

# Safe Church Policy

Trinity Presbyterian Church, San Jose, California

## Policy Statement and Purpose

It is the policy of Trinity Presbyterian Church, San Jose, that **all** persons, and in particular all children, youth and vulnerable adults, who participate in our programs and ministries and/or use our facilities will be cared for with compassion and will be safe.

As a caring Christian community, we at Trinity Presbyterian Church (TPC) are committed to providing a safe and nurturing environment for all children, youth and adults and for all volunteers and employees working with them in the congregational life of TPC. The intention of this policy is to protect children, youth and adults from abuse in any form and to ensure that those working with them are not exposed to false or unwarranted charges of abuse.

Additionally, organizations using the facilities of TPC shall provide a safe and nurturing environment for children, youth, vulnerable adults and those who work with them. They must sign and abide by this policy or provide proof that their organization has a similar policy in place and provide a signed copy.

## Definitions

- **Child or youth** – a person who is under eighteen years of age.
- **Child abuse** – violence, mistreatment or neglect that a child or adolescent may experience while in the care of someone they either trust or depend on, such as a parent, sibling, other relative, caregiver, guardian or other adult in a position of trust. Abuse may take place in any environment in which a child and adult interact.

Child abuse includes the following:

- The actual infliction, the threat to inflict or create (or the permitting of another to inflict or threaten to inflict or create) a physical or mental injury upon a child, by other than accidental means, or the creation of a substantial risk of death, disfigurement or impairment of bodily or mental function.
- The refusal to provide care necessary to the health of a child, or the abandonment of a child, in one's care.
- The commission or permitting of any act of sexual exploitation or any sexual act upon a child, including risqué jokes, innuendo, unacceptable visual contact, unwelcome casual touch, unwelcome and inappropriate hugs.
- Manipulation of a child by an adult through a relationship of trust for the satisfaction of personal needs and desires, including sexually suggestive

pictures between an adult and a child, as deemed inappropriate by any reasonable adult.

- **Vulnerable adult** – a person who, because of his/her age, disability or other circumstances, whether temporary or permanent is in a position of dependence on others or is otherwise at a greater risk of being harmed by persons in positions of authority or trust relative to him/her.
- **Abuse of the elderly** or **elder abuse** – a misuse of power and a violation of trust. It may be psychological abuse, attempting to dehumanize or intimidate older adults; financial abuse, using their money or property in a dishonest manner; physical abuse, which includes any acts of violence inflicting pain, injury or mental distress; or neglect.
- **Harassment** – may be verbal, visual, or physical, including suggestive remarks and gestures, or other unwanted attention which is emotionally demeaning or exploitive.
- **Mutual Consent** – is never possible when one party is in a leadership position and the other party is a participant, an employee, a member or a child.
- **Mandated Reporters** – a legal category that includes clergy and clerks of session according to California state law. However, the PCUSA *Book of Order* adds Elders and Deacons as Mandated Reporters who are legally required to report incidents of abuse.
- **Employee** – an individual who is hired or called to work for TPC for salary or wages.
- **Volunteer** – an individual who provides services to TPC without monetary remuneration.
- **Teacher / Leader** – a volunteer or employee who:
  - Is at least 18 years of age,
  - Devotes significant portions of his/her time and energy in faithful church service,
  - Has been cleared by TPC to work with children, youth or vulnerable adults, and
  - Has gone through orientation and training in order to hold a ministry position. (e.g. Sunday School teacher; youth leader; Elder, Deacon).
- **Personnel Committee** – the group of individuals appointed by the Session to administer this policy on behalf of Session.

## Standards of Conduct

- No employee or volunteer shall engage in any act of child or adult abuse or harassment.
- No employee or volunteer shall touch, interact with, or otherwise communicate with a child, youth or vulnerable adult in any way that is intended to be sexually stimulating, emotionally demeaning, or exploitative.
- Common expressions of affection and affirmation (including hugs and pats on the back) or physical care (including diaper changes and first aid) are appropriate in this, and in any other community of caring Christians. Care must be taken, however, that physical expressions of affection are not excessive or imposed on another individual.
- Employees and volunteers who work with children, youth or vulnerable adults are tasked with guarding the physical and emotional safety of those in their care and with being alert for signs of each individual's well being.
- No employee or volunteer shall use corporal punishment on an individual associated with any program or activity conducted by TPC.
- To the maximum extent practicable, there shall be visual access into each room in which activities with children, youth and vulnerable adults are being conducted.
- To the maximum extent practicable, employees and volunteers who work with children, youth, persons of the opposite sex or vulnerable adults shall work in unrelated pairs, with two or more adults present at all activities, or have personnel nearby who can observe the proceedings.
- If an unaccompanied employee or volunteer meets with a single child, youth or vulnerable adult to conduct a private discussion, that meeting shall be held at TPC when the church is open for scheduled group activities or shall be held in a public place. In no case shall an unaccompanied employee or volunteer meet with a single child, youth or vulnerable adult at TPC unless there is at least one other employee or volunteer in the building. This employee or volunteer must be aware of the time and location of the private meeting, although the identity of the vulnerable individual may remain confidential.
- On any church-sponsored activity for which TPC arranges transportation, one employee or volunteer may transport children as long as there are two or more children in the vehicle. Children will be picked up and dropped off as a group at TPC or at other designated locations. Exceptions to this clause may be made in the case of emergencies or with written permission of a parent or guardian.
- Volunteers and employees will not accept any form of financial remuneration from people they visit, or to whom they provide services or care. In recognition that some care receivers may desire to express their appreciation, small tokens of appreciation may be accepted by volunteers and employees, provided they are unsolicited and have minimal monetary value.

## Allegations of Abuse

- Any person who has reasonable grounds to suspect that a child/youth/vulnerable adult is being abused or may be in need of protection must report the suspicion to a protective agency or police. In case of an immediate emergency call 911. The phone number for the Santa Clara County Child Abuse Hotline is (408)299-2071 and for the Santa Clara County Adult Protective Services, the number is (408)975-4900 or 1(800)414-2002.
- Any individual who has a reasonable suspicion of abuse toward a child/youth/vulnerable adult shall promptly report the suspicion to the Minister or the Clerk of Session. If a report of abuse is made to a teacher/leader, then that volunteer would tell the Minister or Clerk of Session and together they would inform the appropriate authorities.
- If the alleged offender is an employee, a report shall be made to both the Minister and the Clerk of Session unless one or the other is involved.
- In any case of alleged abuse, the Minister or the Clerk of Session shall keep proper written documentation of the allegations and proceedings.
- The Minister and/or the Clerk of Session shall be responsible for maintaining contact with the police and with the family of the alleged victim and for determining further actions in consultation with the Session.
- The Minister or the Clerk of Session shall speak on behalf of the Session in the event of an allegation that requires speaking to the congregation and/or the community.
- Trinity Presbyterian Church will cooperate fully with government authorities in the investigation of any suspicion of child, youth or vulnerable adult abuse.

## Implementation

- A copy of this policy and the Safe Church Policy Agreement shall be provided to each employee and to each volunteer participating in any program or activity involving children, youth or vulnerable adults.
- Each applicant for a position, as part of the interview process, shall be informed of the requirements of employment: He/she will be required to submit to TPC a signed copy of the Safe Church Policy Agreement and submit to a background check as condition of employment.
- Each employee involved with children, youth or vulnerable adults shall submit to TPC a signed copy of the Safe Church Policy Agreement and shall submit to a background check and fingerprinting as a condition of employment.
- An individual who seeks to be a volunteer in any program or activity involving children, youth or vulnerable adults shall submit to TPC a signed copy of the TPC Safe Church Policy Agreement and shall be willing to submit to a background check as a condition of volunteer service.

- An applicant who is a minor shall have the TPC Safe Church Policy Agreement co-signed by a parent or guardian.
- Organizations using the facilities of TPC shall either show proof of a comparable policy or agree to abide by TPC's Safe Church Policy.

## Administration

- The Personnel Committee shall administer this policy under the authority of Session.
- All documentation associated with the policy (including applications, background checks and documentation associated with allegations of child abuse or misconduct) shall be strictly confidential and shall be kept secure by the Personnel Committee.
- The Personnel Committee shall be responsible for conducting appropriate clearances on employees, applicants for employment and volunteers participating in programs or activities involving children, youth or vulnerable adults. The clearance process shall allow applicants the opportunity to correct or respond to information obtained from the background check. For purposes of the initial implementation of this policy, the Personnel Committee shall determine with Session approval the manner in which initial clearances shall be conducted.
- Each employee and each volunteer who works with children, youth and vulnerable adults shall be requested to review this policy every three years and sign the TPC Safe Church Policy.

## Congregational Awareness

- The congregation shall be informed of this policy and shall be reminded of this policy annually with an announcement during the annual congregational meeting.
- This policy and the Safe Church Policy Agreement shall be made available on the TPC website.
- A copy of this policy, the Safe Church Policy Agreement, and the Volunteer Application Form shall be provided to each participant in church membership classes.
- Copies of this policy shall be placed church library.

## Training

- A review of this policy shall be included in all training and information sessions for:
  - Elders;
  - Deacons;
  - Sunday School Teachers;

- Nursery Care Volunteers;
  - Leaders of Children's and Youth groups; and
  - Leaders of Children's Choirs and Youth Choirs.
  - Employees
- These individuals must attend a TPC's Safe Church Policy training session every three years and no later than six months after beginning their service at Trinity. Training Workshops will be several times a year or as needed. Please contact the elder for Personnel for further information on upcoming Safe Church workshops.

## Disruptive Situations or Persons

Trinity Presbyterian Church celebrates diversity and welcomes all individuals. While openness to a wide variety of individuals is one of the prime values held by Trinity, we believe that our congregation must maintain a secure atmosphere where such openness can exist, and that the safety and well-being of the congregation as a whole must be given priority over the privileges and inclusion of the individual. To the degree any disruptive behavior compromises the well-being of the congregation, our actions will emphasize safety and security and will be addressed firmly and promptly.

## Harassment

Refer to Pages 27-28 of Employee Handbook.

## Building Safety

It is the responsibilities of TPC to maintain physical safety of the church building and facilities. TPC will:

- Maintain the physical properties to ensure safety.
- Maintain the fire alarm systems, fire suppression systems, first aid kits and defibrillators.
- Create and post floor plans indicating emergency exit plans with exit signs and fire extinguishers signs clearly displayed.
- Provide users of the building a mechanism to report any safety issues and/or concerns to the Minister or a member of Session.

- Care will be taken by all building users to secure entrances to the church by limiting access of keys to appropriate individuals who:
  - i. Individuals must have a documented reason to use keys.
  - ii. Abide by all policies and procedures for building use and TPC Safe Church Policies.
- Sign a Key Log Receipt Form which states that the signer will not share the key with anyone and will verify that all outside doors are locked if they are the last person in the building.
- Maintain documentation of individuals who hold keys to exterior doors. Session will conduct an annual audit of all keys.

All outside groups who rent or use the facilities will receive a copy of TPC's Safe Church Policy. If groups agree to comply with its provisions as pertain to their use of the building, they will sign the Use of Facilities form.

## Computer, E-mail and Internet Usage

Refer to Pages 24-25 of Employee Handbook.

## Attachment

Safe Church Policy Agreement