



# GreenvilleOaks

CHURCH OF CHRIST

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## Safe Place Policy & Procedures

The disturbing and traumatic rise of abuse of children in our nation has touched all areas of society. As a result, Greenville Oaks Church of Christ has the following policy, which is applicable to all employees of the church, all volunteer teachers/helpers, student ministry workers, ministry leaders and any other members and/or regular attenders working with children/students entrusted to our care. This policy reflects our commitment to provide a safe, positive environment for all children, students, teachers, and all volunteers who participate in church-sponsored activities.

### Definitions & Terminology

1. "Children" are here defined as anyone less than eighteen (18) years of age.
2. "Student" or "Students" are here defined as anyone in grades 7 through 12.
3. "Adult" is here defined as any individual at least eighteen (18) years of age.
4. "Worker" is here defined as any person who serves as a volunteer and/or paid person who serves in a position that involves contact with children.
5. "Teen Worker" is here defined as any person who serves as a volunteer and/or paid person who serves in a position that involves contact with children and is in the 12<sup>th</sup> grade or younger.
6. "Member" is here defined as any person who officially places membership at Greenville Oaks.
7. "Regular attender" is here defined as any person who has chosen to worship and work at Greenville Oaks, yet has not officially placed membership.
8. "Review Committee" is here defined as the minister and elder associated with the respective area of ministry (student or children's ministry) plus the Safe Place Coordinator. Each Review Committee will have at least three members; If there is not a minister, elder, or ministry leader associated with the respective area of ministry, another member of the Review Committee will be appointed by the Safe Place Coordinator and/or elders.
9. "Corporal Punishment" is here defined as a physical action (such as spanking or paddling) administered to a child's body as a form of punishment. Restraining a child for his or her safety and/or safety of other

children and adults assigned to their care is not considered Corporal Punishment.

### **Screening Procedures**

1. The church's primary screening procedure for volunteer workers who will have contact with children and all church employees, no matter their area of service, involves the completion of a worker's application form. The application will provide information needed for initiating criminal background checks and contacting personal references.
2. A minimum of two references must be contacted during the screening process.
3. A criminal background check will be made on all adult church employees, all elders and ministry leaders, all adult volunteers who work with children, and all teen workers 18 years of age or older who are working with children or students.
4. Refusal to consent to a criminal background check will disqualify an applicant from being utilized in volunteer or paid positions involving contact with children or students.
5. Individuals who have entered a plea of guilty, no contest or nolo contendere to; have been placed on probation for; have been given deferred adjudication for; or have been convicted or found guilty by a judge or jury of sexual abuse, physical abuse, assault of a minor, or injury to a child **cannot** be engaged in any capacity that would bring them into contact with children.
6. Individuals who have entered a plea of guilty, no contest or nolo contendere to; have been placed on probation for; have been given deferred adjudication for; or have been convicted or found guilty by a judge or jury of any other felony or misdemeanor may be utilized in volunteer or paid positions involving contact with children or students **only** if approved by the appropriate Review Committee, with each case being handled on individual basis. Decisions made by the committee will be upheld by ministers and ministry leaders. Decisions will be noted on the worker's application and kept for future reference.
7. In any case where a NOT CLEAR report is returned from the background check or personal references, the Review Committee will make a decision regarding any further progress in the screening process. If a decision is made to stop the screening process, the individual will be notified by a member of the Review Committee. The individual may appeal to the committee should he or she feel that the information obtained from the background check is inaccurate, incomplete, or not pertinent. The decision of the Review Committee will be final.
8. A file will be maintained on each individual who completes a worker's application. All materials in a worker's file will be held in strict confidence by the church. These materials include, but are not limited to: the application, records of any contacts with churches, work or personal references, results of criminal background checks or interview notes. The file may be maintained in an online database provided by a third party.
9. The appropriate Review Committee may ask potential workers who are adult survivors of child abuse to meet with a minister prior to working in a ministry area involving children.

10. Potential workers will have references checked and may be interviewed prior to working in a ministry area involving children or students. The appropriate Review Committee will determine if and when to interview applicants.
11. If a background check is returned clear but references cause a concern to be raised by the ministry point of contact, the application will be sent to the Review Committee. The committee makes the final decision.
12. All applicants must complete the on-line training course as part of the screening process. Training must be completed before background checks are ordered.
13. Upon completion of the on-line training, a clear background check or approval by the review committee, and positive reference feedback the applicant will be considered Safe Place certified.
14. Each worker will be given a badge upon completion of a criminal background check and the completion of training.
  - a. Teachers and helpers should wear their badges when working in a classroom or nursery.
  - b. All certified individuals are encouraged to wear their badges while at church services or activities conducted at the Greenville Oaks building, even when not currently serving in a classroom or nursery.
15. Wearing the badge helps children identify people whom they can approach for help and provides a visible sign that Greenville Oaks is serious about protecting our children.
16. Background checks will be performed on all volunteers, ministry leaders, elders and employees every five years.

### **Worker Supervision Guidelines and Procedures**

1. Optimal is to have two (2) workers with children at all times during church activities, on or off campus. All workers must have cleared a background check. At least one of the two workers must be someone who has completed Safe Place Training and has been a member or regular attender of Greenville Oaks for two months or longer.
2. The two-worker rule discourages one worker from being in an isolated setting with a child or group of children without another worker present.
3. Observation of this rule protects the child, and also protects the worker against the possibility of false accusation.
4. An adolescent child of a worker may be in the room with his/her parent (or another adult who agrees to supervise him/her) but does not count as the second worker.
5. Windows in doors must be uncovered at all times.
6. A worker may not visit in seclusion with a child or take a child out on a one-on-one basis. In activities where there is a legitimate reason for being alone with a child or teen (for example pastoral counseling), the activity must be conducted in an area with other people nearby to observe the activity.

7. Supervision should be maintained after an event until all children are in the custody of the parent, legal guardian, or person designated by the parent or legal guardian. Ideally, two workers should remain until all children are in the custody of the parent or legal guardian. If there are times it is not possible to have two workers remain, the door to the room must remain open.
8. Corporal punishment of any kind by a worker is prohibited at any and all Greenville Oaks services, events and activities.
9. Ministers, elders, ministry leaders, coordinators, parents, or any other adult, may make unannounced visits into classrooms or other program sites.
10. Children, age's newborn through the fourth grade, should only be released from Bible class, children's worship or the nursery, to their parent or legal guardian unless consent is received by the child's teacher prior to the start of class. Consent may only be granted to another adult. Children may NOT be released to the care of another minor, including siblings. All procedures for checking children into and out of Bible classes should be followed.

### **Response and Reporting of Allegations of Abuse**

All allegations of child abuse will be taken seriously and acted upon immediately. All situations will be handled in accordance with local law, and so far as possible, with due respect for the privacy and confidentiality of all parties concerned. Those persons involved will cooperate fully with civil authorities while at the same time extending genuine care to all.

The care and safety of the alleged victim is the first priority. The accused, if confronted, should not be confronted until the safety of the alleged victim is secured and the proper governmental entity or agency is informed.

If a child, parent, or worker makes allegations of inappropriate conduct on the part of a volunteer worker, paid church employee, or any other person associated with the church (a church member or visitor, for example), the following steps will be taken:

If the accuser goes to the minister or coordinator, that person will then go to:

1. A member of the appropriate Review Committee will be notified immediately. The elder serving on the Review Committee will be notified as soon as possible.
2. The investigation will include an interview with the person making the allegation to get a simple statement of what happened. The person making the allegation will document their statement in an Incident Report.
3. If a child makes the allegation, the child will NOT be interviewed. An interview of the child by anyone other than an official agency could taint the evidence. However, the child's allegation or statement will be documented.

4. If abuse is suspected, the Review Committee will then contact the accused, tell him or her of the allegation, and get a statement concerning the allegation. The statement will be documented on an Incident Statement Form. The accused will be informed of our obligation to report the situation to Child Protective Services or the appropriate authority, and will be asked to suspend work with children (with pay, if a paid employee) until an investigation has been completed.
5. If the allegation appears to be one involving inappropriate conduct (but is not considered child abuse as prescribed by Texas law), the Review Committee will agree upon a course of action. This action can range from talking to the accused and reinforcing the proper conduct (for a first offense) to removal from the ministry (for repeated offenses). The parents will be informed of the action before it is implemented. If the decision is made not to remove the accused, the situation will be monitored. The decision and actions made by the Review Committee will be documented in the Incident Report.
6. If the allegation appears to be child abuse as prescribed by Texas law, the person(s) who suspects the abuse or to whom the abuse was reported will report any known and reasonably suspected cases of alleged child sexual or physical abuse to the state officials of Child Protective Services (CPS) or to the local authorities (police). A Review Committee member will assist the person with the report to CPS.
7. Any person found to have engaged in child abuse or inappropriate behavior toward a child shall be subject to immediate dismissal.
8. Once the allegation has been resolved, a final report will be documented
9. All reports and forms will be retained by the church in a confidential file.
10. If a child makes allegations of abuse by someone outside of the church building or church activity, such as a neighbor, parent, relative, or school employee, to a volunteer worker or paid church employee, the worker should seek the counsel on how to proceed with an elder, minister, or member of the Review Committee. Authorities will be notified as appropriate.

### **Follow-up to Allegations. Accusation or Suspected Child Abuse**

This policy emphasizes prevention to safeguard our children and students. However, in the unlikely event that an allegation, accusation, or suspected abuse occurs, the church is committed to a proactive stance in ministering to the victim and the victim's family, the accused, and the family of the accused as well as the congregation, as appropriate.

Typically, follow-up will involve elders and ministers in the development of a course of action that provides follow-through to the various individuals involved. The general approach will contain the following elements:

1. The elders will provide pastoral counsel and ministry to the emotional and spiritual needs of the victim and their family. This may include arrangements for professional therapy as required.
2. The elders will provide pastoral counsel and ministry to the spiritual needs of the accused and their family. This may include arrangements for professional treatment and therapy as required.

3. The elders will communicate with the congregation, as appropriate, respecting the privacy of the individuals involved.
4. Should investigation by authorities be required, the church will cooperate fully with any investigation and legal actions that may result.

### **Compliance**

1. Every minister, ministry leader, coordinator, and worker assigned in the areas of children and student ministry is responsible for carrying out the provisions set forth in this policy.
2. In addition to all volunteers working with children, this policy applies to all paid church personnel whether or not they are specifically assigned to an area in children's ministry or student ministry.
3. All volunteer workers working with children and all paid church personnel must familiarize themselves with and abide by the provisions set forth within the policy.
4. Any exception to this policy and its guidelines must be approved by the Executive Minister and the elder serving on the Review Committee.

### **Conclusion**

The goal of this policy is the prevention of abuse, molestation and exploitation of children, and the protection of our workers. Young victims have little or no power to stop or prevent abuse. Voices other than their own must speak out for them. Adoption of these provisions will enable Greenville Oaks to provide a safe and secure environment for each individual of our church family and our guests.

## **The Texas Family Code states:**

### **According to Chapter 261 of the Texas Family Code:**

(1) "Abuse" includes the following acts or omissions by a person:

(A) mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development, or psychological functioning;

(B) causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child's growth, development, or psychological functioning;

(C) physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian, or managing or possessory conservator that does not expose the child to a substantial risk of harm;

(D) failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child;

(E) sexual conduct harmful to a child's mental, emotional, or physical welfare, including conduct that constitutes the offense of indecency with a child under Section 21.11, Penal Code, sexual assault under Section 22.011, Penal Code, or aggravated sexual assault under Section 22.021, Penal Code;

(F) failure to make a reasonable effort to prevent sexual conduct harmful to a child;

(G) compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01, Penal Code;

(H) causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene as defined by Section 43.21, Penal Code, or pornographic;

(I) the current use by a person of a controlled substance as defined by Chapter 481, Health and Safety Code, in a manner or to the extent that the use results in physical, mental, or emotional injury to a child;

(J) causing, expressly permitting, or encouraging a child to use a controlled substance as defined by Chapter 481, Health and Safety Code; or

(K) causing, permitting, encouraging, engaging in, or allowing a sexual performance by a child as defined by Section 43.25, Penal Code.

(2) "Department" means the Department of Protective and Regulatory Services.

(3) "Designated agency" means the agency designated by the court as responsible for the protection of children.

(4) "Neglect" includes:

(A) the leaving of a child in a situation where the child would be exposed to a substantial risk of physical or mental harm, without arranging for necessary care for the child, and the demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the child;

(B) the following acts or omissions by a person:

(i) placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child;

(ii) failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child;

(iii) the failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused; or

(iv) placing a child in or failing to remove the child from a situation in which the child would be exposed to a substantial risk of sexual conduct harmful to the child; or

(C) the failure by the person responsible for a child's care, custody, or welfare to permit the child to return to the child's home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away.

### **Section 261.101. Persons Required to Report; Time To Report.**

(a) A person having cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report as provided by this subchapter.

(b) If a professional has cause to believe that a child has been abused or neglected or may be abused or neglected, or that a child is a victim of an offense under Section 21.11, Penal Code, and the professional has cause to believe that the child has been abused as defined by Section 261.001, the professional shall make a report not later than the 48th hour after the hour the professional first suspects that the child has been or may be abused or neglected or is a victim of an offense under Section 21.11, Penal Code. A professional may not delegate to or rely on another person to make the report. In this subsection, "professional" means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for which a license or certification is required, has direct contact with children. The term includes teachers, nurses, doctors, day-care employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile detention or correctional officers.

(c) The requirement to report under this section applies without exception to an individual whose personal communications may otherwise be privileged, including an attorney, a member of the clergy, a medical practitioner, a social worker, a mental health professional, and an employee of a clinic or health care facility that provides reproductive services.

(d) Unless waived in writing by the person making the report, the identity of an individual making a report under this chapter is confidential and may be disclosed only:

(1) as provided by Section 261.201; or

(2) to a law enforcement officer for the purposes of conducting a criminal investigation of the report.

**Section 261.102. Matters to be reported.**

A report should reflect the reporter's belief that a child has been or may be abused or neglected or has died of abuse or neglect.

**Section 261.103. Report Made to Appropriate Agency.**

A report shall be made to:

- (1) any local or state law enforcement agency;
- (2) the department if the alleged or suspected abuse involves a person responsible for the care, custody, or welfare of the child;
- (3) the state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred; or
- (4) the agency designated by the court to be responsible for the protection of children.

**Section 261.106. Immunities.**

- (a) A person acting in good faith who reports or assists in the investigation of a report of alleged child abuse or neglect or who testifies or otherwise participates in a judicial proceeding arising from a report, petition, or investigation of alleged child abuse or neglect is immune from civil or criminal liability that might otherwise be incurred or imposed.
- (b) Immunity from civil and criminal liability extends to an authorized volunteer of the department or a law enforcement officer who participates at the request of the department in an investigation of alleged or suspected abuse or neglect or in an action arising from an investigation if the person was acting in good faith and in the scope of the person's responsibilities.
- (c) A person who reports the person's own abuse or neglect of a child or who acts in bad faith or with malicious purpose in reporting alleged child abuse or neglect is not immune from civil or criminal liability.

**Section 261.107. False Report; Penalty.**

(a) A person commits an offense if the person knowingly or intentionally makes a report as provided in this chapter that the person knows is false or lacks factual foundation. An offense under this section is a Class A misdemeanor unless it is shown on the trial of the offense that the person has previously been convicted under this section, in which case the offense is a state jail felony.

(b) A finding by a court in a suit affecting the parent-child relationship that a report made under this chapter before or during the suit was false or lacking factual foundation may be grounds for the court to modify an order providing for possession of or access to the child who was the subject of the report by restricting further access to the child by the person who made the report.

(c) The appropriate prosecuting attorney shall be responsible for the prosecution of an offense under this section.

**Section 261.109. Failure To Report; Penalty.**

(a) A person commits an offense if the person has cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect and knowingly fails to report as provided in this chapter.

(b) An offense under this section is a Class B misdemeanor.