

CHILD PROTECTION POLICY

WESTMINSTER PRESBYTERIAN CHURCH

General Purpose Statement

Westminster Presbyterian Church seeks to provide a safe and secure environment for the children who participate in our programs and activities. By implementing the practices listed, it is our goal to protect the children of Westminster Presbyterian Church from incidents of misconduct or inappropriate behavior while also protecting our staff and volunteer workers from false accusations. Guidelines for Westminster Preschool are defined by West Virginia regulations and are outlined in this policy.

Definitions

For purposes of this policy, the term "children" includes all persons under the age of eighteen years. The term "worker" includes both paid and volunteer persons who work with children.

Children and Youth Ministries

Selection of Workers

All persons who desire to work with the children participating in any of our programs and activities will be screened. This screening includes the following:

Eligibility

Candidates ordinarily being considered for any position involving contact with children must be members of Westminster Presbyterian Church before serving with children's and youth's ministries unless approval is given by the Senior Pastor or Session. A probationary period of six months may be imposed to allow for a thorough evaluation of the applicant. This will entail a period of observation of interaction between our leadership and the candidate. On occasion, exceptions may be made with approval of the Senior Pastor or Session.

Interview

A face-to-face interview will be scheduled with all candidates to discuss suitability for the position. All interviews will be conducted by the Directors of Children's Ministries or Youth Ministries.

Employment Application and Reference Checks

Before an applicant is permitted to work with children, it is advised that at least two of the applicants' references will be checked. These references should be of an institutional nature as opposed to personal or family references, preferably from organizations where the applicant has worked with children in the past.

Criminal Background Check

A criminal background check is required for all employees (regardless of position) and for the following categories of volunteers:

- Those who meet on a regular basis in classroom/teaching environments;
- Those who will be involved in overnight activities with children;
- Those counseling children;
- Those involved with one-on-one mentorship of children; and
- Those having occasional one-on-one contact with children (such as church sponsored athletic team coaches and vehicle drivers).

Before a background check is performed, prospective workers will be required to sign an authorization form allowing the Westminster Presbyterian Church to conduct the check. Failure to do so constitutes disqualification of the applicant.

A disqualifying offense keeping an individual from working with children will be determined by Session on a case-by-case basis in light of all the circumstances. Generally, convictions for an offense involving children and/or for offenses involving violence, dishonesty, illegal substances, indecency and any conduct contrary to our mission will preclude someone from being permitted to work with children. Failure to disclose a criminal conviction on the application form constitutes disqualification of the applicant.

The Director of Children's Ministries or Youth Ministries will conduct background checks of all employees every three years. The results of these background checks will be maintained in a confidential file at the Westminster Presbyterian Church.

Those exempt from criminal background checks include parents/grandparents of existing students who are utilized for occasional needs.

Training of Volunteers

Westminster values its volunteers and requires minimal training every three years regarding Child Sexual Abuse Prevention. Volunteers are trained to recognize abuse. Online and seminar aids are available to facilitate and instruct in the creation of a safe environment for the children and themselves.

Younger Workers

There are times when it is necessary or desirable for babysitters (paid or volunteer) who are under the age of 18 to assist adults caring for children during programs or activities. The following guidelines apply to younger workers:

- Must be at least in sixth grade.
- Must be informally interviewed.
- Should be under the direct supervision of an adult and must never be left alone with children.

Two-Adult Rule

On or off premises, it is advised that there will be at least two adults supervising each room, vehicle, or other enclosed space – even if only one or two children need care. Permission must be granted by a parent or guardian for exceptions to this policy.

Restroom Guidelines

Children five years of age and younger should use a classroom bathroom if one is available. If a classroom bathroom is not available, workers should escort a child or a group of children to the hallway bathroom. Workers should check the bathroom first to ensure that it is empty, and then allow the child/children inside. The workers should then remain outside the bathroom door and escort the child/children back to the classroom. If a child is taking longer than seems necessary, the worker should open the bathroom door and call the child's name. If a child requires assistance, the workers should prop open the bathroom door, and leave the stall door open as they assist the child.

For children over the age of five, if possible, it is advised that at least one adult male should take boys to the restroom and at least one adult female should take girls to the restroom. Workers should check the bathroom first to ensure that the bathroom is empty, and then allow the child/children inside. The worker should then remain outside the bathroom door and escort the child/children back to the classroom. If no adult males are available to escort boys to the

restroom, female workers are encouraged to follow the above guidelines. Likewise, if no adult females are available to escort girls to the restroom, male workers are encouraged to follow the above guidelines.

For the protection of all, workers should never be alone with a child in a bathroom with the door closed and never be in a closed bathroom stall with a child. Parents are strongly encouraged to have their children visit the bathroom prior to each class.

Open Door Policy

Classroom doors shall remain open unless there is a window in the door or a window next to the door. Doors shall never be locked while a class is in session or children are present in the classroom. The Shelter is not classified as a classroom but, rather a meeting place and not subject to the open door policy.

Counseling

Counseling may be provided by staff members to discuss subjects previously addressed with the child or the child's parent or guardian.

- Individual counseling should be conducted by a staff person of the same gender as the child.
- Before counseling takes place, Directors of Children's Ministry and/or Youth Ministry must be informed regarding date, time and location of said event. Such events may not occur behind drawn blinds or closed doors. The open door policy is always in effect.

Responding to Allegations of Child Abuse

For purposes of this policy, "child abuse" is any action (or lack of action) that endangers or harms a child's physical, psychological or emotional health and development. Child abuse occurs in different ways and includes the following:

- Physical abuse – to strike, shake, slap;
- Verbal abuse – to intentionally or unintentionally humiliate, degrade, threaten;
- Sexual abuse – to inappropriately touch or speak;
- Mental abuse – to shame, withhold kindness, be cruel;
- Neglect – to withhold food, water, basic care, restroom visits, etc.

In the event that a childcare worker becomes aware of suspected abuse or neglect of a child, that worker shall report the incident immediately to the Pastor, who with Session approval, shall report to the appropriate authorities as mandated by state law.

In the event that an incident of abuse or neglect is alleged to have occurred at Westminster Presbyterian Church or during our sponsored programs or activities, the following procedure shall be followed:

1. The parent or guardian of the child will be notified unless the parent or guardian is the suspected abuser.
2. All workers over the age of 18 understand that they are obligated to report suspected child abuse to both law enforcement and Child Protective Services. In all cases where any volunteer or staff member has reasonable cause to believe that a child has been

abused or neglected by either known or unknown persons inside or outside the church, the worker shall make a report to both Child Protective Services and local law enforcement agency's child abuse investigators within 24 hours of the determination of reasonable cause. If the volunteer or staff member is in doubt regarding whether a report should be made, that volunteer or staff member can contact Child Protect of Mercer County, Inc., Mercer County's Child Advocacy Center at (304) 425-2710, Monday – Friday during normal business hours to discuss the situation and determine whether a report should be made. If a report is deemed necessary the volunteer or staff member shall make a written record of the name and title of the individual contacted and the recommendation made by that individual. A copy of the written record shall be submitted to the Children's Pastor. This report can be submitted anonymously if desired. To make a formal report the volunteer or staff member should contact:

WV State Police-Princeton Detachment at (304) 425-2101, and

WV Child Abuse Hotline at 1-800-352-6513

3. If the accused is another child the church will consult with local authorities on how to proceed appropriately. It may be necessary for the accused to change attendance routine during any investigation for the good of all concerned.
4. The worker alleged to be the perpetrator of the abuse or misconduct will immediately be placed on leave from working with children pending an investigation and instructed to remain away from the premises during the investigation.
5. Civil authorities will be notified, and Westminster Presbyterian Church will comply with the state's requirements regarding mandatory reporting of abuse as the law then exists. Westminster Presbyterian Church will fully cooperate with the investigation of the incident by civil authorities.
6. Our insurance company will be notified, and we will complete an incident report. Any documents received relating to the incident and/or allegations will immediately be forwarded to the insurance company.
7. Westminster's Senior Pastor will be our spokesperson to the media concerning incidents of abuse or neglect, unless he or she is alleged to be involved. We will seek the advice of legal counsel before responding to media inquiries or releasing information to the congregation. All other representatives of the church should refrain from speaking to the media.
8. The Senior Pastor will be available for family counseling.
9. Any person who is found guilty of the alleged abuse or misconduct will be removed from working with children.

Westminster Preschool

Selection of Preschool Employees

The following West Virginia Child Care Licensing Regulations apply to the Preschool center and the conduct of Preschool teachers and staff:

8.5. Hiring Prohibitions

8.5.a. A center shall not employ or use an individual who is currently under indictment or charged with any crime, is currently on parole or probation for a felony conviction, or has been convicted or entered a plea of guilty or no contest to any of the following:

8.5.a.1. A felony crime against a person;

8.5.a.2. Child or adult abuse or neglect, or the exploitation of a child or an incapacitated adult;

- 8.5.a.3. Domestic violence or spousal abuse;
 - 8.5.a.4. Felony arson;
 - 8.5.a.5. A felony or misdemeanor crime against a child or incapacitated adult;
 - 8.5.a.6. Felony conviction for Driving Under the Influence (DUI) or drug-related offenses within the last ten (10) years;
 - 8.5.a.7. Neglect or abuse by a care giver; or
 - 8.5.a.8. Pornography and sexual offense crimes.
- 8.5.b. A center shall not hire or continue to employ or use any individual who is determined by the Department to have abused or neglected a child or incapacitated adult. The effective date for this requirement is July 1, 2003. The date of the finding of abuse or neglect may occur prior to July 1, 2003.
- 8.5.c. A center may not employ or use an individual who has entered a plea of guilty or no contest, or has been convicted of a felony, or two (2) or more misdemeanor crimes that are not listed in Subdivision 8.5.a. unless the Secretary grants a waiver.
- 8.5.d. A center may not use an individual who failed to disclose a conviction or pending charges on a Statement of Criminal Record or failed to disclose a finding of abuse or neglect on an Authorization and Release for Protective Services Record Check unless the Secretary grants a waiver.
- 8.5.e. A center shall have policies and procedures that include protocols requiring:
- 8.5.e.1. A staff member or volunteer to report his or her criminal arrest, charge, indictment, or conviction for a criminal offense to the center director within twenty-four (24) hours;
 - 8.5.e.2. A staff member to report to the center director that he or she is subject of an abuse or neglect investigation;
 - 8.5.e.3. The center to notify the Secretary of the staff member's report within twenty-four (24) hours; and
 - 8.5.e.4. That the center prohibit a staff member or volunteer who is accused of having sexually abused or otherwise injured a child or incapacitated adult from caring for or having contact with children pending the outcome of an investigation.
- 8.5.f. If a center chooses to advocate for a waiver for an employee, then it shall have policies and procedures regarding waivers that do not conflict with Department policies. The policy must include procedures for:
- 8.5.f.1. Informing the staff member of the waiver process and time limit for requesting a waiver;
 - 8.5.f.2. Providing a statement of support for the waiver request from the center director;
 - 8.5.f.3. Ensuring that the staff member does not have contact with, or is removed from contact with, the children until the Secretary reaches a decision on the waiver unless the licensee, staff member and the Department agree to a written safety plan that permits the staff member to continue in a staff position until the Secretary reaches a decision.

Background Checks for Preschool Employees and Volunteers

8.4.c. Other than the exceptions cited in Subdivision 8.4.e. of this subsection, a center shall ensure that a criminal background investigation is performed on each staff member and volunteer through the West Virginia Department of Military Affairs and Public Safety, Criminal Identification Bureau (CIB) and an authorized agency in a previous state of residence, if applicable, and shall keep the following information on file:

8.4.c.1. A completed and signed Statement of Criminal Records. A copy of the statement shall be on file no later than the date of hire;

8.4.c.2. A CIB records check, except as described in this section;

8.4.c.3. A report of a Federal Bureau of Investigation (FBI) records check, for any staff member who has lived outside West Virginia within the past five (5) years, or has established residence outside West Virginia for more than one (1) year since turning eighteen (18) years of age; and

8.4.c.4. Notation with a date and signature of a check of the West Virginia State Police online sex offender registry prior to the use or employment of a staff member or volunteer.

8.4.d. A center shall ensure that each staff member and volunteer has a completed, signed, and dated Authorization and Release for Protective Services Record Check. A copy of the release shall be on file and the original submitted to the Department no later than the date of hire.

8.4.f. Prior to receiving the CIB and FBI reports required under this rule on any staff member, a center shall have in place a safety plan that ensures that the staff member works under direct supervision and is not left alone with a child.

Training of Preschool Employees

Preschool staff members receive training from the WV Department of Human Resources every two years in recognizing abuse.

Westminster Preschool Authorization for Pickup

When completing a registration form for a child, parents have granted permission to other specific persons to pick up the child from WPS. Any person other than the child's parent may be asked by the staff to show identification. It is a good practice for the parent to notify the staff when other persons are picking up the child on a given day. In emergency situations, parents sometimes need other persons not authorized on the registration form to pick up the child. In such cases, the parent must give written authorization or verbal authorization over the phone.

Westminster Preschool Sign-in/Sign-out Procedures

Each child must be signed in and out daily by an adult. Sign-in logs for students are located outside the early arrival room and in the classrooms. Sign-out logs are located in the classrooms. This sign-in/out procedure provides added safety for your child and greater peace of mind for you. It does require that only authorized persons sign your child out each day.

Responding to Allegations of Child Abuse

Any staff member of Westminster Preschool who has reason to suspect that a child enrolled at Westminster Preschool is being abused or neglected by the child's parent or other person responsible for his/her care will make an immediate report to the director. The preschool director will report the incident to the Director of Children's Ministries and/or the Senior Pastor. (In the event that the director is not available, the report should be made to the Director of Christian Education.) This report should be made in private and in strict confidence. No discussion of the suspicion should be carried on with any other individual other than those noted above. In reporting to the director, the staff is not relieved of its responsibility as mandated reporters. If the staff is aware that the director has not reported an instance to the WVDHHR, the staff is responsible to file an appropriate report to the WVDHHR.

Any staff member must report her/his criminal arrest, charge, indictment, or conviction to the preschool director within 24 hours. If a staff member is the subject of an abuse or neglect

investigation, the school shall prohibit the staff member from having contact with children, pending the outcome of the investigation.

If a staff member is indicted or charged with a crime, or if background checks produce a positive record, Westminster Preschool may choose to advocate for a waiver for an employee unless the crime is one of those listed below. The waiver request must be submitted to the WVDHHR within 14 working days of receipt of the criminal record report. The request must include:

- a. a written request from the individual addressed to Gail Hicks;
- b. a written statement of support from the preschool director;
- c. description of the circumstances surrounding the crime;
- d. information about any victims (the victim is not to be identified)
- e. dates of incarceration;
- f. documentation that the sentence has been successfully completed;
- g. a valid driver's license (if crime is vehicular related);
- h. statement regarding the change of circumstances since the crime and the individual's motivation towards rehabilitation;
- i. statement from employer or head of household that there is a plan in place to reasonably assure the safety of children or adults in care.

The employee may not remain employed without an approved waiver.

A staff member indicted or charged with any of the following may not be employed at Westminster Preschool.

1. abduction
2. a violent felony
3. child/adult abuse
4. crimes involving exploitation of a child or an incapacitated adult
5. misdemeanor domestic battery or assault
6. arson
7. felony or misdemeanor crime against a child or incapacitated adult causing harm
8. felony drug related offenses within the last ten years
9. felony DUI within the last ten years
10. hate crimes
11. kidnapping
12. murder/homicide
13. neglect or abuse by a caregiver
14. pornography crimes involving children or incapacitated adults
15. purchase or sale of a child
16. sexual offenses including indecent exposure