

**ABUSE PREVENTION PROGRAM
FOR FIRST LUTHERAN CHURCH – LAKE CITY, MINNESOTA**

Adopted – 06/2014

Introduction

To help protect all members and visitors of First Lutheran Church, Lake City, Minnesota has adopted the following Abuse Prevention Program. It is important that all First Lutheran paid staff and volunteers understand and implement these guidelines to help prevent sexual abuse, especially against children, youth and vulnerable adults. The following includes the Purpose and Definitions for these guidelines, the outlines of Protection and Prevention, and an Acknowledgement to be signed by those people working with children, youth and vulnerable adults.

Purpose

These procedures are designed to reduce the risk of sexual abuse in order to:

1. Provide a safe and secure environment for children, youth, vulnerable adults, adults, members, volunteers, visitors, and paid staff.
2. Assist First Lutheran in evaluating a person's suitability to supervise, oversee, and/or exert control over the activities of children, youth and vulnerable adults.
3. Satisfy the concerns of parents and staff members with a screening process for paid staff and volunteers.
4. Provide a system to respond to alleged victims of sexual abuse and their families, as well as the alleged perpetrator.
5. Reduce the possibility of false accusations of sexual abuse made against volunteers and paid staff.

Definitions

The following terms used herein and are defined as follows:

1. *Paid Staff*: Any pastor, minister, preacher, cleric, or employee who is paid.
2. *Children/Youth/Minor*: Any person who has not reached his/her 18th birthday or the age of majority as defined by state law.
3. *Vulnerable Adult*: Any person who has reached his/her 18th birthday and possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction or as defined by state law.
4. *Adult*: Any person who has reached his/her 18th birthday or as defined by state law.
5. *Volunteer*: Any unpaid person engaged in or involved in activities and who is entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors or adults.
6. *Sexual Abuse*: The employment, use, persuasion, inducement, enticement, or coercion of any minor or adult to engage in, or assist any other person to engage in, any sexually explicit conduct or any simulation of such conduct for the purpose of producing any visual depiction of such conduct or rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of minor or adult, or incest with a minor or adult, or as defined by federal and state law. This includes and is not limited to unwelcome sexual remarks, jokes, advances, leering, whistling, or sexual gestures; sexual touching, fondling, molestation, assault, or other intimate physical contact; compelling another person to engage in a sexual act by threats or fear or undue influence; and providing or displaying pornographic materials to another person.
7. *Child Emotional Abuse*: Verbal or nonverbal conduct including mental exploitation, degrading communication, or humiliating or threatening conduct that may or may not include bullying or as defined by state law.

Protection and Prevention

Volunteer and Employee Screening Procedures

The following screening procedures are to be used with paid staff and volunteers who are entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors. All information collected should be maintained in confidence.

1. *Employment Application and Volunteer Application:* Any paid staff and volunteers who will work with a minor must complete the Employment Application and/or the Volunteer Application. The release statement attached to the Application must be signed by the individual completing the Application to apply for and qualify for service.

Our Employment Application includes questions regarding:

- Current and previous residence addresses.
- Current and previous employment, including addresses, dates, duties, titles, and reasons for leaving.
- Names and addresses of schools attended and degree(s) earned.
- References from previous employers and organizations that serve children.
- Pending criminal charges (where not prohibited by state law).
- Criminal history information.

Our Volunteer Application includes questions regarding:

- Current address.
- Volunteer experience.
- Criminal history information.
- Personal references.

Applications include a statement, which the applicant should acknowledge in writing, certifying that statements provided in the application are true and complete, and any misrepresentation or omission may be grounds for rejection of the applicant or for dismissal if he or she is employed. This statement authorizes First Lutheran to contact any individual or organization listed in the application. All information will be held as confidential except on a “need to know” basis.

2. Review all statements made in the application, paying specific attention to any gaps in time and irregular employment patterns or unexplained absence. Pursue these gaps with employers listed and in a subsequent interview.
3. Conduct interviews with qualified applicants.

If detrimental information is uncovered but the applicant remains desirable, discuss this information with the applicant. In the event the applicant is ultimately hired or accepted as a volunteer, document the reasons for overriding the prior information.

Whenever possible, First Lutheran will have an associate participate in the interview.

4. Contact all listed references for volunteers. Contact each of the volunteer applicant's references and ask for any information that might help determine the applicant's suitability for the position. If a response is not received within a reasonable period of time, follow up and keep notes if possible.
5. Contact all listed references and employers for paid staff. Inquire as to the reason the applicant left and ask for any information that might help determine the applicant's suitability for the position. If a response is not received within a reasonable period of time, follow up and keep notes if possible.
6. *Criminal Background Check*: First Lutheran will conduct a criminal background check on all paid staff and volunteers who are entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors. All criminal background checks will be updated every three years.
7. *Six-Month Rule*: All volunteers will be required to have been a member of First Lutheran for six months and have reviewed and signed the Child and Youth Abuse Prevention Program.

Confidentiality

Information obtained through the screening, application, reference check, interview, and criminal background check will be kept in confidence, unless otherwise required by law. All information discovered or obtained through the above-referenced means will be kept in a secure location and access to it will be restricted if possible. These materials will be archived.

Supervision Procedures

Unless an extenuating situation exists, First Lutheran:

1. Will have adequate number of screened and trained paid staff or volunteers present at events involving minors. Supervision will increase in proportion to the risk of the activity.
2. Will monitor facilities during activities involving children.
3. Will obtain written parental permission, including a signed medical treatment form and emergency contacts, before taking minors on trips and should provide information regarding the trip.
4. When paid staff or volunteers are transporting minors in vehicles, we will use the "policy of 3": no less than two children/youth when traveling with 1 adult.
5. Will encourage minors to use a "buddy system" whenever minors go on trips off of First Lutheran property.
6. Will designate a "safe counselor" to whom any minor can go at any time, without special permission, to discuss any problems he or she is having.

Behavioral Guidelines for Religious Organization Staff

All volunteers and paid staff will observe the following guidelines:

1. Do not provide alcoholic beverages, tobacco, drugs, contraband, or anything that is prohibited by law to minors.
2. To the extent possible, First Lutheran events that are co-educational will have both male and female chaperones.

3. Whenever possible, at least two unrelated paid staff or volunteers will be in the room when minors are present. Doors will be left fully open if one adult needs to leave the room temporarily and during arrival to the class or event before both adults are present. Speaking to a minor or minors one-on-one should be done in public settings where paid staff or volunteers are in sight of other people.
4. Avoid all inappropriate touching with minors. All touching shall be based on the needs of the individual being touched, not on the needs of the volunteer or paid staff. In the event a minor initiates physical contact and/or inappropriate touching, it is appropriate to inform the minor that such touching is inappropriate.
5. Never engage in physical discipline of a minor. Volunteers and paid staff shall not abuse minors in any way, including but not limited to physical abuse, verbal/mental abuse, emotional abuse, and sexual abuse of any kind.
6. If you recognize an inappropriate relationship developing between a minor and adult, maintain clear professional boundaries and refer the minor to another individual with supervisory authority.
7. If one-on-one pastoral care is necessary, avoid meeting in isolated environments.
8. Anyone who observes abuse of a minor will take appropriate steps to immediately intervene and provide assistance. Report any inappropriate conduct to the proper authorities (Wabasha County Department of Social Services 651-565-3351 or Wabasha County Sheriff's Office: 651-565-3361) and officials of First Lutheran (651-345-5003) for handling.

Disqualification

No person may be entrusted with the care and supervision of minors or may directly oversee and/or exert control or oversight over minors who has been convicted of the offenses outlined below, been on a probated sentence or received deferred adjudication for any offense outlined below, or has presently pending any criminal charges for any offense outlined below until a determination of guilt or innocence has been made, including any person who is presently on deferred adjudication. The following offenses disqualify a person from care, supervision, control, or oversight of minors:

1. Any offense against minors as defined by state law.
2. A misdemeanor, gross misdemeanor, or felony offense as defined by state law that is classified as sexual assault, indecency with a minor or adult, assault of a minor or adult, injury to a minor or adult, abandoning or endangering a minor, sexual performance with a minor or adult, possession or promoting child pornography, enticing a minor, bigamy, incest, drug-related offenses, or family violence.
3. A prior criminal history of an offense against minors.
- 4.

Offenders at First Lutheran

First Lutheran may allow a person known to be a sexual offender to remain or become a member of the congregation but they must adhere to specific guidelines. However, first check with the offender's probation/parole officer for any restrictions regarding attending services or other functions where children are present. Ask the probation/parole officer to put any restrictions in writing. If restrictions don't prohibit participation, implement the following four guidelines.

1. A known sexual offender cannot participate in any of the child or youth programs in any way;
2. A known sexual offender can only participate in a predetermined service each week; and

3. A known sexual offender must report in and be assigned to an escort who will accompany him or her at all times.
4. The identity of the sexual offender will be disclosed to the congregation.

Response to Sexual Abuse

First Lutheran will respond promptly to investigate any accusation of sexual abuse against not only a child or youth, but also vulnerable adult or adult. All accusations of sexual abuse will be taken seriously. It is important to be appropriately respectful to the needs and feelings of those who allege sexual abuse and those who have been accused of sexual abuse.

When an allegation is made involving sexual abuse, the person reporting the complaint is to be told about the guidelines and the procedures to be followed. The Senior Pastor or an appointed person will begin investigating the allegations and may use the assistance of legal counsel or other consultants. If the Senior Pastor is the individual accused of sexual abuse, then the Church Council President will conduct the investigation.

The investigation will be conducted as follows:

1. Report in writing the incident to appropriate authorities (Wabasha County Social Services or Wabasha County Sheriff's Office) in accordance with the state mandatory reporting laws (MSA626.556).
2. Report the matter to the First Lutheran insurance carrier.
3. Cooperate with authorities and the insurance carrier.
4. First Lutheran may suspend (with pay for paid staff) the alleged offender while a confidential investigation is being conducted.
5. An official of First Lutheran (and legal counsel or other consultants) will then meet with the governing body of First Lutheran and present a report on their investigation, which will include findings and recommendations of actions.
6. An official of First Lutheran will meet with the alleged perpetrator and notify him/her of the results of the investigation and recommendations for actions.
7. An official of First Lutheran will meet with the alleged victim, along with his/her parents or guardians, and notify them of the results of the investigation and recommendations for actions.
8. During the investigation, an official of First Lutheran shall maintain contact with the alleged victim and his/her parents or legal guardian, and inform them of the actions taken and assist them in their process of healing.
9. An official of First Lutheran (and legal counsel or other consultants) may meet with the alleged perpetrator, the alleged victim, and any others with knowledge of relevant facts.
10. Communicate with criminal and civil legal counsel of First Lutheran.
11. Communicate with those affected by the ministry of the alleged perpetrator.
12. Hire a consultant or assign a spokesperson to respond to media or prepare a statement for the media if the need shall arise, subject to the approval of the First Lutheran attor

