

Brown Street Church of Christ

Child Abuse Prevention

POLICY AND PROCEDURES

Version 4.0

Revised May 19, 2025

INTRODUCTION

Brown Street Church of Christ is committed to providing a safe haven in which Children can learn about God and participate in social activities together under the supervision of caring Adults, without the threat of Abuse or mistreatment of any kind from those Adults. To that end, the following Policy and Procedures will serve as guidelines for all Church Employees and Volunteer Workers. The purpose of this policy and its related procedures is to protect both the Children under the care of Brown Street Church of Christ and those who work with them.

SECTION 1: DEFINITION OF TERMS

For purposes of this document:

1. **“The Policy”** is defined as the Brown Street Church of Christ Child Abuse Prevention Policy and Procedures (or “CAP Policy”), i.e. this document.
2. **“The Church”** is defined as the Brown Street Church of Christ which meets at 2471 Brown Street in Waxahachie, Texas.
3. **“The Elders”** is defined as the current elders of The Church.
4. **“Child”**—or when used in its plural form, **“Children”**—is defined as a person under 18 years of age.

NOTE: The above definition of “Child” is taken directly from the Texas Human Resources Code online [Title 2, Subtitle D, Chapter 42, Subchapter A, Section 42.002]. Brown Street’s ministries to Children are divided into a Children’s Ministry (for Children up through fifth grade) and a Youth Ministry (for young people from sixth grade through twelfth grade). From a legal perspective, the term “Child” applies to individuals who are under the age of 18, even those considered “Youth” based on Brown Street’s ministry structure. The Policy will use the terms “Child” and “Children” to refer to all who fit the legal definition given above, regardless of which Brown Street ministry they are served by.

5. **“Adult”** is defined as a person who is not a Child.
6. **“Abuse”**—as defined by the Texas Department of Family and Protective Services—is divided into six types, listed below. For each type of Abuse the specified victim is a Child. Therefore, for purposes of The Policy, the terms **“Abuse”** and **“Child Abuse”** are considered synonymous.
 - a. Emotional Abuse occurs when one or more of the following is true:
 - i. A Child suffers a mental or emotional injury that results in an observable, material impairment in the Child’s growth, development, or psychological functioning.
 - ii. A person or persons cause or permit a Child to be in a situation in which the Child suffers a mental or emotional injury that results in an observable, material impairment in the Child’s growth, development, or psychological functioning.

- iii. A person or persons currently use a controlled substance in a manner or to the extent that the use results in mental or emotional injury to a Child.
- b. Forced or Coerced Marriage occurs when a person or persons force or coerce a Child to get married or to marry a specific person.
- c. Labor Trafficking* occurs when a person or persons do one or both of the following:
 - i. Knowingly cause, permit, encourage, engage in, or allow a Child to be trafficked in a manner punishable as an offense under the Texas Penal Code [Title 5, Chapter 20A, Section 20A.02, Paragraph (a), Subparagraphs (5) and (6) regarding the engaging of a trafficked Child in forced labor or services]].
 - ii. Fail to make a reasonable effort to prevent a Child from being trafficked in a manner punishable as an offense under the Texas Penal Code [Title 5, Chapter 20A, Section 20A.02, Paragraph (a), Subparagraphs (5) and (6) regarding the engaging of a trafficked Child in forced labor or services]].

* "Traffic" means to transport, entice, recruit, harbor, provide, or otherwise obtain another person by any means. [Texas Penal Code Title 5, Chapter 20A, Section 20A.01, Paragraph (4)]
- d. Physical Abuse occurs when one or more of the following is true:
 - i. A Child suffers a physical injury that results in substantial harm to the Child, or there is a genuine threat of substantial harm from physical injury to the Child. Both include an injury that does not logically match the history or explanation given. Both exclude 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.
 - ii. A person or persons fail to make a reasonable effort to prevent an action by another person that results in physical injury causing substantial harm to a Child.
 - iii. A person or persons currently use a controlled substance in a manner or to the extent that the use results in physical injury to a Child.
 - iv. A person or persons cause, expressly permit, or encourage a Child to use a controlled substance.
- e. Sex Trafficking* occurs when a person or persons do one or more of the following:
 - i. Knowingly cause, permit, encourage, engage in, or allow a Child to be trafficked in a manner punishable as an offense under the Texas Penal Code [Title 5, Chapter 20A, Section 20A.02, Paragraph (a), Subparagraphs (7) and (8) regarding causing a trafficked Child to engage in, or become the victim of, continuous sexual Abuse, indecency with a Child, sexual assault, aggravated sexual assault, prostitution, solicitation of prostitution, promotion of prostitution, online promotion of prostitution, aggravated promotion of prostitution, aggravated online promotion of prostitution, compelling prostitution, sexual performance by a Child, employment harmful to a Child, or possession or promotion of Child pornography]].
 - ii. Fail to make a reasonable effort to prevent a Child from being trafficked in a manner punishable as an offense under the Texas Penal Code [Title 5, Chapter 20A, Section 20A.02, Paragraph (a), Subparagraphs (7) and (8) regarding causing a trafficked Child to engage in, or become the victim of, continuous sexual Abuse, indecency with a Child, sexual assault, aggravated sexual assault, prostitution, solicitation of prostitution, promotion of prostitution, online promotion of prostitution, aggravated promotion of prostitution, aggravated online promotion of prostitution, compelling prostitution, sexual performance by a Child, employment harmful to a Child, or possession or promotion of Child pornography]].

- iii. Compel or encourage a Child to engage in sexual conduct that is an offense under the Texas Penal Code (including trafficking of persons, prostitution, solicitation of prostitution, or compelling prostitution).
- * See definition of "Traffic" under "Labor Trafficking" above.
- f. Sexual Abuse occurs when one or more of the following is true:
 - i. A Child experiences sexual conduct harmful to the Child's mental, emotional, or physical welfare (including continuous sexual Abuse of a young Child, indecency with a Child, sexual assault, or aggravated sexual assault).
 - a) Indecency with a Child includes:
 - a. engaging in sexual contact with a Child or causing a Child to engage in sexual contact;
 - b. with intent to arouse or gratify the sexual desire of any person, exposing one's anus or any part of one's genitals, knowing a Child is present;
 - c. with intent to arouse or gratify the sexual desire of any person, causing a Child to expose the Child's anus or any part of the Child's genitals.
 - b) Sexual contact means the following acts, if committed with the intent to arouse or gratify the sexual desire of any person:
 - a. any touching by a person, including touching through clothing, of the anus, breast, or any part of the genitals of a Child;
 - b. any touching of any part of the body of a Child, including touching through clothing, with the anus, breast, or any part of the genitals of a person.
 - ii. A person or persons fail to make a reasonable effort to prevent sexual conduct harmful to a Child.
 - iii. A person or persons compel or encourage a Child to engage in sexual conduct.
 - iv. A person or persons cause, permit, encourage, engage in, or allow the photographing, filming, or depicting of a Child, if the person or persons knew or should have known that the resulting photograph, film, or depiction of the Child is obscene or pornographic.
 - v. A person or persons cause, permit, encourage, engage in, or allow a sexual performance by a Child.

NOTE: The above comprehensive definition of "Abuse" is taken directly from the Child Protective Services Handbook online, published by the Texas Department of Family and Protective Services.

- 7. **"Child Abuse"** (see "Abuse" above).
- 8. **"Church Employee"** is defined as any Adult who receives any monetary compensation from The Church in exchange for the performance of any duty which benefits The Church.
- 9. **"Volunteer Worker"** is defined as any Adult who performs any duty which benefits The Church, who does not receive any monetary compensation for the performance of such duty, and whose volunteer duties for The Church involve working directly with Children. The term "Volunteer Worker" is further defined to specifically include The Church's Elders, Deacons, Watchmen, and CAP Committee Members.



10. **“Worker”** is defined as any person who is either a Church Employee or a Volunteer Worker.
11. **“CAP Committee”** is defined as the standing committee—appointed by The Elders—whose function is to propose, implement, and monitor The Policy for The Church. The Elders will appoint a member of the CAP Committee to serve as CAP Committee Chairman.

SECTION 2: ADMINISTRATION OF THE POLICY

1. The Policy will be administered by the CAP Committee, under the oversight of The Elders.
2. Administration of The Policy will include, but is not limited to, the following tasks:
 - a. Oversee the day-to-day implementation of The Policy.
 - b. Conduct an annual review of The Policy and propose changes to The Policy as needed.
 - c. Present these proposed changes to The Elders for their approval.
3. Members of the CAP Committee will be appointed by The Elders to serve terms of unspecified duration. Changes in committee membership may be made at any time, and such changes are completely at the discretion of The Elders.
4. The Elders may amend, modify, or change The Policy at any time. Moreover, The Elders expressly reserve the right to exclude from the procedures outlined in The Policy (that is, “grandfather in”) any Volunteer Worker at their sole discretion.
5. Every Church Employee and every Volunteer Worker is bound by The Policy and is responsible for carrying out the provisions of The Policy. All such persons must familiarize themselves with and abide by the provisions of The Policy.

SECTION 3: CHILD ABUSE PREVENTION STRATEGY

1. **Application Process**
 - a. The Church Employee Application form and the Volunteer Service Application form are the initial screening tools used by The Church in an effort to prevent Child Abuse.
 - b. The Church Employee Application form will be completed, prior to employment, by all prospective Church Employees.
 - c. The Volunteer Service Application form will be completed by all current and prospective Volunteer Workers.
 - d. Potential Volunteer Workers who are themselves survivors of Child Abuse may be asked to meet with a Minister prior to being utilized in a volunteer role which will involve working with Children.
 - e. All completed application forms will be reviewed, in a timely manner, by the CAP Committee.
 - f. All information submitted on application forms and obtained through the criminal background check (see below) will be kept in confidence. Only The Elders and the CAP Committee will have access to such information.

2. Criminal Background Check

- a. All current and prospective Workers must submit to a criminal background check.
- b. A criminal background check is a form of consumer report (sometimes referred to as an investigative consumer report) and is regulated by the Federal Trade Commission under the Fair Credit Reporting Act (FCRA).
- c. Criminal background checks will be conducted through a consumer reporting agency that has been chosen by the CAP Committee and approved by The Elders.
- d. Refusal to consent to a criminal background check will disqualify an applicant from being hired as a Church Employee or being utilized as a Volunteer Worker.
- e. Any applicant with a conviction involving Child Abuse, or who is a registered sex offender, shall not be utilized in any capacity that would require that applicant to work with Children, either as a Church Employee or a Volunteer Worker.

3. Six-Month Waiting Period

- a. New members to the Church will be required to maintain active membership for six consecutive months prior to being utilized as a Volunteer Worker.
- b. Exceptions to the Six-Month Waiting Period may be permitted on a case-by-case basis, provided that the CAP Committee receives and verifies a letter of recommendation from the elders of the applicant's former congregation. A copy of the letter of recommendation will be placed in the applicant's file.

4. Child Safety Training

- a. After completing the appropriate application form and being approved, all Workers will be asked to complete Child Safety Training.
- b. Additional training may be required as set forth by the CAP Committee.

5. Supervision Guidelines

In order to minimize the risk of Abuse being perpetrated upon Children in The Church's care, all Workers are asked to adhere to the following best practices when supervising Children.

- a. **Two Worker Guideline:** *Every reasonable attempt* will be made—based on a logical evaluation of the risk involved—to have two Workers present to supervise Children during activities sponsored by The Church, whether on or off campus. A married couple will not satisfy the Two Worker Guideline. This guideline serves not only to protect the Child, but also to protect the Worker against the possibility of false accusation.
- b. **Three Person Guideline:** When the Two Worker Guideline cannot be implemented, at least three individuals should be present, with at least one being an approved Worker.
- c. **Visual Access into Rooms:** When only one Worker is present in a room with Children, visual access into the room should be maintained. If there is no window in the door or wall, the door to the room should be left open. If it is a "Dutch door," the top portion of the door should be left open.
- d. **Counseling Guideline:** A Worker should not visit in seclusion with a Child or take a Child out on a one-on-one basis. In situations where there is a legitimate reason for a Worker to be alone with a Child (pastoral counseling, for example), when possible the activity should be conducted in a place where there are other people nearby to observe the activity.
- e. The Elders, Ministers, Deacons, or The Elders' designees, may make unannounced visits into classrooms or other Church-sponsored activity sites at any time.

6. Reporting and Responding

- a. Texas law requires that **“a person having reasonable 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”** to the appropriate authorities. This can be any local or state law enforcement agency or the Texas Department of Family and Protective Services.
 - b. The law outlines different duties for different categories of reporting individuals, and provides details about what must be contained in the report. If you suspect an instance of Child Abuse, please refer to the Texas Family Code Sections 261.101 through 261.104 (attached as Addendum B) and take the appropriate reporting actions detailed therein. (See also Addendum A, “Summary of Reporting Requirements”)
 - c. In the event of an emergency, immediately call 911. Additional helpful contact information:
 - i. Waxahachie Police Department (469-309-4400)
 - ii. Ellis County Sheriff’s Office (972-825-4901)
 - iii. Texas Department of Family and Protective Services
 - Abuse Report Hotline: 800-252-5400
 - Abuse Report Website: www.txabusehotline.org
 - d. Please note that Texas law protects a reporting individual from liability when actual or suspected Child Abuse is reported, provided that the reporting individual acts in good faith and without malicious intent in making the report.
 - e. If the Worker who initially documents the allegation is not one of The Elders, then that Worker will immediately report the allegation to the investigative authorities per Section 3, Paragraphs 6a through 6c above; and *also* to any one of The Elders.
 - f. Reasonable efforts will be made to keep confidential all documentation related to the alleged Abuse, including the identities of the victim and the alleged offender, except to the extent that necessary disclosure is made to the proper investigative authorities.
 - g. No Worker will attempt to contact the alleged offender in reference to the alleged offense, until the proper investigative authorities have been notified and until those investigative authorities have completed the investigation, unless authorized by The Elders to do so.
 - h. Notwithstanding the foregoing, no provision contained herein is intended to prevent a Worker or any other person from using reasonable means to stop Abuse in progress.
 - i. Any Worker *accused* of abusing a Child shall be suspended from the performance of any and all Church-related duties involving Children until an investigation is completed. If the Worker is a Church Employee, the suspension will be with pay, until the investigation is completed.
 - j. Any Worker who is *convicted* of Child Abuse shall have his or her approval to work with Children as a Volunteer Worker or Church Employee revoked.
 - k. When a Child Abuse investigation results in evidence that is inconclusive, The Elders may nonetheless take whatever remedial measures The Elders deem appropriate.
 - l. At the sole discretion of The Elders, or of the CAP Committee as designees of The Elders, a file regarding any investigation of Child Abuse may be maintained by The Church in the same manner, including with the same level of security, as application forms and criminal background check records.
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ADDENDUM A

Summary of Reporting Requirements (from the Texas Family Code)

WHO MUST REPORT, AND WHEN?

If you have reasonable cause to believe that a Child's physical or mental health or welfare has been adversely affected by Abuse or neglect, you are required to make an immediate report.

WHAT MUST BE REPORTED?

A report should reflect your belief that a Child has been or may be Abused or neglected or has died of abuse or neglect.

TO WHOM SHOULD THE REPORT BE MADE?

Your report should be made to any local or state law enforcement agency or to the Texas Department of Family and Protective Services.

WHAT SHOULD THE REPORT CONTAIN?

Your report should contain the following details, if known:

1. the name and address of the Child;
2. the name and address of the person responsible for the care, custody, or welfare of the Child;
3. the facts that caused you to believe the Child has been Abused or neglected and the source of the information;
4. your name and telephone number;
5. your home address; and
6. any other pertinent information concerning the alleged or suspected Abuse or neglect.

For your reference, Addendum B (beginning on the next page) contains the actual text of the Texas Family Code Sections 261.101 through 261.104, from which the above summary has been prepared.

ADDENDUM B

Texas Family Code

TITLE 5. THE PARENT-CHILD RELATIONSHIP AND THE SUIT AFFECTING THE PARENT-CHILD RELATIONSHIP

SUBTITLE E. PROTECTION OF THE CHILD

CHAPTER 261. INVESTIGATION OF REPORT OF CHILD ABUSE OR NEGLECT

SUBCHAPTER B. REPORT OF ABUSE OR NEGLECT; IMMUNITIES

Sec. 261.101. PERSONS REQUIRED TO REPORT; TIME TO REPORT.

- (a) A person having reasonable 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 reasonable 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 reasonable 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 has reasonable cause to believe 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.
- (b-1) In addition to the duty to make a report under Subsection (a) or (b), a person or professional shall make a report in the manner required by Subsection (a) or (b), as applicable, if the person or professional has reasonable cause to believe that an adult was a victim of abuse or neglect as a child and the person or professional determines in good faith that disclosure of the information is necessary to protect the health and safety of:
 - (1) another child; or
 - (2) an elderly person or person with a disability as defined by Section 48.002, Human Resources Code.
- (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, an employee or member of a board that licenses or certifies a 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.

Sec. 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.

Sec. 261.103. REPORT MADE TO APPROPRIATE AGENCY.

- (a) Except as provided by Subsections (b) and (c) and Section 261.405, a report shall be made to:
 - (1) any local or state law enforcement agency;
 - (2) the department; or
 - (3) the state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred.
- (b) A report may be made to the Texas Juvenile Justice Department instead of the entities listed under Subsection (a) if the report is based on information provided by a child while under the supervision of the Texas Juvenile Justice Department concerning the child's alleged abuse of another child.
- (c) Notwithstanding Subsection (a), a report, other than a report under Subsection (a)(3) or Section 261.405, must be made to the department if the alleged or suspected abuse or neglect involves a person responsible for the care, custody, or welfare of the child.

Sec. 261.104. CONTENTS OF REPORT; NOTICE.

- (a) The individual making a report shall identify, if known:
 - (1) the name and address of the child;
 - (2) the name and address of the person responsible for the care, custody, or welfare of the child;
 - (3) the facts that caused the individual to believe the child has been abused or neglected and the source of the information;
 - (4) the individual's name and telephone number;
 - (5) the individual's:
 - (A) home address; or
 - (B) if the individual is a professional as defined by Section 261.101(b), the individual's business address and profession; and
 - (6) any other pertinent information concerning the alleged or suspected abuse or neglect.
- (b) If the individual making a report of child abuse or neglect uses the toll-free telephone number the department operates for reporting child abuse or neglect and the individual is unwilling to provide the information described by Subsection (a)(4), the department representative receiving the report shall notify the individual that:
 - (1) the department is not authorized to accept an anonymous report of abuse or neglect;

- (2) the individual may report the abuse or neglect by making a report to any local or state law enforcement agency; and
 - (3) the identity of an individual making a report under this subchapter is confidential and may be disclosed only:
 - (A) as provided by Section 261.201; or
 - (B) to a law enforcement officer for the purposes of conducting a criminal investigation of the report.
- (c) The department representative or other person receiving a report of child abuse or neglect shall use the person's best efforts to obtain the information described by Subsection (a).
- (d) If a report of abuse or neglect is made orally, the department or local or state law enforcement agency receiving the report shall:
 - (1) notify the individual making the report that:
 - (A) the report is being recorded; and
 - (B) making a false report is a criminal offense under Section 261.107 punishable as a state jail felony or a third degree felony; and
 - (2) make an audio recording of the report.

SOURCE:

Texas Constitution and Statutes (<https://statutes.capitol.texas.gov/Docs/FA/htm/FA.261.htm>, accessed December 10, 2024).