

Child Protection Manual

Suggest Policies for
Prevention, Intervention, Healing

St Matthew Lutheran Church
Revised January 2012

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PREAMBLE

Showing the need for abuse prevention policies.

Churches should be the safest place in the world for children. Jesus expressed his love for children and the dire judgment upon anyone who would harm a child.. (Matthew 18:5-6)

The disturbing and traumatic rise of sexual and physical abuse of our children, youth and vulnerable adults has claimed the attention of every aspect of our society. The church must also be prepared so that sexual and physical misconduct does not take place within its programs. Organizations such as the Boy Scouts, Girl Scouts and Little League have already developed guidelines to reduce their risk. If someone desires to prey on children, youth or vulnerable adults, he/she will look for an organization that does not screen or monitor its workers. One occurrence of sexual or physical misconduct can destroy the ministry of the church and reduce its effectiveness of reaching people with the message of Jesus Christ for years to come.

Without pro-active abuse prevention, the safety of our children is at risk. Visitors may not return if they notice safe-practice violations within our programs. We cannot be guaranteed our volunteers understand safe practices and feel trusted within their area of ministry.

With pro-active abuse prevention policies, we provide safe boundaries for all who are involved in ministry. We help volunteers know how to handle situations; we help parents feel comfortable; we help children feel love and safe.

Since it is the determination of the Church to provide a Christian environment that is safe, we must commit ourselves to take every reasonable precaution to protect those entrusted to us. Ultimately, we will protect our children, our youth, our workers, our volunteers, and our church.

STATE OF MICHIGAN CHILD PROTECTION LAW (excerpts)

Act 238 of 1975

AN ACT to require the reporting of child abuse and neglect by certain persons; to permit the reporting of child abuse and neglect by all persons; to provide for the protection of children who are abused or neglected; to authorize limited detainment in protective custody; to authorize medical examinations; to prescribe the powers and duties of the state department of social services to prevent child abuse and neglect; to prescribe certain powers and duties of local law enforcement agencies; to safeguard and enhance the welfare of children and preserve family life; to provide for the appointment of legal counsel; to provide for the abrogation of privileged communications; to provide civil and criminal immunity for certain persons; to provide rules of evidence in certain cases; to provide for confidentiality of records; to provide for the expungement of certain records; to prescribe penalties; and to repeal certain acts and parts of acts

History: 1975, Act 238, Eff. Oct. 1, 1975;--Am. 1988, Act 372, Eff. Mar. 30, 1989

Definitions

“Child” means a person less than 18 years of age.

“Child abuse” means harm or threatened harm to a child’s health or welfare by a parent, legal guardian, or any other person responsible for the child’s health or welfare, or teacher’s aide, that occurs through non-accidental physical or mental injury; sexual abuse; sexual exploitation; or maltreatment.

“Child neglect” means harm or threatened harm to a child’s health or welfare by a parent, legal guardian, or any other person responsible for the child’s health or welfare that occurs through either of the following: (1) Negligent treatment, including the failure to provide adequate food, clothing, shelter, or medical care. (2) Placing a child at an unreasonable risk to the child’s health or welfare by failure of the parent, legal guardian, or other person responsible for the child’s health or welfare to intervene to eliminate that risk when that person is able to do so and has, or should have, knowledge of the risk

“Sexual abuse” means engaging in sexual contact or sexual penetration as those terms are defined in section 520a of the Michigan penal code, 1931 PA 328, MCL 750.520a, with a child.

“Sexual exploitation” includes allowing, permitting, or encouraging a child to engage in prostitution, or allowing, permitting, encouraging, or engaging in the photographing, filming, or depicting of a child engaging in a listed sexual act a defined in section 145c of the Michigan penal code, 1931 PA 328, MCL 750.145c

Persons required to report child abuse or neglect; written report; transmitting report and results of investigation of prosecuting attorney or county family independence agency; pregnancy of or venereal disease in child less than 12 years of age.

Sec. 3. (1) An individual is required to report under this act as follows: (a) A physician, dentist, physician's assistant, registered dental hygienist, medical examiner, nurse, person licensed to provide emergency medical care, audiologist, psychologist, marriage and family therapist, licensed professional counselor, certified social worker, social worker, social work technician, school administrator, school counselor or teacher, law enforcement officer, member of the clergy, or regulated child care provider who has reasonable cause to suspect child abuse or neglect shall make immediately, by telephone or otherwise, an oral report, or cause an oral report to be made, of the suspected child abuse or neglect to the department. Within 72 hours after making the oral report, the reporting person shall file a written report as required in this act. If the reporting person is a member to the staff of a hospital, agency, or school, the reporting person shall notify the person in charge of the hospital, agency, or school of his or her finding and that the report has been made, and shall make a copy of the written report available to the person in charge. A notification to the person in charge of the hospital, agency, or school does not relieve the member of the staff of the hospital, agency, or school of the obligation of reporting to the department as required in this section. One report from a hospital, agency, or school shall be considered adequate to meet the reporting requirement. A member to the staff of a hospital, agency, or school shall not be dismissed or otherwise penalized for making a report required by this act or for cooperating in an investigation

(2) The written report shall contain the name of the child and description of the abuse or neglect. If possible, the report shall contain the names and addresses of the child's parents, the child's guardian, the persons with whom the child resides, and the child's age. The report shall contain other information available to the reporting person that might establish the cause of the abuse or neglect, and the manner in which the abuse or neglect occurred.

Persons permitted to report abuse or neglect.

Sec. 4. In addition to those persons required to report child abuse or neglect under section 3, any person, including a child, who has reasonable cause to suspect child abuse or neglect may report the matter to the department or law enforcement agency.

Referring report or commencing investigation; informing parent or legal guardian of investigation; duties of department; assistance of and cooperation with law enforcement officials; procedures; proceedings by prosecuting attorney; cooperation of school or other institution; information as to disposition of report; exception to reporting requirement.

A school or other institution shall cooperate with the department during an investigation of a report of child abuse or neglect. Cooperation includes allowing access to the child without parental consent if access is determined by the department to be necessary to complete the investigation or to prevent abuse or neglect of the child. However, the department shall notify the person responsible for the child's health or welfare about the department's contact

with the child at the time or as soon afterward as the person can be reached. The department may delay the notice if the notice would compromise the safety of the child or child's siblings or the integrity of the investigation, but only for the time one of those conditions exists. If the department has contact with a child in a school, all of the following apply: (a) Before contact with the child, the department investigator shall review with the designated school staff person the department's responsibilities under this act and the investigation procedure. (b) After contact with the child, the department investigator shall meet with the designated school staff person and the child about the response the department will take as a result of contact with the child. The department may also meet with the designated school staff person without the child present and share additional information the investigator determines may be shared subject to the confidentiality provisions of this act. (c) Lack of cooperation by the school does not relieve or prevent the department from proceeding with its responsibilities under this act. A child shall not be subjected to a search at a school that requires the child to remove his or her clothing to expose his buttocks or genitalia or her breasts, buttocks, or genitalia unless the department has obtained an order from a court of competent jurisdiction permitting such a search.

Interview with child.

Sec. 8c. During an investigation of suspected child abuse or neglect, the child reported to have been abused or neglected shall not be interviewed in the presence of an individual suspected to have perpetrated the abuse.

Failure to report suspected child abuse or neglect; damages; violation as misdemeanor; unauthorized dissemination of information as misdemeanor; civil liability; maintaining report or record required to be expunged as misdemeanor; false report of child abuse or neglect.

Sec. 13 (1) A person who is required by this act to report an instance of suspected child abuse or neglect and who fails to do so is civilly liable for the damages proximately caused by the failure. (2) A person who is required by this act to report an instance of suspected child abuse or neglect and who knowingly fails to do so is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$500.00, or both. (3) Except as provided in section 7, a person who disseminates, or who permits or encourages the dissemination of, information contained in the central registry and in reports and records made as provided in this act is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both, and is civilly liable for the damages proximately caused by the dissemination. (4) A person who willfully maintains a report or record required to be expunged under section 7 is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both. (5) A person who intentionally makes a false report of child abuse or neglect under this act knowing that the report is false is guilty of a crime as follows:

- (a) If the child abuse or neglect reported would not constitute a crime or would constitute a misdemeanor if the report were true, the person is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$100.00, or both.

- (b) If the child abuse or neglect reported would constitute a felony if the report were true, the person is guilty of a felony punishable by the lesser of the following:
- (i) The penalty for the child abuse or neglect falsely reported.
 - (ii) Imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both.

2002 Legislative Council, State of Michigan

PROTECTING VOLUNTEERS' CONFIDENTIALITY POLICY

In order to help our church provide safe and quality services for those children and youth who participate in our programs and use our facilities, it is necessary to ask all applications for positions, involving supervision or custody of minors to complete an application form. Some of the questions on the application form may be of a personal/private nature. All personal information about an applicant will be kept confidential and such information will not be shared verbally or in written form with anyone who does not have specific involvement in the applicant screening process. Following the approval process, these documents will be maintained in a locked area.

SCREENING POLICIES AND PROCEDURES FOR CHILDREN'S AND YOUTH MINISTRY VOLUNTEER RECRUITMENT FOR ST MATTHEW LUTHERAN CHURCH

- Staff prepares a position description listing criteria and duties of particular position and our volunteer screening policies.
- Staff consults with church office regarding spiritual gifts, abilities and interests that may match these criteria. A list may be provided with name, address and phone. ("general appeals" for help with children are discouraged.)
- The list of potential recruits is given to pastor and other ministry staff members for an initial screening before contacts are made. Candidates should be involved in regular worship for 6 months before working with children/youth.
- Contacts may now be made with potential volunteers explaining the position and need for volunteer screening form and procedures.
- When interest is shown, potential recruits will complete the appropriate screening form in advance of starting work with children or youth.
- The Volunteer Screening Form is required of primary volunteers. Primary volunteers are those who serve on a regularly scheduled basis. The Secondary Volunteer Form is for those who serve on an occasional basis for a few hours a year.

- Background screening must be completed every five (5) years. Between checks, volunteers must complete a Worker Renewal application annually. More frequent checks will be completed based on requirements from outside organizations, ie. Workcamp.
- After “formal application”, these steps are recommended: a personal interview and reference checks are made.
- Each step should be dated and documented in writing by the ministry staff person conducting this process. Forms and documents should be kept in a secured file.
- Upon completion of these steps, the volunteer may begin supervised service with children or youth for a one-year renewable commitment upon a mutually agreed upon review and evaluation.

RECOGNIZING POTENTIAL ABUSE

According to the Center for Disease Control (1997), child abuse is harm to, or neglect of, a child (individual under 18 years of age) by another person, whether adult or child. American Academy of Pediatrics (2000) report that more than 2.5 million cases of child abuse and neglect are reported each year. Of these, 35 percent involve physical neglect. Studies show that one in four girls and one in eight boys will be sexually abused before they are 18 years old. About one in 20 children are physically abused every year.

There are four types of abuse for a child:

- Physical abuse
- Sexual abuse
- Emotional abuse
- Neglect

The best way to check for signs of potential abuse is to be alert to any unexplained changes in a child’s body or behavior. The state of Michigan Child Protective Services offers these physical and behavioral indicators of maltreatment to children that could be potential tips to report. (2000)

Physical Abuse-Physical Indicators

- Unexplained bruises (in various stages of healing), welts, loop marks
- Adult/human bite marks
- Bald spots or missing clumps of hair
- Unexplained burns/scalds
- Unexplained fractures, skin lacerations/punctures or abrasion

Physical Abuse-Behavioral Indicators

- Self-destructive/self-mutilation
- Withdrawn and/or aggressive-behavior extremes
- Uncomfortable/skittish with physical contact

- Tries to stay at school late as if afraid to be at home
- Chronic runaway (adolescents)
- Complains of soreness or moves uncomfortably
- Wears clothing inappropriate to weather to cover body
- Lack of impulse control (inappropriate outbursts)

Sexual Abuse-Physical Indicators

- Pain or itching in genital area
- Bruises or bleeding in genital area
- Venereal disease
- Frequent urinary or yeast infections
- Massive weight change

Sexual Abuse-Behavioral Indicators

- Withdrawal, chronic depression
- Sexual behaviors or references which are unusual for the child's age.
- Seductive or promiscuous behavior
- Poor self-esteem, self devaluation, lack of confidence
- Suicide attempts (especially adolescents)
- Hysteria, lack of emotional control
- Habit disorders (sucking, rocking)

Emotional Abuse-Physical Indicators

- Mood Swings or depression
- Self-destructive, self-injurious behaviors
- Hostile, aggressive behaviors
- Animal cruelty
- Headaches, stomach aches with no medical cause
- Unusual fears, increased nightmares

Emotional Abuse-Behavioral Indicators

- Difficulty making friends
- Difficulty learning
- Sudden change in self-confidence

Physical Neglect-Physical Indicators

- Unattended medical needs
- Consistent hunger, inappropriate dress, poor hygiene
- Consistent lack of supervision
- Failure to gain weight (especially in infants)

Physical Neglect-Behavioral Indicators

- Regularly displays fatigue or listlessness, falls asleep in class
- Steal/hoards food, begs from classmates
- Reports that no caretaker is at home
- Frequently absent or tardy
- Desperately seeks affectionate behavior

References

- “Issues in Child Care Settings”, Center for Disease Control, January 1997
- “Child Abuse and Neglect”, American Academy of Pediatrics, 2000
- “Potential Indicator for CPS Referral”, State of Michigan, Child Protective Services, March 21, 2002

REPORTING AND RESPONSE PROCEDURE

1. All concerns, suspicions and allegations will be handled in a serious, timely and confidential manner.
2. The worker involved will report any allegations or suspicions to the supervisor of the ministry who will:
 - a. Report to the Senior Pastor who will:
 - i. Immediately call Protective Services and
 - ii. Personally notify the child’s parents or guardians.

WHAT HAPPENS WHEN I REPORT A CHILD ABUSE OR NEGLECT ALLEGATION TO CHILD PROTECTIVE SERVICES

First, Protective Services will investigate the claim to determine if the situation falls within the guidelines of their definition of abuse or neglect.

The investigation would begin with the child in an environment away from the alleged perpetrator, and without prior coaching. The investigator would also make a face-to-face contact with the alleged perpetrator and talk with siblings, caretakers and witnesses.

If it is determined that the situation does fall within the guidelines, the next step is to determine the priority. Some situations call for an immediate response, others do not.

If it is determined by investigation that the situation does not fall within the guidelines of abuse or neglect, the Protective Services agency will send a letter to the reporting individual to notify them of this decision.

What information will Child Protective Services require from the reporting individual?

The reporting individual should supply the agency with as much information as is possible. This includes the name of the child and a description of the alleged abuse or neglect. If possible, the reporting individual should also supply the names and addresses of the child's parents, the child's guardian, the persons with whom the child resides and the child's age.

What about confidentiality and liability?

The whole case file is confidential under the law.

The identity of the reporting person is confidential subject to disclosure only with the consent of that person or by judicial process.

With regards to liability, in accordance with Child Protection Law Act No. 238, a person "acting in good faith" who makes a report, cooperates in an investigation or assists in any other requirement of this act is immune from civil or criminal liability.

Building Policies

Bathroom Policy

Bathroom Procedures for Preschool

- Designate specific restrooms to be used by preschoolers. To ensure safety, the main entrance doors to these bathrooms must remain propped open at all times.
- An adult female worker should accompany preschool children to the bathroom.
- Adult workers should visually check the bathroom area before the child enters.
- Workers should wait by the bathroom entrance and allow the child to toilet him/herself, whenever possible.
- Help with outer clothing at the main entrance to the restroom may be permitted.

Bathroom Policies Grades Kindergarten through 6th Grade

- Workers should take special care when sending a child to use the bathroom. When possible, the bathroom doors should be propped open. Make sure if a child doesn't return in a timely manner that someone checks on the child, preferably an adult if available.
- If the child is a visitor, an adult or another child should accompany them to assist them in locating the bathroom.
- When workers are in the hall and children are in the bathrooms, they should be aware of any unusual noises or disturbances coming from the bathrooms. The worker should investigate those noises or disturbances.

General Building Policies

- All ministry areas used by children will have doors with windows, which will enable activities to be seen by supervisors of the program.
- Classrooms without adequate viewing windows must have doors open during program hours.
- Doors to unused rooms should remain open and have the lights on during program hours.
- It is strongly recommended that all volunteers in one room shall not be from the same family. If such instance should occur, it will be only with the permission of the program director and must be held in a classroom with adequate visibility.
- Children need physical contact with adults. However, care should be taken in regards to the type of physical contact. Young children enjoy sitting on an adult's lap and hugging especially during a story time. Except for restraining a child to keep them and others safe, children should never be forced to sit on an adult's lap.
- Recommended types of touching for all ages are handshakes, high fives, brief hugs, or brief touches of the shoulder. Always be aware of the child's reaction to judge whether they are comfortable with a certain type of touching.
- Children nursery through 1st grade are to be released only to properly identified and pre-authorized individuals.
- When workers are in the halls, they should be watchful of entrances and exits to make sure children aren't running into traffic, fooling around at the door, or being escorted by someone other than their parent.
- Emergency information and maps should be posted in each area used by children. Information could include: nearest phone, location of first aid kits, fire exits, fire extinguishers, etc.

SPECIFIC MINISTRY POLICIES

Nursery

- All workers must complete the church applications and approval process before working with children.
- Two workers, one of which must be an adult woman, must be present in the nursery at all times.
- It is strongly recommended that all volunteers in the nursery not be from the same family.
- Two workers must remain in the nursery until all children have been released to parent or guardian.
- Children must remain in the nursery at all times, until released to the designated caregiver.
- Only adult women may change diapers or take children to the bathroom. All diaper changes and children's use of the bathroom must be recorded.

- Because nursery workers will be working with children in the early stages of toilet training, specific policies will need to be developed to meet the needs of your facility and staff/volunteers. Ideas include:
 - Allowing only paid workers to care for toilet and diaper needs.
 - Asking parents to take care of toilet and diaper needs.
 - Helping with toilet needs or diapering only in the presence of another worker.
- At times, older children may be present in the nursery. (1st – 3rd graders) The bathroom policies for their age group should be followed.

Non-Sunday Morning/Youth Events

- A staff member of the church will be present for the duration of all church sponsored events.
- For all Children, Middle School and High School youth events, meetings and programs other than Sunday morning Bible class, it is required that there be a minimum of 2 adults (adults must be 21 or older) present until all youth leave the building. These adult chaperons must be approved by the Pastor(s).
- All adult chaperons must complete the church application and approval process before working with children.
- Chaperones in the ministry area should not be from the same family.
- Children Nursery through 1st grade are to be released only to properly identified and pre-authorized individuals.
- Two workers must remain at the activity until all children have been released to parent or guardian.
- There will be no teacher/student one-on-one outings.
- No group outings will take place during regular education program hours except those structured into the curriculum and pre-approved by the Program Director or Pastor. For such trips, each student must have a signed permission and emergency form from their parent/guardian. The group leader must have all permission/emergency forms in their possession for the duration of the trip.
- Transportation done by program leaders and parents for outings must maintain a minimum of either two adults with one youth, or one adult with two or more youth to the same location.