in dealing with abuse within the church.
- The person at the Presbytery level who receives reports of sexual misconduct
- Counselors who specialize in work with sexual abuse victims and their families
- Counselors who specialize in work with sexual abuse perpetrators

In addition, it might be helpful to include some printed material, such as:

- A guide for reporting child abuse, which includes an idea of to whom it should be reported, what information will be needed, and other pertinent information.
- References for more information on dealing with child abuse in the church



The National Child Protection Act of 1993

The purpose of the National Child Protection Act of 1993 is to encourage states to improve the quality of their criminal history and child abuse records. The Act was passed in October 1993, and amended in the Crime Control Act of 1994. This Act:

- requires states to submit “child abuse crime information” to, or index such information in the national criminal history background system maintained by the FBI. A state’s reporting all felonies and serious misdemeanors to the FBI will satisfy this requirement of the Act.
- mandates that the U.S. Attorney General establish timetables for each state’s criminal history records system to reach milestones for improvement and completeness.
- authorizes a state to establish procedures requiring organizations serving youth, the elderly and individuals with disabilities to request a nationwide criminal history background check on prospective employees and volunteers. 31 states and the District of Columbia have laws mandating some individuals working with
- children to undergo criminal history background checks. The Act expands this to the elderly and individuals with disabilities and encourages criminal history checks for a more uniform, but broader, cross-section of employees and volunteers.
- provides access to the National Criminal History Records system maintained by the FBI in order to perform criminal history record checks. Access is limited to the states in which permissive legislation or regulations have been established.
- establishes minimum procedural safeguards for conducting criminal history record checks. Procedures require checks to be based upon fingerprints; the agency checking the records must attempt to obtain disposition data; the actual record cannot be conveyed to the seeking organization but a statement must be provided by the state agency indicating whether or not the individual has been convicted of or is under pending indictment for a crime that bears upon the individual’s fitness for taking care of children; and, the individual authorizes the check and signs a statement that he or she has never been convicted of a crime or if he or she has been convicted of a crime, lists the particulars of that crime on the form requesting the criminal history background check.
- places responsibility on states to define crimes that bear upon the individual’s fitness to work with children, the elderly and individuals with disabilities.

- places responsibility on the states to identify the positions that will require criminal history background checks. Requirements for criminal history background checks will vary from state to state.
- shields organizations from liability “solely for failure to conduct a criminal background check...” The Act allows organizations to use other kinds of child abuse prevention strategies so that failure to conduct a criminal history record check could not be used as a sole reason for liability.
- limits the cost of criminal history record checks so that “fees to nonprofit entities for background checks do not discourage volunteers from participating in child care programs.”
Amendments to the Act limit the fee that can be charged by the states to \$18 and those charged by the FBI to \$18 or a total of \$36. The amendments also permit some federal funds to be used to offset some or all of this cost.

Helpful Resources and Organizations

The Children's Defense Fund
25 E Street, NW
Washington, DC 20001
1-202-628-8787
www.childrensdefense.org

Presbyterian Child Advocacy Network (PCAN)
A Network of Presbyterian Health, Education and Welfare Association
(PHEWA)
Susan Stack and Trina Zelle
100 Witherspoon Street
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1-800-728-7228, ext. 5800
1-808-208-9166
www.phewacommunity.org
<http://www.presbyterianmission.org/ministries/phewa/>

My Very Own Book About Me! Stowell and Dietzel
ACT for Kids (A Ministry of Lutheran Social Services)
7 South Howard Street
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www.actforkids.org

Channing Bete Company
<http://www.channing-bete.com>
Exclusive distributor of Prevent Child Abuse America's publications.

Sexual Misconduct Policy and Its Procedures of the PC(USA)
(<https://www.pcusa.org/resource/presbyterian-church-us-sexual-misconduct-policy-an/>).



Presbyterian Child
Advocacy Network

Sample Forms

PCAN is a network of the Presbyterian Health, Education & Welfare Association (PHEWA)
An office of the Compassion, Peace & Justice Ministry, Presbyterian Mission Agency
Presbyterian Church (U.S.A.)
100 Witherspoon Street, Room 3228, Louisville, KY 40202-1396
Toll-free phone (888) 728-7228 ext. 5800 or (808) 208-9166
Websites: <http://www.presbyterianmission.org/ministries/phewa/presbyterian-child-advocacy-network/>
<http://www.phewacomunity.org/>



**(Name of church)
Volunteer Application**

Name _____ Date _____

Address _____

Daytime phone _____ Evening phone _____

How long have you been a member of (name of church)? _____

Occupation (if employed) _____

Employer (if applicable) _____

Current job responsibilities _____

Previous work experience

Previous volunteer experience

Special interest, hobbies and skills _____

Can you make a one-year commitment to this volunteer role? _____

Do you have a valid driver's license? ____ Any restrictions? _____

Do you have vehicle liability insurance? _____ If so, are you willing to provide a copy of your coverage for the files? _____

Why would you like to volunteer as a worker with children and/or youth?

What qualities do you have that would help you work with children and/or youth?



What training have you received in the care and nurture of children and youth?

In caring for children, we believe it is our responsibility to seek adult staff that is able to provide healthy, safe and nurturing relationships. Please answer the following questions accordingly. Answering yes to any of the questions will not automatically disqualify a volunteer from working with children. Any special concerns can be discussed individually with the pastoral staff.

Have you ever been convicted of or pled guilty to a crime, either a misdemeanor or a felony (including but not limited to drug-related charges, child abuse, other crimes of violence, theft or motor vehicle violations)?
yes ___ no

If yes, please explain fully

Your response to the following question is optional: Have you had an experience in your life that you feel would impede your volunteer work with children and youth? If so, do you feel comfortable explaining? Would you like to speak to the minister regarding this experience?

Would you be available for periodic volunteer training? _____ (yes) _____ (no)

References Please list three personal references (people who are not related to you by blood or marriage) and provide a complete address and phone information for each.

1. Name _____



Address _____

Daytime phone _____ Evening phone _____

Relationship to applicant _____

2. Name _____

Address _____

Daytime phone _____ Evening phone _____

Relationship to applicant _____

3. Name _____

Address _____

Daytime phone _____ Evening phone _____

Relationship to applicant _____

I represent that each of my responses is truthful and accurate.

Signature of applicant

Date

Waiver and consent

I, _____, hereby certify that the information I have provided on this volunteer application is true and correct. I authorize (name of church) to verify the information I have provided on this application by contacting the references and employers I have listed, by conducting a criminal background check or by other means, including contacting others whom I have not listed. I authorize the references and employers listed in this application to give you whatever information (including opinions) they may have regarding my character and fitness for the job for which I have applied. Furthermore, I waive any rights I may have to confidentiality to the extent that it may be harmful to myself or others.



I have read this waiver and the entire application, and I am fully aware of its contents. I sign this consent freely and under no duress or coercion.

Date

Signature of applicant

Date

Witness



(Name of Church)
CONFIDENTIAL Reference

The applicant named below has applied for a volunteer position as ___ at (name of church). We ask that you take a few moments to complete and return this form in the envelope provided. [Revise this statement if you will be contacting references by telephone.]

Name of applicant _____

Name of reference _____

Address of reference _____

Phone (daytime) _____ (evening) _____

Relationship to applicant _____

How long have you known the applicant? _____

In what capacity do you know the applicant? _____

How would you describe the applicant’s ability to work with children/youth?

How would you describe the applicant’s ability to relate to adults?

How would you describe the applicant’s leadership abilities?

How would you feel about having the applicant as a volunteer working with your child?

Do you know of any characteristics that would negatively affect the applicant’s ability to work with children/youth? _____. If so, please describe.



Do you have any knowledge that the applicant has ever been convicted of a crime?

_____ YES _____ NO

If YES, please describe _____

Please share any other comments you would like to make.

Signature of reference/phone interviewer (please indicate) _____
Date



(Name of Church)
Incident Report Form*
(Please print)

Date of incident _____ Time of incident _____

Name of child/youth involved _____
(A separate form should be completed for each child involved in order to
keep the information confidential)

Address of child/youth _____

Phone number of child/youth _____

Name of parent/guardian _____

Location of incident _____

Name of person(s) who witnessed the incident

Name _____ Phone _____

Name _____ Phone _____

Name _____ Phone _____

Please describe incident as seen/heard and actions taken

Any additional relevant information, please document



Signature of person completing this form

Date

*Upon completion of this form, immediate contact should be made with a church staff member who is responsible for Christian Education or pastoral care. This form should be given to staff member responsible for the program and should be filed with the business administrator. This form may also be used to report any suspicion of abuse as well as an accident.

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Suggested Training Plan Outline

1. Introductions and getting acquainted
2. Opening devotion and prayer
Suggested scripture passages:
Exodus 22:21-23
Matthew 19:14
Luke 9: 46-48
3. Why we are here?
 - To protect children and the adults who work with them;
 - Provide information, statistics on incidents of abuse;
 - Heighten awareness of volunteers and church at large
 - History of church's involvement with child advocacy in general and abuse issues to be specific
4. Discussion: what is our congregation doing to prevent abuse and screen volunteers and staff?
5. Hand-out church policy
Provide application and reference check information
Discuss urgency of returning application and reference information
Set up time for interviews
Assure confidentiality procedure
6. Safety information (includes training in CPR/First Aid awareness, regular safety checks for church buildings, who is available during worship and teaching times in case of emergency, location of nearest phone, etc.)
7. Read together the "Covenant" (sample enclosed)
8. Closing prayer



Possible questions and suggested answers about the volunteer application form

Q: Why do I have to do this, I've been around for 10 years?

A: This is our current church policy; all volunteers will complete the application before working with children/youth.

Q: Do I have to answer all the questions on the volunteer application form?

A: If you prefer, some of the more sensitive questions can be discussed in confidence with a staff member. Failure to answer a question does not exclude your work with children.

Q: Why do I have to give references?

A: All volunteers are required to provide the same information.

Q: Why the six-month rule?

A: It has been determined that folks who wish to work with children must be members of this church for six months before working with children/youth.



Study Questions

1. What is your church doing currently to screen volunteers who work with children?
2. Does your church staff complete criminal background checks?
3. What plans does your church have in place to protect children during church meetings?
4. Does your church have the “two person” rule?
5. If you have church-housed childcare program, is it licensed? If so, do church staff members meet the background check requirements that are prescribed by state licensing regulations?
6. If you have a church-housed child care program, do you have a covenant or policy that governs space use and other matters that regard shared facility use?

Study Activities

Review the Baptismal vows of the parents and the congregation.

Review the actions of the General Assembly of the PC(USA) regarding children.

Develop a statement of purpose for your congregation concerning its dealing with child abuse.



Covenant Statement (Sample)

The congregation of (name of church) is committed to providing a safe and secure environment for all children, youth and volunteers who participate in ministries and activities sponsored by the church. The following policy statements reflect our congregation’s commitment to preserving this church as a sanctuary for all who would enter and as a place in which all people can experience the love of God through relationships with others.

In keeping with the covenant of baptism, we have committed ourselves and our resources to the nurturing of our children. We promise our children that we will provide the structure, education, and the policies that will keep them safe from harm and abuse. In that context, we will screen volunteers, train them, and ask that they abide by the policies of our church. We will make sure that no one who has not been a member of this congregation, or an active participant, for at least six months is not a volunteer with our children and youth.

As a volunteer working with children in this congregation, I agree to observe and abide by all church policies regarding working in ministries with children and youth, to observe the “Two Adult Rule” at all times, to participate in training and education events provided by the church related to me volunteer assignment, and to report promptly abusive or inappropriate behavior to the church staff member who supervises my work.

Signature of Applicant

Print full name

Date

Signature of Clerk of Session

Print full name

Date