

SAFE Sanctuaries

Child/Youth/At-Risk Adult Protection Policy and Procedures

**Calvary United Methodist Church
Stuarts Draft, Virginia**

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I. Purpose

1. To help Calvary United Methodist Church provide a caring, safe, and secure environment for children and vulnerable adults in all phases of church life.
2. To help Calvary United Methodist Church reduce its legal risk and liability exposure.

II. Biblical Foundation

Calvary United Methodist Church seeks to express God's love of all people and to provide for their personal wholeness. This caring community seeks to prevent abuse of any kind to our children, youth, and vulnerable adults, and to be in ministry to families where abuse may occur. The Bible is the foundation upon which our policies, procedures, and ministries stand.

People were bringing little children to Jesus for him to place his hands on them, but the disciples rebuked them. 14 When Jesus saw this, he was indignant. He said to them, "Let the little children come to me, and do not hinder them, for the kingdom of God belongs to such as these. 15 Truly I tell you, anyone who will not receive the kingdom of God like a little child will never enter it." 16 And he took the children in his arms, placed his hands on them and blessed them.

Mark 10:13-16 NIV

Jesus teaches us explicitly that children have the right and the keys to the kingdom of God. He demonstrated this through blessing and touch. Our goal in response to this Biblical mandate is to maintain a safe, secure and loving place where children may grow; a place where caregivers, teachers, and leaders (both paid and volunteer) minister appropriately to their needs.

III. Virginia's Child Abuse Law

A. What is a Sexually Abused Child?

Under Virginia Law* a sexually abused child is any child less than 18 years of age whose parents or other persons responsible for his or her care commit or allow to be committed any sexual act upon a child in violation of the law.

B. Who is responsible to report cases of abuse or neglect?

Virginia law includes any person 18 years of age or older associated with or employed by any public or private organization responsible for the care, custody or control of children as well as any teacher or other person employed in a public or private school, kindergarten or nursery school.

C. To whom shall the report be made?

Any known or reasonably suspected child abuse should be reported immediately to the local department of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred; or to the Department of Social Services toll-free child abuse and neglect hotline.

Any report is confidential and the person making the report is immune from liability for making such a report, unless it is proven that such a person acted in bad faith or with malicious intent.

*(See the Appendix of this document for the full pertinent sections of the Code of Virginia.)

VI. Types of Child Abuse

A. Definition

The following definitions and explanations in this section are from the Virginia Department of Social Services. Virginia recognizes and defines five types of child abuse and neglect:

- Physical Abuse
- Neglect
- Sexual Abuse
- Emotional Maltreatment
(Virginia Code calls this "mental abuse")
- Substance-Exposed Newborns
(not covered in this book)

Child Abuse refers to an act committed by a parent, caregiver or person in a position of trust, even though he or she may not care for the child on a daily basis. The act is not accidental and harms or threatens to harm a child's physical or mental health or welfare.



B. Types of Abuse

1. Physical Abuse

All children get bumps and bruises. Recognizing when those bumps and bruises may be indicative of physical abuse is part of your task as a mandated reporter.

Legal Definition

Physical abuse causes or threatens to cause non-accidental physical injury.

Operational Definition

An act of physical abuse involves two things - an action on the part of a caregiver (e.g., parent, person acting in the stead of a parent, other person responsible for a child), and an effect upon a child, such as a physical injury or a particular behavior.

Inflicted physical injury most often represents unreasonably severe corporal punishment. This usually happens when the parent is frustrated or angry and strikes, shakes, or throws the child. Physical abuse may also be an intentional, deliberate assault, such as burning, biting, cutting, and the twisting of limbs.

Physical Indicators (physical injuries)

Though as a teacher you may witness parental behaviors that seem abusive, you are much more likely to see the after-effects: injuries that suggest abusive parental/caregiver behavior. Injuries that have the following characteristics may indicate abuse has occurred:

- Questionable bruises and welts, or other injuries
 - On the face, lips, mouth
 - On the torso, back, buttocks, thighs
 - In various stages of healing
 - Clustered
 - Forming regular patterns

- Reflecting the shape of the object used to inflict the injury (electric cord, belt buckle)
 - On several different body surface areas
 - Regularly appearing after an absence, weekend, or vacation
 - Consistent with human bite marks
- Questionable burns
 - Cigar or cigarette burns, especially on soles, palms, back, or buttocks
 - Immersion burns (sock-like or glove-like burns on feet or hands, or doughnut-shaped burns on buttocks or genitalia)
 - Burns patterned like electric stove burner, iron, etc.
 - Rope burns on arms, legs, neck, or torso
 - Questionable fractures
 - To the skull, nose, facial structure
 - In various stages of healing
 - Multiple or spiral (twisting) fractures
 - Questionable cuts and scrapes
 - To the mouth, lips, gums, eyes
 - To external genitalia

Remember, in all cases, consider the context. Look for a combination or pattern of indicators. Consider indicators along with the child's explanation of the injury, the child's developmental and physical capabilities, and any behavioral changes you notice in the child.

2. Neglect

When deciding if you suspect a child is being neglected, it is critical to first determine if the caregiver is unwilling to provide for the child's care, or if the caregiver is unable to provide care due to circumstances such as poverty or a lack of resources. A referral to community-based resources may be appropriate. "Neglect" means that, despite available resources, a child's needs are not met.

Legal Definition

Neglect is defined as failing to provide food, clothing, shelter, or health care that is necessary for a child's health.

Operational Definition

Neglect can be defined as a caregiver's failure to provide for the child's developmental and related needs. As with physical abuse, neglect involves two things:

1. An omission on the part of the caregiver.
2. An effect upon the child. The effect may be physical, behavioral, emotional, or cognitive/developmental. Virginia recognizes physical neglect, abandonment, and medical neglect.

Examples of Caregiver Neglect

- Failure to provide a child with adequate:
 - Food
 - Clothing
 - Shelter
 - Supervision
- Not attending to a child's medical needs:
 - Leaving dental cavities untreated
 - Failing to seek medical attention for a serious illness or injury
- Abandoning a child

Some Causes of Neglect

- Family crisis:
 - Job loss
 - Serious illness
 - Divorce
- Chronic and/or intergenerational patterns, such as:
 - Chaotic households
 - No structure or routines, such as regular
 - meal time
 - bedtime
 - homework time
- No spaces in the household set aside specifically for the child

Physical Indicators

- A child in your class:
 - Looks undernourished and is usually hungry
 - Is often lethargic, as if the child hasn't slept well
 - Has untreated injuries or maladies, like a badly infected cut or a toothache
 - Chronically has injuries that you can attribute to a lack of supervision, including being harmed by others

Remember, the consequences to the child must be taken into consideration. For instance, a five-year-old is more likely to experience greater harm from parental failure to provide meals than a twelve-year-old.

3. Sexual Abuse

Sexual abuse is a complex type of abuse with significant implications for the child victim. Often there are no physical signs, and behavioral indicators can be subtle or attributed to other things.

Legal Definition

Sexual abuse is defined as any illegal sexual act upon a child. This includes:

- Incest
- Rape
- Indecent exposure
- Fondling
- Child prostitution
- Child pornography

Operational Definition

Sexual abuse, covered by both civil and criminal code, comprises a range of inappropriate sexual behaviors a caregiver may perpetrate on a child, including:

- Non-touching offenses, such as indecent exposure and exposing a child to pornography
- Touching offenses, such as fondling and inanimate-object penetration
- Sexual exploitation, such as prostituting a child or using a child in pornography
- Sexual intercourse, which includes rape, incest, and sodomy

Sexual abuse may interfere with a child's normal physical, psychological, and cognitive development.

Physical Indicators

Most physical indicators of child sexual abuse would be found on physical exam by a medical practitioner. Other professionals rely more upon behavioral, emotional, and cognitive/academic indicators in determining whether to suspect sexual abuse.

Behavioral Indicators

The range of behavioral indicators of child sexual abuse include:

- Expressions of age-inappropriate knowledge of sex and sexually “pseudo-mature” behaviors
- Sexually explicit drawings
- Highly sexualized play
- Expressions of unexplained fear of a person or place
- Avoiding or attempting to avoid a familiar adult
- Signs of posttraumatic stress disorder
- Nightmares
- Sleep interruptions
- Withdrawal
- A child’s statement

One of the strongest indicators of sexual abuse is a child’s report. When a child says that he or she has been sexually abused, take the statement seriously. Resolve doubt in favor of the child, and err on the side of protection.

Emotional Indicators

Sexual abuse is a devastating breach of trust for a child. Furthermore, the adult usually tries to manipulate the child into collusion or silence (“this is our little secret”) with real or implied threats. This manipulation is far beyond the child’s ability to understand. Not surprisingly, the child may experience a range of emotional responses, including:

- Self-image problems
- Low self-confidence
- Guilt (“my fault”)
- Shame
- Depression
- Anxiety
- Mood swings

4. Emotional Maltreatment

Suspecting emotional maltreatment is challenging. The child will show no bruises or welts and may be appropriately fed and clothed. Yet the damage caused by emotional maltreatment may exceed that of other forms of abuse and neglect. Adding to the challenge is that the child may not be able to disclose the maltreatment, as he or she may think that emotional maltreatment is part of normal parenting.

Legal Definition

Emotional maltreatment is called “Mental Abuse” in Virginia Code. Emotional maltreatment includes *patterns* of the following behaviors:

- Ridicule
- Rejection
- Intimidation
- Ignoring a child
- Indifference
- Bizarre discipline

Operational Definition

Emotional maltreatment is perhaps the most difficult form of abuse to define, yet its consequences can be devastating. In addition, it is likely that some element of emotional maltreatment is involved in other forms of abuse and neglect.

Caregiver actions that may be considered emotionally abusive include *patterns* of:

- Belittling
- Ridiculing
- Intimidating
- Ignoring or rejecting
- Withholding love
- Seeming unconcerned about a child’s problems
- Holding impossible expectations without regard to developmental capability
- Bizarre discipline

It can be very hard to tell the difference between less-than-optimal parenting and emotional maltreatment. Remember, like neglect, emotional maltreatment hinges on the consequences to the child. If the child has persistent, adverse reactions to caregiver behaviors like the ones mentioned above, emotional maltreatment may be suspected.

Behavioral Indicators

The range of possible behavioral indicators of emotional maltreatment include:

- Habit disorders (sucking, biting, rocking)
- Conduct disorders (antisocial, destructive)
- Neurotic traits (sleep disorders, inhibition of play)
- Behavioral extremes (compliant, passive, undemanding, aggressive, demanding, raging)
- Overly adaptive behavior (inappropriately adult, inappropriately infantile and needy)
- Self-destructive behavior and suicide attempts
- Cruelty; seemingly taking pleasure in hurting other people or animals
- Delinquent behavior

Emotional Indicators

The developmental delays that are apt to accompany emotional maltreatment include delays in emotional development and can have a significant effect on a child's ability to age-appropriately handle his or her emotions and social interactions. For example, emotional abuse can be seen as a self-fulfilling prophecy. If a child is degraded enough, the child will begin to live up to the image communicated by the emotionally abusive parent or caretaker. This will affect the child's relationships with others and his or her sense of self-worth.

V. Safe Sanctuaries - Reducing the Risk

In an effort to create the safest possible environment within Calvary, several abuse prevention measures will be utilized. These measures include screening of paid and volunteer workers for past child abuse convictions or expungements, provision for regular training on child abuse issues to paid and volunteer staff members, use of the two adult rule, standards for appropriate classroom discipline and open classrooms.

1. Six Month Rule

Calvary will not use anyone as a worker for children, youth, or vulnerable adults in the church unless they have been an active participant in the church for at least six (6) months.

2. Staff Screening

Before beginning service, each employed or volunteer children's teacher, child care worker, youth worker, or church leader will sign a statement indicating that he/she has never been convicted of child abuse nor had such a conviction expunged. Also, this screening form will ask for the following: photo, general information, criminal convictions, prior church membership, and prior church volunteer work. Anyone who has had a child abuse conviction or expungement and those refusing to sign the statement will not be permitted to work with children, youth, or vulnerable adults. In addition, applicants for paid staff positions will be finger printed and undergo a criminal record check. Completed screening forms will be kept in the church office in a locked file cabinet.

3. Staff Training

Before beginning service, all paid and volunteer child care workers, children's Sunday School teachers, youth workers and teachers, and church leader will be required to read the church's abuse policy and sign a form indicating that they have read and understand the policy and agree to abide by it. No one will be permitted to serve until the policy has been read and the form

signed. First year teachers, ~~and~~ workers, and leaders will also be required to attend one training session related to the church's abuse policy during the course of their first year of service. These training sessions will be offered by the church, conducted by clergy or members of the Church Council, and held at various times throughout the school year. Online refresher trainings will be required each subsequent year, and all paid and volunteer workers must complete a new full training every three years.

Vacation Bible School teachers and workers at Calvary United Methodist Church will be required to read the policy and sign the acknowledgment form before the start of Vacation Bible School. Anyone refusing to read the policy and sign the form will not be permitted to serve. Leaders of community groups of children or youth who use the church facilities will be required to read the policy and sign this acknowledgment form. Church facilities will not be available to groups whose leaders refuse to read and sign the policy.

4. Two Adult Rule

Teachers will be assigned in teams of two or more to every group of children, youth, or vulnerable adults. Concerted effort will be made to recruit sufficient numbers of volunteer teachers to permit such team teaching. Other church sponsored or community groups of children or youth who meet at the church must have two or more adult leaders present at all times. When the group includes both boys and girls, both male and female leaders must be present. If the group stays overnight at the church, or if a church sponsored group leaves the premises, two or more leaders must be present and must include at least one male and female if the group is mixed gender.

5. Classroom Discipline

Children and youth should be made aware that appropriate behavior is expected at all times. In cases where behavior has to be addressed, adult leaders should handle the situation by first redirecting behavior to another activity. If

the inappropriate behavior continues, a reasonable response might include a period of quiet time away from the other children or youth to regain self-control. This should be done with necessary supervision keeping safe sanctuary guidelines in mind. If the disruptive behavior continues after these steps have been taken, leaders should contact a church staff member or the child's parent or guardian. In no case are physical discipline or ridicule appropriate measures to deal with problems. Physical measures may only be used with the child to save him/her from danger.

6. Open Classrooms

Windows on classroom doors will be left uncovered at all times. Classrooms or child care rooms may be visited without prior notice by church staff, parents, or other volunteer workers. Brief observations of child care rooms and classrooms of children or youth are conducted by the Director of Ministries with Young People and other ministry leaders.

VI. Reporting Child Abuse

Should there be allegations of child abuse at Calvary United Methodist Church these procedures will be followed:

1. Treat any allegation of child abuse seriously.
2. Pray for the church and all persons affected by the allegation.
3. Immediately begin documenting all procedures observed in the handling of the allegation.
4. Immediately notify the pastor(s) and the District Superintendent (DS). According to the Virginia Annual Conference Policy on Sexual Misconduct, the DS will contact the Conference Response Team (CRT). The CRT will send a representative to Calvary United Methodist Church within 24 hours to conduct an investigation.
5. Immediately notify the Virginia Department of Social Services of the allegation.
6. Immediately notify the parents if it is not known that they have previous knowledge.
7. Immediately notify the church's insurance company.
8. Do not confront the accused with the allegation unless and until advised by the Response Team to do so. If the accused has assigned duties within the life of the church, that person must be temporarily relieved of their duties until the investigation is concluded.
9. The pastor(s) should extend whatever care and resources necessary, but under no circumstances should the pastor or any other church leader or member investigate the allegation. In providing care to the principals (alleged victim and the accused) and their families, the pastor or church leader should under no

circumstances be drawn into discussion of the truth or falsity of the allegation which could contaminate the investigation. Do not assign blame or take any steps that involve establishing or refuting the allegation.

10. It is appropriate to show care and comfort for the alleged victim. This should be the pastoral objective from the moment the allegation is received or otherwise known.

11. Observe confidentiality for both the alleged victim and the accused until advised to the contrary by the Response Team.

VII. Policy Review

The Child Abuse Prevention Policy and Procedures of Calvary United Methodist Church shall be reviewed annually by the Church Council and the Trustees. A verification follow-up report will be made each year at Charge Conference to insure the integrity of the policy and procedures.

Appendix

Child Abuse Knowledge Inventory

- T F** 1. Child sexual abuse always involves physical contact with children.
- T F** 2. Most child molesters are male.
- T F** 3. Child molesters are usually strangers.
- T F** 4. Victims of sexual abuse suffer no long term effects.
- T F** 5. One out of five molesters begins their activity before age 18.
- T F** 6. Only a small percentage of victims are male.
- T F** 7. Most churches screen workers for potential molesters.
- T F** 8. Church leaders can not be held liable for child sexual abuse.
- T F** 9. Some child sexual abuse victims have won settlements of \$1-million dollars.
- T F** 10. A child molester who has experienced a religious conversion no longer presents a threat to children.
- T F** 11. Child sexual abuse is a criminal offense in all 50 states.
- T F** 12. A child molester may have over 500 victims in a lifetime.
- T F** 13. Churches have in the past been very supportive of victims of child abuse.

Code of Virginia

§ 63.1-196.001B of the Code of Virginia.

"Abused or Neglected Child" (See § 63.1-248.2) of the Code of Virginia) means any child less than 18 years of age whose parents or other persons responsible for his or her care:

- a. Create or inflict, threaten to create or inflict, or allow to be create or inflicted a physical or mental injury by other than accidental means, or creates a substantial risk of death, disfigurement, impairment of bodily or mental functions;
- b. Neglect or refuse to provide care necessary for the child's health, unless the child is, in good faith, under treatment solely by spiritual means through prayer, according to the practice of a recognized church or denomination;
- c. Abandon the child;
- d. Commit or allow to be committed any sexual act upon a child in violation of the law.

§ 63.2-1509. Requirement that certain injuries to children be reported by physicians, nurses, teachers, etc.; penalty for failure to report.

A. The following persons who, in their professional or official capacity, have reason to suspect that a child is an abused or neglected child, shall report the matter immediately to the local department of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or to the Department's toll-free child abuse and neglect hotline:

1. Any person licensed to practice medicine or any of the healing arts;
2. Any hospital resident or intern, and any person employed in the nursing profession;
3. Any person employed as a social worker;
4. Any probation officer;
5. Any teacher or other person employed in a public or private school, kindergarten or nursery school;
6. Any person providing full-time or part-time child care for pay on a regularly planned basis;
7. Any mental health professional;
8. Any law-enforcement officer or animal control officer;

9. Any mediator eligible to receive court referrals pursuant to § 8.01-576.8;
10. Any professional staff person, not previously enumerated, employed by a private or state-operated hospital, institution or facility to which children have been committed or where children have been placed for care and treatment;
11. Any person 18 years of age or older associated with or employed by any public or private organization responsible for the care, custody or control of children;
12. Any person who is designated a court-appointed special advocate pursuant to Article 5 (§ 9.1-151 et seq.) of Chapter 1 of Title 9.1;
13. Any person 18 years of age or older who has received training approved by the Department of Social Services for the purposes of recognizing and reporting child abuse and neglect;
14. Any person employed by a local department as defined in § 63.2-100 who determines eligibility for public assistance;
15. Any emergency medical services personnel certified by the Board of Health pursuant to § 32.1-111.5, unless such personnel immediately reports the matter directly to the attending physician at the hospital to which the child is transported, who shall make such report forthwith;
16. Any athletic coach, director or other person 18 years of age or older employed by or volunteering with a private sports organization or team;
17. Administrators or employees 18 years of age or older of public or private day camps, youth centers and youth recreation programs; and
18. Any person employed by a public or private institution of higher education other than an attorney who is employed by a public or private institution of higher education as it relates to information gained in the course of providing legal representation to a client. This subsection shall not apply to any regular minister, priest, rabbi, imam, or duly accredited practitioner of any religious organization or denomination usually referred to as a church as it relates to (i) information required by the doctrine of the religious organization or denomination to be kept in a confidential manner or (ii) information that would be subject to § 8.01-400 or 19.2-271.3 if offered as evidence in court.

If neither the locality in which the child resides nor where the abuse or neglect is believed to have occurred is known, then such report shall be made to the local department of the county or city where the abuse or neglect was discovered or to the Department's toll-free child abuse and neglect hotline.

If an employee of the local department is suspected of abusing or neglecting a child, the report shall be made to the court of the county or city where the abuse or neglect was discovered. Upon receipt of such a report by the court, the judge shall assign the report to a local department that is not the employer of the suspected employee for investigation or family assessment. The judge may consult with the Department in selecting a local department to respond to the report or the complaint.

If the information is received by a teacher, staff member, resident, intern or nurse in the course of professional services in a hospital, school or similar institution, such person may, in place of said report, immediately notify the person in charge of the institution or department, or his designee, who shall make such report forthwith. If the initial report of suspected abuse or neglect is made to the person in charge of the institution or department, or his designee, pursuant to this subsection, such person shall notify the teacher, staff member, resident, intern or nurse who made the initial report when the report of suspected child abuse or neglect is made to the local department or to the Department's toll-free child abuse and neglect hotline, and of the name of the individual receiving the report, and shall forward any communication resulting from the report, including any information about any actions taken regarding the report, to the person who made the initial report.

The initial report may be an oral report but such report shall be reduced to writing by the child abuse coordinator of the local department on a form prescribed by the Board. Any person required to make the report pursuant to this subsection shall disclose all information that is the basis for his suspicion of abuse or neglect of the child and, upon request, shall make available to the child-protective services coordinator and the local department, which is the agency of jurisdiction, any information, records, or reports that document the basis for the report. All persons required by this subsection to report suspected abuse or neglect who maintain a record of a child who is the subject of such a report

shall cooperate with the investigating agency and shall make related information, records and reports available to the investigating agency unless such disclosure violates the federal Family Educational Rights and Privacy Act (20 U.S.C. § 1232g). Provision of such information, records, and reports by a health care provider shall not be prohibited by § 8.01-399. Criminal investigative reports received from law-enforcement agencies shall not be further disseminated by the investigating agency nor shall they be subject to public disclosure.

B. For purposes of subsection A, "reason to suspect that a child is abused or neglected" shall include (i) a finding made by a health care provider within six weeks of the birth of a child that the results of toxicology studies of the child indicate the presence of a controlled substance not prescribed for the mother by a physician; (ii) a finding made by a health care provider within six weeks of the birth of a child that the child was born dependent on a controlled substance which was not prescribed by a physician for the mother and has demonstrated withdrawal symptoms; (iii) a diagnosis made by a health care provider at any time following a child's birth that the child has an illness, disease or condition which, to a reasonable degree of medical certainty, is attributable to in utero exposure to a controlled substance which was not prescribed by a physician for the mother or the child; or (iv) a diagnosis made by a health care provider at any time following a child's birth that the child has a fetal alcohol spectrum disorder attributable to in utero exposure to alcohol. When "reason to suspect" is based upon this subsection, such fact shall be included in the report along with the facts relied upon by the person making the report.

C. Any person who makes a report or provides records or information pursuant to subsection A or who testifies in any judicial proceeding arising from such report, records, or information shall be immune from any civil or criminal liability or administrative penalty or sanction on account of such report, records, information, or testimony, unless such person acted in bad faith or with malicious purpose.

D. Any person required to file a report pursuant to this section who fails to do so as soon as possible, but not longer than 24 hours after having reason to suspect a reportable offense of child abuse or neglect, shall be fined not more than \$500 for the first failure

and for any subsequent failures not less than \$1,000. In cases evidencing acts of rape, sodomy, or object sexual penetration as defined in Article 7 (§ 18.2-61 et seq.) of Chapter 4 of Title 18.2, a person who knowingly and intentionally fails to make the report required pursuant to this section shall be guilty of a Class 1 misdemeanor.

E. No person shall be required to make a report pursuant to this section if the person has actual knowledge that the same matter has already been reported to the local department or the Department's toll-free child abuse and neglect hotline.

Other Resources

The Virginia Department of Social Services has an excellent website explaining the types of abuse. It includes videos and scenarios to help caregivers learn how to recognize abuse.

Child Abuse and Neglect:
Recognizing, Reporting, and Responding for Educators

http://www.dss.virginia.gov/family/cps/mandated_reporters/cws5691/introduction.html

