



Gloria Dei Lutheran Church

250 Fox Hill Road
Hampton, Virginia 23669
757-851-2838

Child, Youth and Vulnerable Adult Protection Policy

Purpose

Gloria Dei Lutheran Church (hereafter known as “GDLC”) via this Child, Youth and Vulnerable Adult Protection Policy (hereafter known as “Protection Policy”) affirms its absolute and unwavering commitment to provide a safe environment for all children, youth and vulnerable adults involved in its ministries. Although GDLC realizes that it cannot absolutely guarantee the safety and security of all people, at all times, it believes that the risk of harm to children, youth and vulnerable adults can be reduced through the establishment of and adherence to reasonable policies and procedures. To this end, GDLC implements this Protection Policy in order to:

1. Establish reasonable procedures to reduce the risk of physical, emotional, and sexual abuse of our children, youth, and vulnerable adults as they participate in GDLC events;
2. Protect our children, youth and vulnerable adults; and
3. Protect our staff and volunteers from false allegations of misconduct.

Failure to adhere to this policy is grounds for disciplinary action, up to and including termination of employment and/or volunteer service.

Policy: Reducing the Risk of Abuse in the Church

Personnel Selection

All paid staff and volunteers who have routine contact with children, youth, and vulnerable adults in any capacity shall adhere to the following procedure:

1. Application forms (Addendum I) shall be required for all volunteers with children, youth, and vulnerable adults. Once completed, these forms shall be submitted to the Church Office, as appropriate.
2. All paid staff and as well as all volunteers who work with children, youth, and vulnerable adults will be required to read the Safe Gatherings policy, and sign a form indicating that they have read and that they understand the policy, and agree to abide by it. Annual training is required of all paid staff and volunteers who work with children, youth and vulnerable adults.
3. Paid staff and volunteers who work with children, youth, and vulnerable adults to include chaperones and drivers who stay overnight with children, youth and vulnerable adults shall be required to be screened through a national background check paid for by the church through Virginia Department of Social Service until 09/01/2021 and after this date Safe Gatherings will be used. These paid staff and volunteers will complete the

authorization for the background check (Addendum II) and submit it to the Church Office. This background check will be repeated every three years for as long as the staff person or volunteer is still working on a routine basis with children, youth or vulnerable adults.

4. Anyone who has had a child, youth or vulnerable adult abuse conviction or a violent crime conviction (see Addendum III) as well as anyone refusing to sign the statement will not be permitted to work with children, youth or vulnerable adults.
5. Persons with substance abuse convictions or any other prior convictions not including violent crimes or child abuse will be reviewed on a case-by-case basis by Head of Staff and Principal and if appropriate the church council will be informed.
6. Occasional volunteers, such as chaperones, drivers or other volunteers at any function at the church are exempt from the national background checks unless they act in such a capacity more than two (2) times in any calendar year, or volunteer for an overnight event, in which case they will be screened through a national background check.

Staffing of Classes, Activities, and Overnights

Our goal is to staff all classes, activities, and overnights in accordance with the following general guidelines:

1. Two unrelated adult workers to work with children's and youth classes or groups involved in the church's ministries. If there are not two leaders available for each group, then either the group will be combined with another group to make possible the presence of two leaders or visual access must be obtainable to the group by other adults present. If these conditions are not met, that specific activity will be canceled.
2. Only those people who have continuous active involvement in GDLC for at least six months will be considered as volunteers with children, youth or vulnerable adults. However, if potential volunteers have been active in another church, they may complete an application form with references checked (to include the senior pastor in the previous church), have a national background check, and the six-month rule will not apply.
3. The following ratios will apply for each group beyond the initial two-adult rule:
 - One adult to three children, zero to twelve months of age.
 - One adult to four children, ages twelve to twenty-four months
 - One adult to six children, ages twenty-four months to thirty-six months
 - One adult to eight children, youth (ages three to seventeen years) or vulnerable adults
4. The specific needs of any child, youth or vulnerable adult may require a change from these guidelines.
5. No workers under the age of eighteen unless supervised by two (2) adults
6. No workers less than five (5) years older than the oldest child/youth in the program
7. An adult "rover" to make random, unannounced inspections of all rooms and activities. Adult leaders are to appoint a rover at the beginning of each event. The rover is to report on what is seen and/or not seen during their time of watch (this includes note taking of lights that are out or outside doors that may need attention).

8. Overnights

- If any group stays overnight at the church, two or more adult leaders, not related by marriage, must be present at all times. The ratio of adult supervision to children, youth or vulnerable adults must be in accordance with this policy's guidelines.
- When staying in a hotel, adults shall sleep in separate rooms from children/youth; or if necessary for children/youth to share a room with an adult, adults shall sleep in separate beds from the children.

9. Transportation

- Two adults should be present in a vehicle transporting one child, no matter the age; and the same is true for when transporting children under the age of twelve. In the case where there are two or more children, aged twelve and older, one adult may transport the children.
- If adequate adult staffing is not available, parents/caregivers should drop off and collect their child, youth or vulnerable adult at the event if local.
- On longer trips, vehicles should travel in convoy, stopping together at predesignated areas or as is necessary as a group.
- Adults should drive no more than two hours at a time without a break.
- Driver cell phones should be hands-free.

10. Leaders of community groups of children, youth or vulnerable adults who use the church facility, including its outdoor facilities, are required to read this policy, and sign the Gloria Dei Lutheran Church acknowledgment form. This requirement is to be included in any agreement or approval to use the facility whether entered into by the Trustees or any other church authority.

11. Groups that do not include "children" also need to be aware of and sign this policy, because another group might be present, and these types of groups need to recognize that there may be children/youth present.

12. The use of church or private video or camera equipment does not alter the requirements of this policy.

Physical Facilities

Our goal is to conduct observation of classes and activities in such a fashion that minimizes interruption and respects appropriate privacy:

1. Glass should be left uncovered in classroom doors or the door is to be left open.
2. One-on-one mentoring or consultation between an adult and a child, youth or vulnerable adult will be conducted in a room or area that is in plain view of others.

Discipline

Children and youth should be made aware that appropriate behavior is expected at all times.

1. In cases where behavior has to be addressed, adult leaders should handle the situation by first redirecting behavior to another activity.
2. 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 Gatherings guidelines in mind.
3. In no case, is physical discipline or ridicule appropriate measures to deal with problems.

4. Keeping parents/guardians involved is critical. They need to be kept up to date on behavior challenges.
5. An Incident Report (Addendum IV) should be filled out by the supervising adult. This report should then be given to the Church Office and the report will be kept on file.

Physical Injury/Accidents

The safety and well-being of participants should be a top priority during every ministry activity.

1. Should an accident occur resulting in physical injury, the Church and/or School Office and the parent/caregiver should be immediately notified.
2. An Accident Report form (Addendum V) should be completed by the supervising adult and then given to the Church Office and the report will be kept on file.
3. If there is any indication that emergency medical treatment is required, the Hampton Fire Division will be contacted for appropriate dispatch of emergency personnel.

Reporting Abuse Incidents

Generally

Those who observe other's inappropriate behavior towards a child, youth or vulnerable adult or the results of such inappropriate behavior (abuse/neglect) towards a child, youth or vulnerable adult are usually troubled by what they have seen and have questions regarding the appropriate course of action to take. The following procedures set forth in this policy are designed to provide reassurance to those that have observed such behavior by setting forth the appropriate actions to be taken and to establish procedures that are in accordance with the *Code of Virginia* and the Virginia Synod of the Evangelical Lutheran Church in America.

1. Anyone signing this document is obligated to report abuse and/or neglect of children, youth, and/or vulnerable adults.
2. Investigating whether an individual has or has not been abused and ultimately whether a report of suspected abuse or neglected is based upon fact is a matter to be resolved by local and state professionals.
3. The person making a report or who participates in a judicial proceeding stemming from the report filed is not liable unless it is proven that they acted in bad faith or with malicious intent.

Reporting Procedures

Reports of suspected child, youth or vulnerable adult abuse or neglect can be made in either of two ways:

1. Directly to the local department of the county or city wherein the child/adult resides or wherein the abuse or neglect is believed to have occurred or to the Virginia Department of Social Services' toll-free hotlines, 1-800-552-7096 (children and youth) or 1-888-83ADULT (vulnerable adults).
2. Directly to at least two of the following (unless allegations involve one or more of the listed): the senior pastor and/or principal, and/or a staff member. The person notified shall immediately contact the pastor and/or members of church council.

A complaint involving the Senior Pastor, other clergy and/or their families is to be reported to the President of the church council who shall notify the Bishop's Office of the Virginia Synod, ELCA, who shall then direct the next steps taken by the church in responding to the allegations.

All reports will be taken seriously

When reported to Gloria Dei Staff (as noted in item 2 above), the Senior Pastor and/or School Principal, with support from other key church leaders, will determine the appropriate response. In some cases, only clarification of policy or appropriate behavior may be warranted. In these circumstances, the staff and council will determine the correct procedure and will document the corrective measures.

If reportable, the church council will take the following steps:

1. Immediately notify the Virginia Department of Social Services of the allegation.
2. Immediately notify the parents if it is not known that they have previous knowledge.
3. Immediately notify the church's insurance company.
4. Immediately notify the District Superintendent.

If the church council determines that the notification steps listed above are appropriate, and the accused has assigned duties within the life of the church, then that person must be temporarily relieved of their duties until the investigation is concluded.

Official Spokesperson

The Senior Pastor is the official spokesperson of GDLC and will be the only one to respond to internal or external requests for information about any incident. If the accusation is against the pastor, the president of the church council will be the official spokesperson of GDLC. Note that you as volunteer or staff are not to at any point answer questions from or be interviewed by the media.

Review of this Policy

This policy may be reviewed and amended by action of the church council at any time. The full policy will be reviewed and re-approved by the Church Council at least every three (3) years.

Date Reviewed and Approved: _____

(A record of this action should be included in Church Council Meeting Minutes.)



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ACKNOWLEDGMENT Of Child, Youth and Vulnerable Adult Protection Policy

After reviewing the foregoing Policy, please sign, date, detach and return this portion to indicate that you have read, understood and accept the *Child, Youth and Vulnerable Adult Protection Policy* of Gloria Dei Lutheran Church.

Name _____

Address _____

City _____ State _____ Zip _____ Phone Number _____

I have read and understand the *Child, Youth and Vulnerable Adult Protection Policy* of Gloria Dei Lutheran Church. I agree to abide by this policy.

Signature _____ Date _____

Addendum I



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Volunteer Application

Name _____

Address _____

Home Phone _____ Cell Phone _____

E-Mail Address _____

1) Are you are a member of the church?

Yes

No

If yes, since when: Month _____ Year _____

2) Do you regularly attend worship services?

Yes

No

3) Do you regularly attend a Bible Study or have quiet time with the Lord?

Yes

No

4) I would like to volunteer because (also, please list previous volunteer experience):

5) Special interest, hobbies or skills

6) Please provide two personal references and contact information for each.

a) Name _____

Phone _____ Email _____

Relationship to Applicant _____

b) Name _____

Phone _____

Email _____

Relationship to Applicant _____

Signature of Applicant _____

Date _____

To be submitted to the church office.

Addendum II



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Authorization and Release for the Procurement of a National Records Check

Gloria Dei Lutheran Church (GDLC) is responsible for ensuring a safe environment at any and all ministries on behalf of children, youth and vulnerable adults. To this end, GDLC has implemented a *Child, Youth, and Vulnerable Adult Protection Policy* in order to:

- 1) Establish reasonable procedures to reduce the risk of physical, emotional and sexual abuse of our children, youth, and vulnerable adults as they participate in GDLC ministries and events;
- 2) Protect our children, youth, and vulnerable adults; and
- 3) Protect our staff and volunteers from false allegations of misconduct.

I understand and agree to the following:

- 1) A background check is not only for the benefit of GDLC as a sound practice, but also for the benefit of all who participate in ministry programs. It is no reflection on an applicant.
- 2) All reports are confidential, and provided to GDLC for the purpose of service within ministry settings only. GDLC uses Virginia Department of Social Services and/or Safe Gatherings for its criminal records screening.
- 3) The information contained on this authorization/release form is true and correct and that my application or service may be terminated based on any false, omitted, or fraudulent information.

Your signature _____ Date _____

Last Name _____ First Name _____ Middle Name _____

Email _____



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Violent Crime Convictions

- Breaking and Entering with Intent to Commit a Felony/Larceny (with or without a deadly weapon)
- Breaking and Entering with Intent to Commit Rape, Murder, Robbery, or Arson
- Breaking and Entering Dwelling House with Intent to Commit other Misdemeanor (when committed with a deadly weapon)
- Drug Possession with the Intent to Distribute
- Drug Distribution
- Drug Manufacturing
- Robbery
- Malicious/Unlawful Wounding
- Felonious Assault
- Maiming
- Murder
- Manslaughter – Involuntary or Voluntary
- Production, publication, sale, financing, etc., or child pornography
- Shooting into an Occupied Vehicle or Building
- Arson of an Occupied Vehicle or Building
- Hit and Run/Leaving the Scene of an Accident with Injury
- Election Fraud
- Rape
- Forcible Sodomy/Sodomy of a Minor
- Carnal Knowledge of a Minor
- Carnal Knowledge of an Inmate by Correctional or Law Enforcement Officer
- Breaking and Entering with Intent to Commit Rape or Assault
- Accommodation Sale of a Controlled Substance
- Child Abuse or Neglect
- Statutory Burglary with Intent to Commit Murder, Rape, Robbery or Arson
- Statutory Burglary under VA Code 18.2 – 91 (when committed with a deadly weapon)

Source: "Crime in the Commonwealth of Virginia"



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Incident Report Form

To be completed by the Supervising Adult:

Name of person(s) filling out report: _____

Date and time of incident: _____

Name of person(s) involved: _____

Location of incident: _____

Name of person(s) who witnessed the Incident:

Incident Description:

I have contacted Virginia Department of Social Services at 1-800-522-7096 (children and youth) or 1-888-83-ADULT (vulnerable adults).

I have notified at least two of the following: the senior pastor and/or principal, and/or a staff member (the individuals notified are named below):

_____ & _____

Signature of Incident Reporter Date

This form is to be filled out by the supervising adult and given to the church office.



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Accident Report Form

Name of person(s) filling out report: _____

Date and time of accident: _____

Name of person(s) involved: _____

Location of accident: _____

Name of person(s) who witnessed the accident:

Accident Description:

Medical Care (if necessary): _____

Signature of Accident Reporter

Date

This form is to be filled out by the supervising adult and given to the church office.

Definitions



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Commonwealth of Virginia Statutes

Under Section 63.2-100.1 of the *Code of Virginia* (1950) as amended, an abused child is defined as one who is less than eighteen years of age, “whose parents or other person responsible for his care creates or inflicts, threatens to create or inflict or allows to be created or inflicted upon such a child a physical or mental injury by other than accidental means, or creates a substantial risk of death or disfigurement or impairment of bodily or mental functions.”

An act of child abuse may be committed by any person responsible for the care of another individual who is less than eighteen years of age. It does not matter whether the person caring for the child under the age of 18 (hereinafter referred to as a “Child” or “Children,” which term as used in this Policy also includes youth ages 12-18) is a compensated or a volunteer worker. It does not matter whether the person routinely is entrusted with the care of children or whether the person was entrusted with the care of a child for an hour or only a moment. It only matters that a child was abused or neglected by the person who, on the occasion in question, was responsible for the child’s care.

Child Abuse

Child Abuse Definition

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

Types of Abuse and Neglect (Source: Virginia Department of Social Services)

- **Physical Abuse:** A physical injury, threat of injury, or creation of a real and significant danger of substantial risk of death, disfigurement, or impairment of bodily functions. Such injury or threat of injury, regardless of intent, is inflicted or allowed to be inflicted by non-accidental means. Examples: asphyxiation, bone fracture, brain damage, skull fracture, subdural hematoma, burns, scalding, cuts, bruises, welts, abrasions, internal injuries, poisoning, sprains, dislocations, gunshot, stabbing wounds.

- **Physical Neglect:** The failure to provide food, clothing, shelter, or supervision for a Child if the Child's health or safety is endangered. Physical neglect may include multiple occurrences or a one-time critical or severe event that results in a threat to health or safety, such as a toddler left alone. Other types of neglect include abandonment, inadequate supervision, inadequate clothing, inadequate shelter, inadequate personal hygiene, inadequate food, and malnutrition.
- **Sexual Abuse:** Any act defined in the *Code of Virginia* that is committed or allowed to be committed, upon a Child by his/her parent or other person responsible for the Child's care. Examples of such abuse are sexual exploitation, sexual molestation, intercourse/sodomy, and other sexual abuse.
- **Medical Neglect:** The refusal or failure by a care giver to obtain and/or follow through with a complete regimen of medical, mental, or dental care for a condition, which if untreated, could result in illness or developmental delays.
- **Failure to Thrive:** A syndrome of infancy or early childhood that is characterized by growth failure, signs of severe malnutrition, and variable degrees of developmental retardation. Children are considered to be in this category only when the syndrome is diagnosed by a physician and is caused by non-organic factors.
- **Mental Abuse/Neglect:** A pattern of acts or omissions by the caregiver that results in harm to a Child's psychological or emotional health or development.
- **Educational Neglect:** The failure of the Child's caretaker to ensure that the Child attends school or an approved alternative program of study.
- **Bizarre Discipline:** Any actions in which the caregiver uses eccentric, irrational, or grossly inappropriate procedures or devices to modify the Child's behavior.

Vulnerable Adult Abuse

Vulnerable Adult Abuse Definition

Vulnerable Adult Abuse as defined by Adult Protective Services, is “the willful infliction of physical pain, injury or mental anguish or unreasonable confinement upon a person 18 years or older whose vulnerability is related to impaired physical and/or mental health and/or physical disability.” Abuse includes battery and other forms of physical violence including, but not limited to, hitting, kicking, burning, choking, scratching, rough handling, cutting, biting, etc. It includes sexual assault, inflicting pornography, voyeurism, exhibitionism, and other forms of forced sexual activity on an elder or an adult with disabilities. It includes any sexual activity with an adult who is unable to understand or give consent. It includes the control of an adult

through the use of threats and intimidation and through the abuse of a relationship of trust (*Code of Virginia*, §63.2-100.6).

Types of Abuse (Source: Virginia Department of Social Services)

- **Neglect:** An adult living under such circumstance that he is not able to provide for himself or is not being provided such services as are necessary to maintain his physical and mental health and that the failure to receive such necessary services impairs or threatens to impair his well-being. This definition incorporates both those who are self-neglected, i.e., living under such circumstance that he/she is not able to provide for himself/herself, and those whose need for physical and mental health services are not being provided by another person. Indicators of neglect include, but are not limited to, malnourishment, dehydration, the presence of pressure sores, inadequate personal hygiene, inadequate and/or inappropriate clothing, inadequate or inappropriate supervision, extreme filth of person or home, severe pest/rodent infestation, offensive odors, inadequate heat, no fuel, no electricity, no refrigerator, or untreated physical or mental health problems. Abandonment is also a form of neglect.

- **Exploitation:** The illegal use of an incapacitated adult or his resources for another's profit or advantage. Exploitation, or financial abuse, is accomplished by the use of covert, subtle, and deceitful means. It is usually a pattern of behavior rather than a single episode. Financial exploitation includes, but is not limited to, the crimes of larceny, embezzlement, theft by false pretenses, burglary, forgery, false impersonation, and extortion. Indicators that a person is being financially exploited may include, but is not limited to: activity in that adult's bank account that is erratic, unusual, or uncharacteristic of that person; the person's automatic teller card is used and the account owner is unable to use the card; new acquaintances have taken up residence in the older person's home; change in the older person's property titles, will, or other documents, particularly if the person is confused and/or the documents favor new acquaintances; a power of attorney is executed by a confused older person; documents and/or property is missing; the older person is being evicted and believes he/she owns the house; or the elder's mail has been redirected to a different address.

Additional Adult Abuse Definitions

The Virginia Department of Mental Health, Mental Retardation, and Substance Abuse Services (DMHMRSAS) means "any act or failure to act by an employee or other person responsible for the care of an individual that was performed or was failed to be performed knowingly, recklessly, or intentionally, and that caused or might have caused physical or psychological

harm, injury, or death to an individual receiving services. Examples of abuse include but are not limited to the following:

- Rape, sexual assault, or other criminal behavior;
- Assault or battery;
- Use of language that demeans, threatens, intimidates or humiliates the person;
- Misuse or misappropriation of the person's assets, goods or property;
- Use of excessive force when placing a person in physical or mechanical restraint;
- Use on a person of physical or mechanical restraints that is not in compliance with federal and state laws, regulations, and policies, professionally accepted standards of practice or the person's individualized services plan; and
- Use of more restrictive or intensive services or denial of services to punish the person or that is not consistent with his individualized services plan.