

# CHILD ABUSE PREVENTION AND RESPONSE POLICY PRESBYTERY OF CINCINNATI

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## I. PURPOSE AND PERSONS

### A. Purpose

Child abuse and neglect is a serious problem in our society and, unfortunately, within the Christian community. Abuse and neglect often occur in settings where children completely trust adults -- homes, schools, camps, athletic and park programs, retreats and the church. As people entrusted with the lives of children, we believe that we have a profound moral and spiritual obligation to reduce the possibility of abuse and neglect from happening to the children who participate in activities of the Presbytery of Cincinnati.

This policy is designed to:

1. Safeguard children and youth from abuse.
2. Provide assurance to families that their children are safe and secure at Presbytery of Cincinnati activities.
3. Provide a proper reporting procedure when there is reasonable cause to believe that child abuse or neglect has occurred.

### B. Persons subject to this policy

All adults helping with presbytery events for children and youth are governed by this policy.

### C. Distribution of this policy

The Presbytery of Cincinnati shall provide a copy of this policy to all congregations who are governed by it. The Presbytery of Cincinnati shall also furnish copies of the policy to others on request and shall post a copy of this policy in its website.

## II. PREVENTION

### A. Safe Space Standards

The purpose of the Safe Space Program is to help make Presbytery activities a safer place for our children by instituting policies and procedures that guard against abuse and neglect.

**1. Two-deep leadership.** A minimum of two adults are required to provide leadership for all trips and outings. Appropriate adult leadership must be present for all overnight activities; coed overnight activities require male and female leadership, both of whom must be adults, and must have completed all required training and screening.

**2. Adult-Child Ratios.** In addition to having a minimum of two adult leaders for each event, the following ratios of adults to children will be maintained:

Youth Age	Adult
4-5 years	one adult for every five children
6-8 years	one adult for every six children
9-14 years	one adult for every eight children

15-18 years one adult for every ten children

**3. Two-Years-Older.** All staff and other leadership must be at least 24 months older than the oldest child participating in the activity.

**4. No one-on-one interaction.** One-on-one interaction between adults and children is not permitted. In situations that require personal conferences, such as pastoral counseling, the meeting is to be conducted in view of others.

**5. Overnight accommodations.** When engaged in overnight activities, adult supervision is required in the sleeping accommodations and the adult – child ratio as stated in the paragraph above will be followed. Separate shower and bathroom facilities must be available for males and females. When separate facilities are not available, separate times for male and female use should be scheduled and posted for showers. Likewise, children and adults must shower at different times.

**6. Respect of privacy.** Adults must respect the privacy of children in situations such as changing clothes and taking showers, and intrude only to the extent that health and safety require. Adults must protect their own privacy in similar situations. Respect for privacy includes wearing proper clothing.

**7. Alcohol, tobacco, and controlled substances.** The use of alcoholic beverages and controlled substances shall not be permitted by any person at any time during Presbytery of Cincinnati activities in the presence of children. Further, adults shall support the attitude that they, as well as children, are better off without tobacco in any form. Therefore the use of tobacco by adults shall not be permitted in the presence of children. The use of tobacco by children shall not be permitted at any time.

**8. Cameras, imaging, and digital devices.** Use of cameras, imaging, and digital devices by anyone in attendance at a Presbytery event - Whenever pictures are taken at a Presbytery sponsored event, the subjects of the images must give permission for their use in publications, publicity or social media. While most persons use cameras and other imaging devices responsibly, it has become very easy to invade the privacy of individuals. It is forbidden to use any device capable of recording or transmitting visual images in shower rooms, restrooms, or other areas where privacy is expected by participants. Any transmission of sexually explicit photographs or videos electronically and any “sexting” by cell phones is prohibited.

**9. Open activities.** All aspects of Presbytery-sponsored activities are to be open to observation by parents and adults.

**10. Hazing prohibited.** Hazing and initiations are prohibited and shall not be included as part of any activity.

**11. Bullying and intimidation prohibited.** Verbal, physical, and cyber bullying are prohibited as are any and all forms of intimidation.

**12. Constructive discipline.** Discipline used in Presbytery of Cincinnati events shall be constructive and reflect Christian values. Volunteers may consult with other leaders to determine appropriate means for maintaining order and discipline. Corporal punishment is never permitted.

**13. Environmental Safety.** Presbytery of Cincinnati events shall be conducted so as to minimize the risk of accidental injury. Adult leaders should familiarize themselves with:

- a. basic first aid,
- b. applicable safety standards for food handling,

- c. outdoor environmental hazards such as insect bites, poisonous plants, lightning, and pathway safety, and
- d. potential indoor hazards such as electric wires and cleaning substances.

Direct supervision shall be maintained at all times during aquatic activities.

Necessary protective gear, such as helmets, life jackets and sturdy shoes shall be used.

## **B. Screening**

**1. Background checks.** Except for volunteer congregation members who are certified by their particular congregation as provided in paragraph 3 below, criminal background checks and sex offender reviews will be performed on all persons governed by this policy. Other background checks, such as motor vehicle record reports and credit reports, will be performed as needed. Appendix B contains a consent to background checks. Persons governed by this policy shall provide such additional information and shall give such additional consents as may be necessary from time to time to carry out the purposes of this policy.

**2. Transportation.** All persons providing transportation during a Presbytery activity must be at least 21 years old, provide a copy of their driver's license and a copy of their insurance card to the person in charge of the activity and must have a motor vehicle record report showing no convictions for a moving violation in the last three years in accordance with paragraph 1 above or paragraph 3 below. Sessions are responsible for setting standards for adults driving children to or from a Presbytery of Cincinnati event.

**3. Volunteer congregation members.** Prior to their participation in any Presbytery of Cincinnati event or activity, background checks on a volunteer congregation member shall be performed by a staff member or ruling elder of that person's congregation as described in paragraph 1 above. Using the form in Appendix A the congregation must certify that the volunteer congregation member has passed the congregation's background check. As a minimum standard, volunteer congregation members shall be known to the congregation for at least one year.

**4. Additional Checks.** Any person attending an activity and/or any volunteer congregation member may, at the discretion of the person in charge of the activity or the General Presbyter, be asked to undergo any or all of the Presbytery screening procedures outlined above in paragraphs 1 and 3, above, regardless of whether that person would normally be excluded in paragraph 1 or 3, above.

**5. Responsibility for reference and background checks.** The staff person for this policy shall be responsible for background checks for volunteers and staff serving in Presbytery of Cincinnati activities.

**6. Recordkeeping.** The local congregations and the staff person for this policy shall keep the reference checks and the background checks on the persons for whom they have responsibility. The staff person for this policy shall have copies of all reference checks, background checks and all Disclosure and Consent Forms, except for background checks performed on volunteer congregation members. All records shall be strictly confidential and may be shared only on a need-to-know basis.

### **III. RESPONSE TO SUSPECTED INCIDENT OF CHILD ABUSE**

#### **A. Immediate Safety**

When a person governed by this policy becomes aware of alleged violations of this policy he or she will first determine if there are safety issues. If there is an immediate danger to any person, all necessary steps shall be taken to insure the person's safety. These may include calling for medical assistance, removing the affected person or others from the activity, or reporting the incident to the police.

#### **B. Interaction with the affected individual(s)**

Adult leaders shall take seriously all allegations of abuse, neglect, bullying and intimidation and provide emotional support to the affected individual(s). If the incident involves suspected sexual misconduct, abuse or neglect, adult leaders shall limit their questions to those necessary to ascertain the next appropriate action. Adult leaders shall refrain from continued conversation about the incident so as to allow the proper authorities to have, as nearly as is possible, a first-account of the story.

#### **C. Reporting the Incident**

**1. Initial Report.** A person having knowledge of suspected sexual misconduct or any other form of abuse or neglect shall report the incident immediately to the General Presbyter and to the person in charge of the activity. If the General Presbyter is not available, the initial report is made to the person in charge of the activity, who will inform the General Presbyter as soon as possible. If the alleged behavior involves possible criminal activity, the General Presbyter or the person in charge of the activity shall notify the police or, if the alleged behavior involves possible abuse or neglect of a child, the reporting procedure in paragraph 2 shall be followed. For purposes of this section, if the General Presbyter is the accused or is unavailable to act, references to the General Presbyter shall be deemed to refer to the Stated Clerk or, if the Stated Clerk is the accused or unavailable to act, to the Moderator of the Presbytery.

**2. Report to Child Abuse Hotline.** The General Presbyter will determine if there is reasonable cause to believe that a child participating in a Presbytery of Cincinnati activity is an abused or neglected child. If such reasonable cause exists, the General Presbyter will immediately call the applicable state or county Child Abuse Hotline. The oral report shall be followed by a written report on the applicable state reporting form. If the civil authorities determine that the incident should be investigated, they will normally contact the police.

**3. Notification of Parent or Guardian.** Pastoral sensitivity is required in the notification of parents or guardians. As soon as possible after receiving the initial report of the incident, the General Presbyter with other individual(s) he or she deems appropriate shall inform the child's parent or guardian of the incident. If the General Presbyter is unavailable, the person in charge of the activity is responsible for notification of parents or guardians. If the parent or guardian is suspected of abusing the child, the General Presbyter will cooperate with civil authorities regarding notification.

#### **4. Additional Mandated Reporters.**

##### **a. Civil Mandatory Reporting**

In many states, certain mandated reporters must report directly to the appropriate authorities even if the General Presbyter also makes a report. Staff and volunteers who are not mandated reporters may also report an incident to the appropriate civil authorities if they have reasonable cause to suspect that child abuse or neglect may have occurred.

**b. G-4.0302 Mandatory Reporting**

Any member of this church engaged in ordered ministry and any certified Christian educator employed by this church or its congregations, shall report to ecclesiastical and civil legal authorities knowledge of harm, or the risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity when (1) such information is gained outside of a confidential communication as defined in G-4.0301, (2) she or he is not bound by an obligation of privileged communication under law, or (3) she or he reasonably believes that there is risk of future physical harm or abuse.

**5. Additional reports.** If reasonable cause exists to believe that sexual misconduct may have occurred, the General Presbyter shall make the following additional reports to:

- a. Personnel Committee.** If the accused is a staff member of the Presbytery of Cincinnati, the incident shall be reported to the Personnel Committee.
- b. Committee on Ministry.** If the accused is a teaching elder who is a member of the Presbytery of Cincinnati, a commissioned ruling elder serving under the jurisdiction of the Presbytery of Cincinnati, or a certified Christian educator, the incident shall be reported to the Committee on Ministry.
- c. Committee on Preparation for Ministry.** If the accused is an inquirer or candidate under care of the presbytery, the incident shall be reported to the Committee on Preparation for Ministry.
- d. Other PC(USA) council.** If the accused is a staff person of another council or a volunteer with another council the incident shall be reported to the other council.
- e. Other religious organization.** If the accused is under the jurisdiction of another religious organization, the incident shall be reported to the appropriate authorities of the organization.
- f. Insurance carrier.** The General Presbyter shall also report the incident to the Presbytery of Cincinnati's insurance carrier.

**6. Incident report form.** Within 48 hours after the incident, each person with knowledge of the incident shall complete a Presbytery of Cincinnati Incident Report Form and deliver the form to the General Presbyter. (See Appendix C.)

## **D. Church Disciplinary Proceedings**

**1. Investigation.** The person or persons making the initial report to the General Presbyter shall not conduct an investigation of the incident, but shall take all necessary steps to insure the immediate safety of the alleged victim(s). Any further investigation shall be conducted by the investigating committee in accordance with the Rules of Discipline, by the Presbytery of Cincinnati's insurance carrier, or by the civil authorities. The General Presbyter shall determine to what extent the incident needs to be further investigated separately by the Presbytery of

Cincinnati for its own purposes or to provide adequate information to another council that may have an interest.

**2. Pastoral care and professional counseling.** The General Presbyter, in consultation with the Committee on Ministry, shall recommend pastoral care as needed for the alleged victim(s), those reporting the incident, the accused, others affected by the allegations, and their respective families. Educational resources and care for congregations affected by the alleged incident shall also be coordinated and provided by the Coordinating Team. The Team shall identify the resources that are available for those purposes. If the victim, the accused or another affected person desires professional counseling, but is unable to afford it, the Coordinating Team will recommend resources to the Committee on Ministry and/or the General Presbyter to provide professional counseling for the person for a reasonable time up to a maximum of one year, to be paid for by the Presbytery of Cincinnati.

**3. Confidentiality.** Because the accused is presumed innocent until proven guilty, care will be taken to protect confidentiality. While the incident is being investigated, all persons with knowledge of the incident shall maintain strict confidentiality and shall share information with others only as requested or permitted by the General Presbyter or as required by mandated reporting laws. The General Presbyter and the investigating committee, if any, shall be in exclusive possession of all reports and other written materials pertaining to the incident. No other person shall keep copies of reports or other records concerning the incident without authorization from the General Presbyter. The General Presbyter shall share information with the Stated Clerk, Sexual Misconduct Prevention Coordinating Team, the Personnel Committee, the Committee on Ministry, the Committee on Preparation for Ministry, and others on a strict need-to-know basis. All third party requests for information shall be referred to the General Presbyter.

**4. Under PCUSA jurisdiction.** If the accused is subject to the jurisdiction of the Presbyterian Church (U.S.A.) and reasonable cause exists to believe that an offense has occurred, the General Presbyter shall commence disciplinary proceedings against the accused under the Rules of Discipline by causing a written statement of alleged offense to be filed with the Stated Clerk. If the accused is subject to the jurisdiction of a council other than the Presbytery of Cincinnati, the Stated Clerk shall submit the written statement to the clerk of session or the Stated Clerk of the presbytery having jurisdiction over the accused. In addition to the foregoing, any person may file a statement of alleged offense with the Stated Clerk in accordance with the Rules of Discipline.

**APPENDIX A**  
**CONGREGATION MEMBER CERTIFICATION FORM**  
**(please print or type)**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

\_\_\_\_\_ The person listed above has successfully passed the congregation's background check for volunteers working with children and/or youth.

\_\_\_\_\_ The person listed above has successfully passed the congregation's motor vehicle check.

Congregation \_\_\_\_\_

Signature of Staff Member or Ruling Elder Responsible for Background Checks:

\_\_\_\_\_ Date \_\_\_\_\_

**APPENDIX B**  
**DISCLOSURE AND CONSENT FORM**  
(please print or type)

1. Name: \_\_\_\_\_

Address: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Evening Phone: \_\_\_\_\_ Mobile Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Occupation: \_\_\_\_\_

Employer: \_\_\_\_\_

Employer's Phone Number and Address: \_\_\_\_\_

Student? Yes \_\_\_ No \_\_\_ If yes, name of school and major:

Previous volunteer experience:

2. Name of local congregation: \_\_\_\_\_.

3. Disclosure. Please answer the following questions. Attach additional sheets if you need more space.

a. Have you ever been convicted of, or pled guilty or no contest to, a crime?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, give details.

b. Has any civil lawsuit against you alleging actual or attempted sexual discrimination, sexual harassment, sexual exploitation, sexual misconduct, physical abuse, child abuse or financial misconduct ever been filed?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please give details and describe resolution of the lawsuit.

c. Have you ever terminated your employment, professional credentials or service in a volunteer position, or had your employment, professional credentials or authorization to hold a volunteer position terminated, for reasons relating to allegations of actual or attempted sexual discrimination, sexual harassment, sexual exploitation, sexual misconduct, physical abuse, child abuse or financial misconduct?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please give details.

d. Do you have a valid driver's license?

Yes \_\_\_\_\_ No \_\_\_\_\_

State that issued it: \_\_\_\_\_

Name of Insurance carrier: \_\_\_\_\_

e. Have you ever had your driver's license suspended or revoked due to reckless driving or driving while intoxicated or under the influence of a controlled substance?

Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please give details.

#### 4. Certification and Consent.

I certify that the foregoing information is true and complete to the best of my knowledge. I hereby authorize the Presbytery of Cincinnati to conduct a background check on me and to verify all statements made on this form, and I hereby release the Presbytery of Cincinnati, and its employees and agents from all liability in connection therewith.

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

**APPENDIX C**  
**INCIDENT REPORT FORM**  
(please print or type)

Date of Report: \_\_\_\_\_

**1. REPORTER INFORMATION**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Other: \_\_\_\_\_

**2. ALLEGED VICTIM INFORMATION (if different from reporter)**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Other: \_\_\_\_\_

**3. ACCUSED**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email \_\_\_\_\_

Cell Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Other: \_\_\_\_\_

#### **4. DESCRIPTION OF INCIDENT**

Please describe the incident(s) of alleged abuse or neglect, including date, time, and location of each incident.

#### **5. MEDICAL ASSISTANCE**

If medical assistance or first aid was provided at the scene, please describe the assistance given and the medical disposition (taken to hospital, etc.).

#### **6. OTHERS HAVING KNOWLEDGE OF THE INCIDENT**

Please list the name, address, and phone number of each person who may have information related to or pertinent to the incident. Give email and cell phone if available.

#### **7. OTHER INFORMATION**

Please give any additional information that may be helpful.

If you need more room to answer any questions, please attach additional sheets.

**Return this form to General Presbyter OR Person In Charge of the activity.**

In addition to mandated reporters, persons who are not mandated reporters are also permitted to make reports of suspected child abuse or neglect. Whether or not the person making the report is a mandated reporter, his or her identity is protected by statute, and a person who makes a report in good faith is immune from civil or criminal liability.

Criteria needed for a child abuse or neglect investigation:

- The alleged victim is a child under 18 years or person of diminished capacity.
- The alleged perpetrator is a parent, guardian, foster parent, relative caregiver or any person responsible for the child's welfare at the time of the alleged abuse or neglect. (Any person who abuses a child must be reported under the other provisions of this policy)
- There is a specific incident of abuse or neglect or a specific set of circumstances involving suspected abuse or neglect.
- There is demonstrated harm to the child or a substantial risk of physical or sexual injury to the child.

Information the reporter should have ready to give to the Hotline:

- Names, birth dates (or approximate ages), genders, races, etc. for all adult and child subjects.
- Addresses for all victims and perpetrators, including current location.
- Information about the siblings or other family members, if available.
- Specific information about the abusive incident or the circumstances contributing to risk of harm.
- When the incident occurred and the extent of the injuries.
- How the child says it happened and any other pertinent information.
- Reporters should be prepared to provide phone numbers where they may be reached throughout the day in case the Hotline must call back for more information.

