AMENDED AND RESTATED
PRESBYTERY OF SHEPPARDS AND LAPSLEY
CHILD AND YOUTH PROTECTION POLICY
EFFECTIVE AS OF NOVEMBER 8, 2018

This Amended and Restated Child and Youth Protection Policy (the "Policy") of the Presbytery of Sheppards and Lapsley (the "Presbytery"), approved by the Presbytery on November 8, 2018, replaces and supersedes all prior child protection policies of the Presbytery, including the revised Child Protection Policy approved by the Presbytery on November 9, 2017, and amended by the Presbytery on May 17, 2018.

I. STATEMENT OF PURPOSE/THEOLOGICAL FOUNDATION

The Presbytery has declared in *Our Statement of Purpose*:

> "As a covenant people, we are life-sharing people. It is through our shared life together that we live in relationship with God and with each other. This shared life is lived out through our congregations, which are the primary agents of God's mission in the world. As the connectional expression of the Presbyterian Church (USA) in central Alabama, we are called by grace to life-giving service to our congregations, engaging, equipping, nurturing and empowering them in their collective witness to God's love for all people in Jesus Christ."

Consistent with this purpose, we adopt this Amended and Restated Child and Youth Protection Policy to establish essential procedures and standards of conduct to guide us in our work with children. We believe that children are a gift of God to the whole of the human community. They are an integral part of the faith community contributing to its worship and ministry. Through the church's ministry and mission, the faith of children and youth is formed and nurtured as they hear and experience the good news of God's love in Jesus Christ who welcomes all to come to him.

Therefore, we believe that we are called by God to create a safe haven for all of the children and youth in our care, nurturing, protecting, and empowering them, through faith and trust, in mind, body, and spirit. This commitment includes taking appropriate steps to reduce the risk to the young people in our care. This policy is established to seek the best interests of the child, to protect the rights of a child, and to minimize the risk of any of our children and youth being subjected to sexual, physical, or mental abuse. This policy is also intended to respect the rights and afford due process to persons accused of improper conduct.

II. APPLICABILITY OF POLICY

Through action taken at the 221st General Assembly (2014) of the Presbyterian Church (U.S.A.) and later approved by vote of the presbyteries, the General Assembly amended the Book of Order, effective as of June 21, 2015, to require all councils of the church (including the General Assembly, presbyteries, synods, and church sessions) to adopt child and youth protection policies. Pursuant to that directive, at the 222nd General Assembly (2016), the General Assembly adopted a Child/Youth/Vulnerable Adult Protection Policy to govern activities and events sponsored by the General Assembly. Our Presbytery adopted a child protection policy in 2017 that is being amended and restated by this Policy. All churches in our Presbytery are required to adopt a child protection policy. The Presbytery will assist any church that needs help in creating a policy.

This Policy applies to all Presbytery activities and events that involve children and/or youth. Events such as Youth Council, children or youth retreats, the Main Event, and mission trips are examples of Presbytery-sponsored events to which the provisions of this Policy will apply. For all events and activities sponsored by an individual Church and for short-term/one day Presbytery-sponsored events and activities at an individual Church, the provisions of that Church's child protection policy will apply. **Presbytery events that involve children or child-care will not be held at a Church unless the host Church has a child protection policy in place and on file with the Presbytery's Stated Clerk in accordance with Section VI. A. 6. of this Policy.**

Living River, a Retreat on the Cahaba, maintains it own child protection policy that applies to summer camp, the Cahaba Environmental Center, and other events that it plans and staffs. However, when the Presbytery or a Church uses the facilities at Living River for its own activities, the policy of the sponsoring organization (the Presbytery or a Church) will apply.

III. DEFINITIONS

A. Book of Order - Part II of the Constitution of the Presbyterian Church (U.S.A.) (2017-2019), as it may be amended from time to time.

B. Child (also 'youth' or 'minor'*)* - A person under 18 years of age (§ 26-16-2, Ala. Code 1975).

C. Child abuse - Harm or threatened harm to a child's health or welfare. Harm or threatened harm to a child's health or welfare can occur through non-accidental physical or mental injury, sexual abuse or attempted sexual abuse or sexual exploitation or attempted sexual exploitation.

Sexual abuse includes the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct or any simulation of the conduct for the purpose of producing any visual depiction of the conduct; or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children as those acts are defined by Alabama law.

Sexual exploitation includes allowing, permitting, or encouraging a child to engage in prostitution and allowing, permitting, encouraging or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes.

The above definitions are found in § 26-14-1, Ala. Code 1975.

D. Child/Youth Worker - A term that includes Presbytery Staff, Church Staff, and all Volunteers who work in any capacity with children or youth at Presbytery Events.

E. Church - A Presbyterian Church that is a member of the Presbytery of Sheppards and Lapsley.

F. Church Staff - The following are considered Church Staff for purposes of this Policy: any person who is paid by a Church and works or assists in any capacity with children at Presbytery Events. College interns working for a Church, whether paid or unpaid, are also considered Church Staff.

G. Designated Event Supervisor(s) - The individual(s) who is (are) primarily responsible for planning and leading a Presbytery Event.

H. National Background Check - A review by a professional background check firm which shall include, at a minimum, a Social Security trace, a State of Alabama criminal check, and a national (multi-jurisdictional) criminal check (that includes a national sex offender registry check). Applicants who may reasonably be expected to transport children or youth by vehicle shall also consent to a motor vehicle record (MVR) check. Prior to requesting a firm to provide a National Background Check or MVR, the Presbytery or Church requesting the information must obtain a signed consent from the individual that complies with the applicable state and federal law, including the Fair Credit Reporting Act.

I. Neglect - Negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing, or shelter (§ 26-14-1, Ala. Code 1975).

J. Presbytery - The Presbytery of Sheppards and Lapsley, and all Presbytery related entities or organizations, including, but not limited to, the Executive Council, committees of the Executive Council or Presbytery, and Youth Council.

K. Presbytery Event– An activity, event or program sponsored by the Presbytery that involves children or youth participants or childcare.

L. Presbytery Staff - The following are considered Presbytery Staff for purposes of this Policy even though certain of these individuals may be employed by a Church: Ministers of the Word and Sacrament (excluding those not actively engaged in Church ministry); Commissioned Ruling Elders; individuals serving a Church on a temporary or interim basis with the approval of the Committee on Ministry (sometimes referred to as "stated supply"); Certified Christian Educators; and all Presbytery employees. College interns working for the Presbytery, whether paid or unpaid, are also considered Presbytery Staff.

M. Safe Child Response Team - The Safe Child Response Team is a team comprised of at least three members of Presbytery appointed by the Executive Council of Presbytery who are trained to respond to allegations and reports of child or youth abuse or neglect at Presbytery Events. The names of and contact information for the Team members will be provided to all Child/Youth Workers as a part of the orientation for each event/activity.

N. Volunteer - A person who works or assists in any capacity with children or youth at a Presbytery Event but is not paid by the Presbytery or a Church for such service. Occasionally, a church from a different presbytery will provide chaperones when participants from that church are accepted for enrollment; such chaperones will be considered Volunteers.

O. Youth Volunteer - A Volunteer under the age of 18.

IV. LEGAL AND ECCLESIASTICAL REQUIREMENTS

The Presbytery will abide by the provisions of the Alabama Mandatory Reporting Law for Child Abuse and Neglect, a copy of which is found in Appendix A to this Policy. While only certain organizations and professionals (including ministers) are named as mandatory reporters under this law, the Presbytery Staff and all Child/Youth Workers will report incidents of child abuse and neglect in the manner outlined in this Policy.

The *Book of Order* requires ministers of the Word and Sacrament, ruling elders, commissioned ruling elders, deacons, and certified Christian Educators to report allegations of child abuse or neglect to the appropriate civil and ecclesiastical authorities, subject to certain conditions, and sets forth procedures for investigating allegations and disciplining those who are found to have committed abuse (*Book of Order*, G-4.0302; Rules of Discipline).

V. GENERAL POLICIES AND PROCEDURES

A. Screening and Selection Procedures – The following sets forth the selection and screening requirements for Presbytery Staff, Church Staff, Volunteers and others:

1. Presbytery Staff and Presbytery Volunteers - The Presbytery will screen all members of the Presbytery Staff, as defined in this Policy, prior to beginning their position with the Presbytery or a Church. At a minimum, the screen shall include an application (or similar documentation), a personal interview, reference checks, and a National Background Check.

Effective with the adoption of this Policy, the Presbytery will conduct a National Background Check for all members of the Presbytery Staff every three years, regardless of whether the individual attends Presbytery Events. If there is a National Background Check on file with the Presbytery that meets the definition in this Policy, a new National Background Check need not be repeated until three years after the date of the background check on file. If the annual certification provided by a Church pursuant to Section VI.A.6 of this Policy certifies that the Church has obtained a background check on an individual who is considered a member of Presbytery Staff under this Policy (such as a Church's minister or Certified Christian Educator), the Presbytery may rely on that certification without obtaining its own report.

In most cases, Churches recruit Volunteers for Presbytery Events. In the event that the Presbytery recruits its own Volunteers, the Presbytery will screen such Volunteers in the same manner as its Staff. The Presbytery will also screen any Volunteer from a church outside of the Presbytery.

The Presbytery will obtain an MVR on Presbytery Staff and Presbytery Volunteers who are requested by the Presbytery to drive children or youth in their own cars or Presbytery-owned vehicles to or from, or during, Presbytery Events. The MVR is valid for three years.

2. Church Staff and Church Volunteers - Effective as of the date of this policy, all Churches must screen all members of its Church Staff, as defined in this Policy, and all of its Volunteers. At a minimum, the screen shall include an application (or similar documentation), a personal interview, reference checks, and a National Background Check performed within the last three years. If there is a background check for the Church Staff member or Volunteer that meets the definition of National Background Check, a new background check need not be repeated until three years after the National Background Check on file.

A Church will obtain a MVR on Church Staff and Volunteers who are requested by the Church to drive children or youth in their own cars or Church-owned vehicles to or from Presbytery Events. The MVR is valid for three years.

At a Church's request, the Stated Clerk of Presbytery or his or her designee will obtain a National Background Check for a Church Staff member or Volunteer, and communicate the results to the Church. The Church will be billed for the cost of the background check.

3. Youth Volunteers - Youth Volunteers will not be required to undergo a National Background Check. However, they must complete their Church's or the Presbytery's volunteer application on which they will certify that they have not been convicted of the listed offenses. The application or other documentation must include the recommendation of their pastor or youth leader and a signed statement of the parent/guardian that there is no reason that the Youth Volunteer should not serve as a Child/Youth Worker.

4. Third Party Firms and Individuals – The Presbytery will screen outside speakers or others with whom it contracts to provide services to children and youth at Presbytery Events in the same manner as it screens Presbytery Staff. When arranging for third party transportation of children or youth, the Presbytery will obtain a certification from such party that all drivers have recently passed a screen that includes all elements of a National Background Check as well as an MVR check.

5. Screening Results - No person may serve as a Child/Youth Worker who has been convicted of or pled guilty to misdemeanors or felonies, including but not limited to, violent crimes, crimes of moral turpitude, sexual assault or misconduct, sexual or other abuse or neglect of a child, pornography, drug offenses or dangerous driving offenses.

The results of any background check that indicate a crime or misdemeanor or other issue of concern must be reviewed by the Stated Clerk or an appropriate Church Staff member, depending on whether the background check was obtained by the Presbytery or a Church. The Safe Child Response Team may also be consulted. Any Child/Youth Worker who is denied a position or assignment based on his/her National Background Check will be advised of the action by the Stated Clerk or by the Church performing the check, and given an opportunity to dispute the results, in accordance with the requirements of applicable federal or state law.

6. Other Eligibility Criteria - All Presbytery and Church Volunteers must have regularly attended a Church for at least six months. Any exception with respect to a Presbytery Volunteer must be approved by the Stated Clerk of Presbytery and any exception with respect to a Church Volunteer must be approved by the Church Session (or appropriate Session committee or its designee).

The Stated Clerk of the Presbytery or a Designated Event Supervisor may exercise discretion at any time to determine that a person is, or is no longer a good fit as a Child/Youth Worker, and will privately communicate this to the individual and to a Church when appropriate.

7. Confidentiality of Records – The Presbytery and Churches shall maintain all Child/Youth Worker applications, results of background and MVR checks, and related information in confidential, secured files. If the Presbytery performs a National Background Check for a Church or third party, the Presbytery will maintain such records.

B. Training and Agreement to Abide by the Policy

At each Presbytery Event, an orientation will be held for all Child/Youth Workers. The orientation will include a review of this Policy, including the supervisory and behavior protocols and the reporting requirements, as well as any specific expectations or rules specific to the event/activity. All Child/Youth Workers shall be required to sign an acknowledgement that they have read and will abide by this Policy.

An orientation will also be provided to participants who are in elementary school or older, which will include the following items, among others: (1) standards of conduct specific to the event and venue; (2) general safety rules and procedures; and (3) how to report or seek help concerning any problems that may arise during the event or activity.

Contact information for the Designated Event Supervisor, the individual trained in First Aid, other Church Staff and Presbytery Staff present at the activity, the Moderator of the Executive Council, the General Presbyter, members of the Safe Child Response Team, and the Department of Human Resources and/or law enforcement will be provided to all Child/Youth Workers.

C. Supervisory Protocols

The following protocols must be followed for the safety of children and youth involved in activities and events sponsored by the Presbytery.

1. Four-year Rule - All Child/Youth Workers who work in a supervisory role must be at least four years older than the oldest member of the group they are leading/supervising, provided that exceptions may be made for a Church or Presbytery Staff member whose position requires them to serve as a leader.

2.Two-Adult Rule –Two non-related adults must be present to supervise children and youth during Presbytery Events and in each vehicle in which children or youth are present, except in emergency or unforeseen circumstances, and except as provided below. Related adults are considered one adult for purposes of this policy**.** If, at any time, due to emergency or unforeseen circumstances, it is not possible to observe the two-adult rule, the three-person rule described below must be followed.

When the two-adult rule is not feasible in a room or area in which events or activities are taking place, floaters may be utilized, provided that floaters must meet the screening requirements applicable to Child/Youth Workers, and must maintain immediate access to all rooms or areas for which they are responsible.

When the two-adult rule is not feasible with regard to vehicles, caravans or multiple vehicles with only one adult per vehicle who remain within sight of each other at all times and start and stop travel simultaneously, may be used.

2. Three-Person Rule – In all situations, including the circumstance noted in the Two-Adult Rule above, three persons shall be present during all activities at Presbytery Events. 'Three' can be two children/youth and one adult or two adults and one child/youth. Priority should be given to the rule of three in planning and implementation of all Presbytery Events.

3. Minimum Age Rule - Child/Youth Workers must be at least eighteen (18) years old. Youth Volunteers will be allowed to volunteer at Presbytery Events in a support role (not a supervisory one), subject to meeting the provisions of Section V.A.3 of this Policy.

4. Supervisor Ratios - The following minimum number of adult Child/Youth Workers will be maintained at all times:

- Participants 5 years of younger – One adult Child/Youth Worker per 5 participants
- Participants age 6 to 8 – One adult Child/Youth Worker per 6 participants
- Participants age 9-14 – One adult Child/Youth Worker per 8 participants
- Participants age 15-18 – One adult Child/Youth Worker per 10 participants

5. Windows/Doors - When Child/Youth Workers and children or youth are in a room, the door must remain open unless there is a view window. Child/Youth Workers must avoid being alone with a child without being visible to those in the immediate area.

6. **One-on-One Counseling -** Counseling with one child/youth is sometimes necessary and appropriate, but care must be taken to ensure that the environment is acceptable and is visible to other adults. If meeting in a room or office, the door must be left open. Another adult must be informed of the counselor's whereabouts and with whom they are meeting.

7. Overnight Events - For overnight events, there shall be at least one adult of each gender when there are one or more minors of each gender in a group of participants. A Child/Youth Worker may not sleep in the same bed with a child. The exception to this rule is for the occasional legal caregiver/child situation or parent/child situation. Children and adults must maintain different showering and grooming hours at events in which bathrooms and shower rooms are shared in housing.

D. Behavior Protocols – While working at Presbytery Events**,** all Child/Youth Workers must abide by a code of conduct that recognizes appropriate boundaries and prohibits, among other inappropriate behaviors, the following:

1. Display of sexual or romantic affection toward a child.

2. Use of profanity or off-color jokes.

3. Discussion of sexual encounters with or around children.

4. Dating or becoming "romantically" involved with children.

5. Using or being under the influence of alcohol or illegal drugs, or any substance (including prescription drugs) which may impair the physical or cognitive abilities of a Child/Youth Worker to care for children or youth.

6. Allowing a child or youth to consume alcohol or other prohibited substances.

7. Tobacco use in any form, including vapor or e-cigarettes, in the presence of a child or youth.

8. Possessing, creating, or sharing inappropriate, obscene, sexually oriented, or pornographic images or materials (including print, non-print media and digital communications).

9. Having secrets with youth/children.

10. Staring at or commenting on children's bodies.

11. Engaging in inappropriate electronic communications with children.

12. Giving gifts to individual children without prior knowledge of the parent(s) and/or approval by the Designated Event Supervisor.

13. Working one-on-one with children in a private setting.

14. Abusing or neglecting a child in any way, including (but not limited to) the following: (a) physical abuse (hit, spank, slap, shake, or unnecessary restraint); (b) verbal abuse (degrade, threaten, curse); (c) sexual abuse (inappropriately touch, expose oneself, or engage in sexually oriented conversations); (d) mental abuse (shame, humiliate, or act cruelly); or (e) neglect (withhold food, water, shelter, or medical treatment).

15. Participating in, encouraging, or allowing demeaning and belittling behaviors or language involving or directed toward children, including, but not limited to, cultural, racial or ethnic insensitivity, sexual orientation, and gender issues.

16. Permitting children or youth to engage in the following: hazing, bullying, derogatory name-calling, ridicule, humiliation, or sexual activity.

Any Child/Youth Worker who witnesses or experiences any of the above behaviors should report such conduct immediately to the Designated Event Supervisor or to any other Church or Presbytery Staff member at the event/activity.

E. Miscellaneous Protocols

1. Social Media and Social Networking - Photos, video, or comments of a child or youth at a Presbytery Event can be used only for Presbytery or Church sponsored printed, video, web-based, social media, or other publicity materials with the signed consent of the parent or guardian.

2. Transportation – In most cases, a participant's parent or a Church arranges transportation to or from Presbytery Events, and such transportation is subject to that Church's policy.

When the Presbytery arranges for transportation of children or youth to or from, or during, a Presbytery Event, a parental/guardian consent and release form must be obtained for each child or youth being transported. Adult drivers must have proper licensure and insurance on file with the Presbytery. All vehicles used must have seat belts for the driver and each passenger. No child under age 13 may sit in the front seat of any vehicle. All drivers transporting minors must be over the age of 25 and must be informed that if their vehicle is used, their insurance will be primary if an accident occurs.

If the Presbytery contracts with a bus or other outside carrier to transport children or youth, the outside carrier must sign a statement affirming that national criminal background and MVR checks have been completed recently on their drivers.

No minor may be a driver at any event or activity (this includes golf carts at events).

3. First Aid/CPR – At each Presbytery Event, there must be a First Aid kit, and at least one adult trained in First Aid/CPR.

4. Required Forms - The parent or legal guardian of a child/youth participant at a Presbytery Event must execute forms that provide required contact and health information, consent and release forms for emergency medical care (including a copy of the minor's health insurance card), and a photo release form. These forms may be collected by the Presbytery or a Church and must be stored or accessible at the event site, in a secure manner with restricted access. See Appendix B of this Policy for a copy of forms provided by Presbytery.

VI. ADMINISTRATION OF POLICY

A. Stated Clerk – The Stated Clerk of Presbytery has the following responsibilities with regard to this Policy:

1. National Background Checks on Presbytery Staff - Contract with a professional background check firm to obtain National Background Checks for all members of the Presbytery Staff and to rerun such checks every three years.

With respect to background checks run by the Presbytery, determine whether an offense will disqualify an individual from serving as a Child/Youth Worker, and communicate that decision to the individual in accordance with applicable law. The Stated Clerk's determination with regard to Presbytery Staff may be appealed to the Presbytery's Personnel Committee and a determination concerning a Presbytery Volunteer may be appealed to the Executive Council.

2. MVR Reports - Obtain a Motor Vehicle Report for any member of the Presbytery Staff or Presbytery Volunteer who will drive children or youth to or from, or during, a Presbytery Event.

3. **Background Checks for Church Staff or Volunteers –** Upon request by a Church, obtain a National Background Check for a Church Child/Youth Worker, provided that the Church provides the correct paperwork and agrees to pay for the background check.

4. Background Checks on Third Parties - Obtain a National Background Check on third parties with whom the Presbytery has contracted to provide services at Presbytery Events.

5. Background Checks on Child/Youth Workers from Other Presbyteries - Obtain a background check on any Child/Youth Worker who accompanies participants from churches outside of the Presbytery.

6. Annual Church Certification - On an annual basis, solicit from each Church that plans to participate in Presbytery Events, a certification regarding the Church's adoption of its own child/youth protection policy and an updated list of all Church Staff Members and Volunteers who

have been approved to serve as Child/Youth Workers based on the National Background Check and other eligibility criteria set forth in this Policy.

7. Policy Interpretation- Provide guidance and clarifications concerning the provisions of this Policy, seeking the guidance of the Executive Council or the appropriate Council committee when necessary.

B. Designated Event Supervisor(s) - The Designated Event Supervisor(s) is (are) responsible for ensuring that all requirements of this Policy are met at a Presbytery Event, including but not limited to the following:

1. **Eligibility of Child/Youth Workers** - Ensure that all Child/Youth Workers and third party providers at the event are on the list of approved Child/Youth Workers who have been screened and deemed eligible by a Church or the Presbytery in accordance with the provisions of Section V. A. of this Policy.

2. **Training -** Conduct training and orientation for all Child/Youth Workers and for participants prior to or at the beginning of each event in accordance with Section V. B. of this Policy.

3. **Policy Adherence** - Ensure that all Child/Youth Workers have been given a copy of this Policy and have signed a statement in writing that they will abide by the Policy.

4. **Supervisory/Miscellaneous Protocols -** Monitor compliance with the supervisory and miscellaneous protocols set forth in Sections V. C. and E. of this Policy, and facilitate corrections when needed.

5. **Forms -** Ensure that all required contact, medical and permission forms for participants are on file and accessible to all leaders and supervisors at the event.

6. Reporting - Respond to any allegation of child abuse or neglect or any alleged violation of the behavior protocols in Section V. D. of this Policy, in the manner set forth in Section VII below.

C. Executive Council - The Executive Council of Presbytery is responsible for oversight of this Policy. As a part of this role, the Executive Council (or an appropriate Committee under the Council) will take the following actions:

1. Compliance Review - Periodically request and review a report from the Stated Clerk as to Presbytery and Church compliance with the Policy provisions for which the Stated Clerk has responsibility, and recommend corrective action if needed.

After each Presbytery Event, request and review a report from the Designated Event Supervisor regarding compliance with those Policy provisions for which the Designated Event Supervisor has responsibility (including a description of any issues that arose or need attention), and recommend corrective action if needed.

2. **Insurance Review -** Periodically review with the Trustees the provisions of the Presbytery's insurance program concerning events involving children and youth, and recommend changes necessary to ensure adequate coverage.

3. Policy Changes – Respond to the comments or concerns of Church or Presbytery Staff relating to

this Policy, and recommend changes to the Presbytery.

4. **Safe Child Response Team** – Appoint members of the Safe Child Response Team and arrange for their training.

VII. REPORTING AND RESPONSE PROCEDURES

A. Internal Reporting and Initial Response - After attending to the immediate physical and emotional needs of the child involved, a Child/Youth Worker must immediately report incidents of suspected abuse or neglect to a Designated Event Supervisor or other Church or Presbytery Staff member who is not implicated in the allegation.

The Designated Event Supervisor or staff member shall immediately contact the Moderator of the Executive Council, the General Presbyter, and the Safe Child Response Team. Contact information for these individuals will be made available to all Child/Youth Workers at an event or activity.

The Designated Event Supervisor or staff member notified of the suspected child abuse or neglect should

1. Notify the parent or guardian of the victim (unless they are the suspected perpetrator);
2. Care for the child and ensure that any immediate aid for the child has been rendered or arranged;
3. Relieve the accused of his or her duties and/or remove the accused from the event or activity until an investigation is complete;
4. Treat the accused with dignity and not pre-judge the situation;
5. Treat the situation confidentially;
6. Complete an Incident Report but leave the investigation to professionals; and
7. Report or assist in reporting the incident to DHR and/or law enforcement.

If an individual who reports suspected child abuse or neglect to a Designated Event Supervisor or other staff member is not satisfied with the response by that person, he or she should contact the Stated Clerk, Moderator of the Executive Council, General Presbyter or a member of the Safe Child Response Team.

Any person bringing a report of abuse or cooperating in an investigation will not be adversely affected in terms and conditions of employment, church membership or affiliation, or otherwise discriminated against or discharged for such actions.

B. Reporting Requirements Under Alabama Law - The Alabama statute on the mandatory reporting of suspected child abuse/neglect (attached to his policy as Appendix A) requires certain listed entities and persons called "mandatory reporters" to report known or suspected child abuse or neglect directly to the authorities. Reporting suspected abuse or neglect to a supervisor or other person does not relieve a mandatory reporter from reporting the incident directly to authorities. Failure to do so subjects a mandatory reporter to criminal liability. The law also encourages the voluntary reporting of suspected child abuse or neglect by entities or individuals who are not mandatory reporters. **The Presbytery's policy is to report suspected child abuse or neglect to the Alabama Department of Human Resources and/or local law enforcement in all cases, whether a report is mandated or permissive.**

The Alabama law provides that individuals who meet the definition of "clergy," are mandatory reporters. Clergy, as defined in the law, must report to authorities known or suspected abuse or neglect unless such information was received in a confidential, privileged communication, as

defined under Alabama law. As stated in Section IV of this Policy, ministers of the Word and Sacrament, ruling elders, commissioned ruling elders, deacons, and certified Christian Educators are subject to the provisions of Sections G-4.0301 and 4.0302 of the *Book of Order* that require the reporting to authorities of suspected or known child abuse, subject to certain qualifications.

Nothing in this policy shall be considered a restraint of an individual's statutory obligation to report directly to authorities. Furthermore, no person shall be prevented from directly reporting an incident on the basis that he or she is not a "mandatory reporter."

C. Communications with Media - All communications with media about the alleged abuse or neglect must be referred to the Moderator of the Executive Council who will consult with the General Presbyter and the Safe Child Response Team.

D. Role of Safe Child Response Team - The Safe Child Response Team will be trained on the terms of this Policy (including the law included in Appendix A) as well as established procedures under the *Book of Order* for reporting child abuse and neglect and for investigating and disciplining those accused of child abuse or neglect.

The Safe Child Response Team, in consultation with legal counsel, shall have the following responsibilities in response to allegations of child/youth abuse or neglect covered by this policy:

- Ensure that the allegation is reported to the DHR and/or law enforcement;
- Ensure that Presbytery's insurance company is notified about the allegation;
- Advise the reporter and/or others concerning any immediate documentation that must be obtained;
- In consultation with the Moderator of the Executive Council and the General Presbyter, determine the appropriate spokesperson for communications with the media;
- Determine who should investigate the situation;
- Determine if additional reports must be made according to the *Book of Order;*
- Provide or arrange for counseling for the principal parties involved (reporter, possible victim(s), accused, family members);
- Take actions appropriate to resolve the matter including, but not limited to, making recommendations for prevention as well as response.

VIII. POLICY VIOLATIONS

Violations of this Child and Youth Protection Policy will result in discipline, up to and including termination of employment, in the case of Presbytery and Church Staff; and termination of authority to work with children through church or Presbytery programs, in the case of Volunteers.

IX. AMENDMENTS TO POLICY

This Policy may be amended only by a vote of Presbytery. However the Stated Clerk and Executive Council of Presbytery have authority to provide guidance and issue interpretations of this Policy.

X. FORMS REQUIRED UNDER THIS POLICY

This Policy calls for a number of forms and certifications. The following forms are included in Appendix B to facilitate implementation of the Policy. The Executive Council or its designee may

reformat or modify these forms or create new forms without seeking the approval of Presbytery. Registration and parental consent forms will be posted on the Presbytery's website prior to a Presbytery Event.

1. Agreement to Abide by Child and Youth Protection Policy

2. Consent for Background Check Initiated by the Presbytery

3. Consent for Background Check Initiated by a Church

4. Church Certification of Child/Youth Protection Policy and Screened Child/Youth Workers

5. Incident Report Form

6. Post Event Report to Executive Council