



Policy for the Protection of Children, Youth, and Vulnerable Adults

Revised and Approved by the Common Table for Church Vitality: November 21, 2013

Our Wesleyan heritage calls us as United Methodists to justice and advocacy for those in our communities whose voices are often not heard or overlooked. The realities of the world around us cause us to focus in particular on the children, youth, and vulnerable adults who participate in ministries of the Virginia Conference. Among those realities is the fact that during the 2012 fiscal year for the Commonwealth of Virginia, there were 52,675 children reported to local Departments of Social Services as possible victims of abuse and/or neglect. Virginia Adult Protective Services (APS) received almost 20,000 reports of adult abuse, neglect, or exploitation during that same period (data from on-line 2012 reports: <http://www.dss.virginia.gov>).

Virginia Conference boards, agencies, and commissions are responsible for ensuring a safe environment at any and all Conference events on behalf of children, youth, and vulnerable adults. The example and teaching of Jesus tells us that every individual has talents, gifts, and undiscovered possibilities that together make the Body of Christ stronger. God values human life, intending all men, women, and children to have worth and dignity in all relationships with God and others. To this end, the Conference cares deeply about the safety and well-being of all God's children that come to us to experience God's love, especially children, youth, and those persons who fall within the definition of vulnerable adults whose disabilities, health conditions, and/or age result in the need for personal assistance, supervision, and/or other specialized programming.

The Conference realizes that no person, organization, board, agency, or commission can absolutely guarantee the safety and security of all people at all times. However, the Conference believes that the risk of harm to the children, youth, and vulnerable adults that come to programs and events sponsored by the Virginia Conference of The United Methodist Church can be reduced through the establishment of and adherence to reasonable policies and procedures.

To this end, the Conference implements this "Policy for the Protection of Children, Youth, and Vulnerable Adults" (hereinafter the "Policy") for boards, agencies, and commissions 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 Virginia Conference events,
- 2) Protect our children, youth, and vulnerable adults; and
- 3) Protect our staff and volunteers from false allegations of misconduct.

This policy applies to all staff and volunteers, clergy or lay, who have contact with or responsibility for children, youth, and/or vulnerable adults at Conference sponsored events. This policy is not intended to supplant or replace the "Sexual Ethics Policy for Clergy, Diaconal Ministers, and Certified Lay Professionals of the Virginia Conference" (approved by the 2001 Virginia Annual Conference and updated in 2009) or "Clergy and the Reporting of Suspected Abuse or Neglect" (approved by the 2005 Virginia Annual Conference and revised in 2009), which remain in full force and effect.

THEOLOGICAL FOUNDATION

*“Go out into the roads and lanes, and compel people to come in, so that my house may be filled.”
Luke 14:21 (NRSV)*

In the Parable of the Great Banquet, Jesus reminds us that God is in the business of inviting all people to the table, where they can be nurtured and transformed to be Christ to others. Today, we continue to recognize that each individual is a child of God and must be allowed to live free of fear, surrounded by love. As Christian adults, we must establish and maintain a nurturing, loving, safe and secure Christian environment, providing support and assistance to our children, youth, and vulnerable adults, remembering that our mandate is not only a responsibility, but an opportunity to protect the gift that God has bestowed upon us.

“A new commandment I give you: Love one another. As I have loved you, so you must love one another.” - John 13:34 (NIV)

*“Blessed are your eyes, because they see; and your ears, because they hear.”
Matthew 13:16*

GENERAL CONFERENCE MANDATES

One aspect of fulfilling our baptismal promise to care for children, youth, and vulnerable adults means to “surround these persons with a community of love and forgiveness...” (The Baptismal Covenant II, *United Methodist Hymnal*) Surrounding these persons means to provide safe sanctuaries where they can be loved and nurtured in the faith.

Our Social Principles remind us that:

- “in particular, children must be protected from economic, physical, emotional, and sexual exploitation and abuse.” (2012 *The Book of Discipline of The United Methodist Church*, ¶162.III.C)
- we affirm “the full humanity and personhood” of all individuals with disabilities “as full members of the family of God.” (2012 *Book of Discipline*, ¶162.III.I)
- we “ensure to the aging the respect and dignity that is their right....” (2012 *The Book of Discipline of The United Methodist Church*, ¶162.III.E)

Clergy and religious professionals have a responsibility to those in their congregations and broader community, especially those whose voice is compromised by age, ability level, and/or abuse or neglect. The 2004 General Conference initially took note of this responsibility when they adopted the statement:

*“All clergy of The United Methodist Church are charged to maintain all confidences inviolate, including confessional confidences, except in the cases of suspected child abuse or neglect or in cases where mandatory reporting is required by civil law. (2012 *Book of Discipline*, ¶341.5 page 270)”*

Resolution 3084, "Reducing the Risk of Child Sexual Abuse in the Church," and Resolution 8014, "Church Participation by a Registered Child Sex Offender," (2012 *Book of Resolutions of the United Methodist Church*, p. 240 and p. 900 respectively) provide guidance to the local church and annual conference as to making our churches safe places, protecting children and other vulnerable persons from abuse.

The *Book of Discipline* (§1119 – Age-Level, Life-Span, and Family Ministries) provides the following definitions of the age groups covered by this policy.

- Child – persons up to approximately 12 years of age, generally persons from birth through sixth grade
- Youth – persons in the twelve- to eighteen-year-old age group, generally persons in the seventh through twelfth grades
- Adult – persons 18 years of age and older

COMMONWEALTH OF VIRGINIA STATUTES

Because of our commitment to care for all God's children and protect the vulnerable, Virginia Conference sponsored activities fully comply with the definitions offered by the Virginia Department of Social Services governing children, youth, and vulnerable adults.

Child and adult protection programs are mandated by statute. The Commonwealth of Virginia's current child abuse reporting statute was first enacted in 1975. Section 63.2-100 has been amended and modified a number of times. The statute is comprehensive, requiring the reporting of numerous types of maltreatment. The law applies to any child under 18 years of age when a parent or any person responsible for the child's care:

- Causes or threatens to cause non-accidental physical or mental injury;
- Has a child present during the manufacture or attempted manufacture of a controlled substance or during the sale of such substance where such activity would constitute a felony violation;
- Neglects or refuses to provide adequate food, clothing, shelter, emotional nurturing, or health care;
- Abandons the child;
- Neglects or refuses to provide adequate supervision in relation to the child's age and level of development;
- Knowingly leaves a child alone in the same dwelling with a person, not related by blood or marriage, who has been convicted of an offense against a minor for which registration is required as a violent sexual offender; or
- Commits or allows to be committed any illegal sexual act upon a child, including incest, rape, indecent exposure, prostitution, or allows a child to be used in any sexually explicit visual material.

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 is a compensated or a volunteer worker. It does not matter whether the person routinely is entrusted with the care of children or whether such individual only occasionally comes in contact with children. It does not matter 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.

Title 63.1 of the *Code of Virginia* establishes a protective services program for persons who are 60 and over and "incapacitated persons ages 18 to 59." Adults with disabilities covered under the *Code* are those "persons who are 18 years or older whose vulnerability is related to impaired physical and/or mental health and/or physical disability." The statutory basis for the program is found in sections 63.1-55.1 through 62.1-55.7 of the *Code of Virginia*.

TYPES OF ABUSE

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 noted in administrative code for the Virginia Department of Social Services are described below:

- **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.

Adult Protective Services define the following (*Code of Virginia*, §63.1-55.2):

- **Abuse:** The willful infliction of physical pain, injury or mental anguish or unreasonable confinement. 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.
- **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.
- **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.

Abuse under the definition of the Virginia Department of Behavioral Health and Developmental Services (DBHDS) 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.

Policy Review

The policy for the protection of children, youth, and vulnerable adults of the Virginia Conference United Methodist Church shall be reviewed every five years and approved by the Virginia Conference Common Table for Church Vitality.

Procedures for Conference Boards, Agencies, and Commissions with Direct Oversight and Care for Children, Youth, and Vulnerable Adults

Application and Screening Procedures for Staff and Volunteers

Definition of Staff: Every person hired or approved by the board, agency, and/or commission for a paid staff position, (hereinafter referred to as "Staff"), regardless of whether the position is full-time, part-time, permanent or temporary and regardless of whether such position directly or routinely involves the care of children, youth, or vulnerable adults will be subject to this Policy. Staff includes, but is not limited to, the director of the program/event, interns, staff of camps or events under the direction of the board or agency, and child care workers. Staff does not include speakers, short-term presenters, facilitators, or performers.

Definition of Volunteers: For purposes of this Policy, individuals approved by the board, agency, and/or commission to provide education and care for children, youth, and/or vulnerable adults on a volunteer, uncompensated basis shall be referred to as "volunteers". For purposes of this Policy, volunteers include:

- All camp volunteer staff, both day and overnight;
- Leaders, assistant leaders, and other volunteers for events and activities under the direct supervision of the board, agency, and/or commission;
- Child care assistants; and
- Other volunteers not expressly excluded from coverage of this Policy who participate in activities involving children, youth, and/or vulnerable adults.

Individuals participating in the ministry to children, youth, and/or vulnerable adults under the direction of the board, agency, and/or commission as speakers, short-term presenters, facilitators, or performers **will not** be screened in accordance with the procedures set forth above. Pursuant to this Policy, individuals participating as speakers, short-term presenters, facilitators, and performers will not be left alone with any child, youth, and/or vulnerable adults participating in a conference-sponsored activity.

Age Requirement: All volunteers must be at least 16 years of age. Volunteers under the age of 18 must work with and under the supervision of an adult volunteer. Youth employees and youth volunteers (under the age of 18) must have signed parental permission (on screening form and volunteer agreement) before they can be authorized to serve with children, youth, and/or vulnerable adults.

Primary Screening Form: Every staff and volunteer will complete and execute an application or other screening form. No volunteer will be allowed to serve until the individual has completed the application process. The application form must request the name, addresses and telephone numbers of a minimum of at least one (1) reference. This reference is not to be related by blood or marriage or employed or supervised by the applicant. The appropriate board, agency, or commission will maintain the applications/screening forms.

Records Check: Any staff member or volunteer 18 years of age or older who is not covered by Virginia Conference employment policies will complete the necessary forms to undergo a National criminal records check and to permit transmittal of the official written results of this check directly to the board, agency, or commission. Any current staff member or volunteer, who has within the last 5 years previously had a records check completed by an office under the

Connectional Ministries of the Virginia Conference will not be required to undergo an additional check. Returning seasonal volunteers will have a records check repeated every 5 years. Procedures for payment for the check required by this Section will be established by each board, agency, or commission. The conference will provide a source for affordable National records checks through an approved organization.

Results of Record Check and Search/Refusal to Complete Screening Procedures: No volunteer will be allowed to serve: (a) until the individual has met all of his/her obligations as set forth in this Policy; (b) if it is determined the individual has a pending charge of, has been convicted of, or has pled guilty to a charge of sexual misconduct, child abuse, molestation, neglect, or other violent misconduct, including but not limited to those offenses set forth in Section 63.1-198.1 of the *Code of Virginia*; or (c) if the individual refuses to participate in any part of the screening procedures set forth in this Policy.

The *Code of Virginia* prohibits individuals with certain barrier offenses as defined in Section 63.2-1719 from working with children, youth, and vulnerable adults in regulated and licensed programs. The Virginia Conference adheres to these same requirements for volunteers in any capacity that involves direct contact with or supervision of children, youth or vulnerable adults. Applicants and volunteers who have been identified as having committed sexual or physical abuse or having a criminal record involving violent crime to another person will not knowingly be employed for service or accepted as a volunteer with programs or activities for children, youth, and/or vulnerable adults. A list of barrier offenses/crimes can be found on the internet at:
http://www.vdh.virginia.gov/OLC/Laws/documents/barrier_crimes_guide.pdf

Under the law, convictions for offenses unrelated to abuse or neglect would not disqualify an applicant for employment or service. Even if the applicant has been convicted of a barrier crime, it may not always prevent employment or service. An applicant who has one misdemeanor conviction specified in the law may serve or be hired if:

- i. The criminal offense did NOT involve abuse or neglect; AND
- ii. Five years have lapsed since the conviction occurred.

Settings and requirements for service with Conference ministries may make it necessary for individual boards, agencies, and commissions to establish specific guidelines for review and acceptance of results of background checks.

Orientation to Service

Training: Each board, agency, or commission is responsible for training and orientation of staff and volunteers. No individual will be allowed to serve in his/her respective position of ministry until he/she has completed the appropriate and/or required training. Training for staff and volunteers for any conference-sponsored event or program will include a session on these child/youth/vulnerable adult protection policies.

Volunteer Agreement: Before beginning service, each volunteer will sign a statement that they have read, understand, and agree to abide by the policy for the protection of children, youth, and vulnerable adults as well as other requirements of the Virginia Conference.

Participant Supervision

Adequate supervision of children, youth, and vulnerable adults will be provided by staff and volunteers under the supervision of the coordinating board, agency, or commission during a conference-sponsored event or activity.

Two Adult Rule: Leaders will be assigned in teams of two or more for all children or youth activities. These two leaders will be unrelated adults age 18 or older and at least 5 years older than the children and youth they supervise. If the group is divided, each subgroup will have two leaders. When the “Two Adult Rule” is not feasible, the adult supervisor will be required to spot check or make unannounced visits as necessary.

While recognizing the importance of developing youth leaders throughout the conference, we must also recognize that persons 18 and under are considered youth and not adults. Therefore, when youth assist with an activity, the youth may not be counted toward fulfilling the “Two Adult Rule.”

Participant to Supervisor Ratios: Adequate supervision will be provided at all times during programs and events sponsored by Conference board, agency, or commission. The following are minimum guidelines, but all ratios shall fall into compliance with the “Two Adult Rule.”

- One adult to three children, 0 to 12 months of age
- One adult to four children, ages 12 to 24 months
- One adult to six children, ages 24 months to 36 months
- One adult to eight children, youth, and/or vulnerable adults ages 3 to 17 years

The following ratios should be considered as a guide for participants with physical and intellectual disabilities:

- Participants needing constant and individual assistance or supervision – 1 leader to 1 child/youth/adult
- Needing close, but not constant, assistance or supervision – 1 leader to 2 children/youth/adults
- Needing occasional assistance – 1 leader to 4 children/youth/adults
- Needing minimal assistance – 1 leader to 5 children/youth/adults

The specific needs of individual children, youth, or vulnerable adults may require a change to these guidelines.

To the extent reasonably possible, adult leadership should be gender balanced in approximately the same proportion as the participant group.

One-on-One Mentoring or Consultation: Any one-on-one mentoring or consultation between an adult chaperone and a child/youth/vulnerable adult is to be conducted in an area that is in plain view of others.

Medical Release Form: A medical release information form should be used for all conference sponsored events involving children, youth, and/or vulnerable adults. Each individual board, agency, and/or commission should also review the need for use of a similar form for staff and volunteers.

Residential Events: Any overnight event is classified as residential. In residential settings, overnight supervision must always be by adults of the same sex as the participants. Adults shall not share the

same bed with a child or youth under any circumstances. Participant to supervision ratios as addressed previously should be followed.

Acknowledgment of the Board/Agency's Responsibility to Contact Parents and/or Necessary Officials: When necessary, the board, agency, or commission will contact the parents or legal guardians of children/youth/vulnerable adults to discuss the participation of the individual in conference-sponsored programs. Staff and volunteers will, as necessary, seek the assistance of parents and legal guardians concerning behavioral problems. The board, agency, or commission reserves the right, in emergency situations, to contact area police or rescue personnel in order to protect the safety and well-being of all those participating in Conference-sponsored activities.

Transportation to Off-Site Activities: When transporting participants to off-site activities, no automobile will contain only one adult (driver) and one child/youth/vulnerable adult. Automobiles will contain either one driver and two or more participants or two adults and any number of child/youth/vulnerable adults (within the seat belt limitations of the vehicle, whereas seatbelts are ALWAYS required). If there is an extenuating circumstance causing only one adult and one child/youth/vulnerable adult to travel together in an automobile, permission must be obtained by a parent or legal guardian of the child/youth/vulnerable adult. This permission should be written and signed by the parent/guardian or documented by the volunteer if only verbal consent is obtainable. In addition:

- It is understood that the adult driving the child must have undergone a background check including a motor vehicle record check.
- Use of child safety seats which meet federal standards is required for children under six (6) years of age. Drivers and passengers must also follow airbag age/weight regulations per specific vehicle guidelines.
- Under no circumstances should anyone under the age of 21 be allowed to drive children, youth, or vulnerable adults *during* an event.
- No consumption of alcohol or use of other drugs at any time by a driver or passenger while traveling to, from, or during a conference sponsored event (unless medication is medically necessary for the health and safety of the driver and/or passenger).
- Driver of the vehicle should refrain from cell phone use while driving.

Release at End of Event: Supervision will be provided following a conference-sponsored event or activity until all persons are in the care and custody of a parent, a legal guardian or other individual designated in writing by the parent/guardian. No participant will be released to anyone other than the parent or legal guardian or approved chaperone unless prior written permission has been granted to by the parent or legal guardian. Sign-out procedures should be established to assure that participants are released only to known, designated individuals.

Exceptions:

- **Youth Attendees or Child(ren) Accompanying An Adult Attendee to an Event Not Designed for Children, Youth, or Vulnerable Adults Attending Events as Full Participants:** When (1) youth under 18 years of age attend an event not specifically designed for youth, (2) children unexpectedly accompany an adult attending an event not designed for children, or (3) vulnerable adults attend an event of their choosing as full participants, the board, agency, and/or commission sponsoring the event cannot be expected to have screened leaders/volunteers or determined the appropriate supervision requirements, or be required to assume responsibility for such attendees.

- **Emergency Situations:** In order to respond reasonably and responsibly to an emergency situation, including but not limited to a medical crisis involving a child/youth/vulnerable adult, the board, agency, and/or commission may find that adherence to the procedures set forth in this Policy is either impossible or, based upon the reasonable judgment of the staff member or volunteer, not in the best interests of an individual entrusted to the care of the Board/Agency. Under such circumstances, adherence to this Policy will not be required.
- **Inadvertent Failures to Follow Policy:** The Conference recognizes that in our active ministries to children/youth/vulnerable adults, occasionally, a staff member or volunteer will find it necessary to care for an individual without the assistance of another volunteer or staff member. During training, the Board, agency, and/or commission will emphasize that those ministering to children/youth/vulnerable adults should endeavor to minimize such instances. Failure to follow this Policy on a routine, unnecessary or unjustified basis will not be permitted.

Procedures for Reporting Inappropriate Behavior or Abuse and Behavior Giving Rise to a Suspicion of Abuse or Neglect

Those who observe others' inappropriate behavior are always very troubled by what they have seen and often have questions regarding the appropriate course of action to take. These procedures set forth are designed to: (1) provide reassurance to those that have observed such behavior, by setting forth the appropriate actions to be taken; (2) establish procedures that are in accordance with the statutes of the Commonwealth of Virginia; and (3) establish procedures that are in accordance with the notification requirements promulgated by the 1992 General Conference of The United Methodist Church and the Virginia Conference Policy on Sexual Misconduct.

Statutory Obligation to Report

Certain persons who suspect that a child, youth, or vulnerable adult is abused, neglected, or exploited are required to report what they suspect to the Virginia Department of Social Services.

- The Virginia Annual Conference expects that when United Methodist clergy and religious professionals of the Virginia Conference become aware of suspected child abuse or neglect, they will insure that a report to Child Protective Services will be made. When a Virginia United Methodist Conference clergy person or religious professional has completed a conference workshop on "*Clergy and the Reporting of Suspected Abuse or Neglect*" they become mandated reporters of suspected child abuse in the Commonwealth of Virginia. Clergy can make reports themselves, anonymously if desired.
- Section 63.1-248.3 of the *Code of Virginia* requires "[a]ny teacher or other person employed in a public or private school, kindergarten, or nursery school, any person providing full-time or part-time child care for pay on a regular planned basis . . . and any person associated with or employed by any private organization responsible for the care, custody, or control of children who has reason to suspect that a child is abused or neglected, to 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 of Social Services' toll-free child abuse and neglect hotline."

- Other professionals who hold specific licenses and certifications validated by the Commonwealth of Virginia are also mandated reporters.

In addition, although not required by law to do so, anyone else who knows or reasonably suspects abuse of a child, youth, or vulnerable adult may choose to report such suspected abuse immediately. All reports of child abuse are confidential and will be investigated. The person making such a report cannot be held liable for making the report, unless it is proven that the person acted in bad faith or with malicious intent.

Reports may be made by calling the local Department of Social Services or the following hotlines which are open 24 hours a day/7 days a week:

- **Children/Youth** **1-800-552-7096**
- **Adults** **1-888-83-ADULT**

State and local officials will require the following information:

1. Name and address of the child/youth/vulnerable adult;
2. Age of the child/youth/vulnerable adult;
3. Names and address of the parent or caregiver;
4. Name of the one who suspects the child/youth/vulnerable adult is being abused or neglected
5. Any other helpful information

The reporter may choose to remain anonymous. If the reporter gives his or her name, it will remain confidential unless otherwise ordered by a court. Following notification, the matter will be transferred to the appropriate local Child or Adult Protective Service (C/APS) unit.

"Reasonable Suspicion"

In accordance with Section 63.1-248.3 of the *Code of Virginia* (1950), all staff and volunteers should report any behavior that, "in [his or her] professional or official capacity, leads the individual [to] have reason to suspect that a child is an abused or neglected child." Staff and volunteers should report even if they lack certainty that an individual has been abused. Neither the law nor The United Methodist Church requires an individual to know, with certainty, or to confirm that an individual has been abused prior to notifying appropriate officials. Moreover, investigating whether an individual has or has not been abused and ultimately whether a report of suspected abuse is, in fact, based upon actual abuse is a matter to be resolved by local and state professionals.

Virginia statutes simply require individuals to report their own suspicions. Such suspicions can be very well founded, i.e., based upon behavior that would lead any reasonable person to suspect child abuse, even though ultimately local or state professionals determine that no child abuse has occurred. Moreover, Virginia law protects those that report suspicious behavior that is found not to be associated with or involve child abuse. An individual who reports suspected child abuse, or participates in a judicial proceeding resulting from such a report is, under Virginia law, immune from any civil or criminal liability in connection with the report or participation. The only requirement for such immunity is that the individual reporting or participating in the judicial proceeding cannot be proven to "have acted in bad faith or with malicious intent." In other words, staff and volunteers

cannot be held liable for notifying officials regarding suspected abuse if the person reporting the behavior honestly suspects that an individual has been abused.

Suspicion of Abuse: If the board, agency, or commission staff member or volunteer believes that the child/youth/vulnerable adult that is the subject of his or her suspicions is in danger, immediate steps must be taken to protect the health, welfare, and well-being of the individual.

Inappropriate Behavior: Certain behavior, while inappropriate, does not lead a reasonable person to suspect that a child has been or is currently being abused; therefore, does not require notification of local or state officials or church officials. Nevertheless, such behavior must be addressed in a timely manner in order to protect children/youth/vulnerable adults. Any inappropriate language or conduct between staff or volunteers and a child/youth/vulnerable adult should be discussed with the appropriate staff member or volunteer who is responsible for administration and/or coordination of the activity in which the individual is participating.

Inappropriate conduct includes, but is not limited to, any action that violates: (1) Virginia law; (2) this or any other written policy of the oversight board, agency, or commission, or (3) any written policy of the General Conference of The United Methodist Church or the Virginia Conference of The United Methodist Church. If either the observer or the individual to whom such behavior was reported, upon reflection, determines that the behavior is not only inappropriate, but also gives rise to a suspicion of child abuse, the procedures for reporting such behavior to church and state officials shall be followed.

Any reported behavior that is of a very serious nature, although not giving rise to a suspicion of child abuse, shall be brought to the attention of the Conference staff member or volunteer in charge of the event who shall participate in all meetings with the individual involved in the misconduct. When appropriate, prompt warnings shall be issued and remedial actions shall be taken.

Reporting Procedures

All allegations of improper conduct involving children, youth, and/or vulnerable adults will be taken seriously and dealt with in a timely manner, according to state law. All reporting of allegations of misconduct during a Conference event will be handled as confidentially as circumstances reasonably permit.

If an allegation of misconduct occurs, all necessary information will be gathered in an appropriate manner. It is important that event staff adhere to all the procedures listed below. However, circumstances and seriousness of the incident may impact the order in which the procedures are followed.

- If needed, emergency medical care should be provided.
- Staff or volunteer will take the child/youth/vulnerable adults to another staff or volunteer, preferably a person in a leadership role in the event.
- Immediately notify the appropriate Conference staff member and/or the volunteer responsible for coordinating the activity in which the individual is participating.
- Immediately begin to document, in writing, the relevant facts and observations. If the volunteer in charge or Conference staff member are unavailable, the Conference office should be

contacted. All volunteers will be given the name of the staff member responsible for the activity in which they are involved.

- Mandatory reporters will report the incident as required by law.
- The Conference staff member shall contact the Director of Connectional Ministries immediately upon determining that a reportable incident has occurred or immediately following a report to state officials. Additional contacts will be made by the Director of Connectional Ministries as appropriate.
- If the incident or behavior to be reported involves either of the persons to whom the report would ordinarily be made in accordance with this section, the individual observing the suspicious behavior shall report the incident to the normal point of contact not involved in the suspicious behavior.
- Alleged perpetrator(s) should be immediately removed from the event.
- Event staff or volunteers will ensure that appropriate care is given to others who may have knowledge of or be affected by the incident.
- Following notification of the appropriate persons, the Conference staff person or the designated authority shall notify the parents/guardians of the child/youth/vulnerable adult.

Other Required Procedures

Documentation: All conversations and actions shall be documented in writing.

Discussion and Publicity: Discussion concerning the reported incident or behavior will not be held except:

1. Between the individual reporting the behavior and the individual to whom the behavior was reported,
2. Appropriate supervisory authorities,
3. The parents/guardians of the involved individual unless the parents or others in the home are suspected of abusing the individual, and
4. State or local officials. No outside media shall be contacted and no statements generated other than by the Director of Communications of the Virginia Conference. Every effort will be made to protect the identity of the child/youth/vulnerable adult and those accused of and those reporting the suspicious behavior or incident.

Confrontation of Accused: No one shall confront the accused with the allegations unless and until advised by state or local authorities and/or Conference officials. The accused shall be relieved temporarily of event duties pending completion of investigation by the Conference and/or state and local officials.

Care for the Victims: The board/agency/commission and Conference shall extend whatever care and resources are deemed necessary to comfort both the victims of the abuse and their families and the accused and his or her family.

Insurance Carrier: The allegations will be reported to the Conference insurance carrier following notification of the Conference officials.

Media Communications: The Bishop and/or his/her designee are the only persons authorized to make statements to representatives of the media. All requests for statements should be directed to the Director of Communications.

Guidelines on Local Church Adult Chaperones with Children/Youth/Vulnerable Adults Attending Events Sponsored by Boards/Agencies/Commissions of The Virginia Conference of The United Methodist Church

For those Conference/District sponsored events where groups of children, youth, and/or vulnerable adults arrive with their own adult leadership, the local church shall be responsible for selecting and screening those adults. The board, agencies, and commissions of the Virginia Conference of The United Methodist Church suggest the following guidelines to direct ALL participating local churches in Conference events:

Each participating group from each local church should ensure that:

- 1) No adult chaperone has been convicted of any illegal conduct involving a minor. It is highly recommended that each church obtain a national criminal records check on all adult chaperones.
- 2) All adult chaperones have been a member or active constituent of The United Methodist Church for at least six months prior to serving as a chaperone.
- 3) Adults are a minimum of 23 years of age when chaperoning high school students and a minimum of 18 years of age when chaperoning middle school students or younger.
- 4) Under no circumstances should anyone under the age of 23 be allowed to drive children/youth/vulnerable adults. Transportation to and/or from a conference sponsored event, when the transportation is not part of the event itself, should fall under the local church's child and youth protection policy. Furthermore, churches should be aware of and abide by their own individual church insurance policies (whereas some policies require a minimum driving age of 25 and a maximum driving age of 70).
- 5) When transporting participants to off-site activities, no automobile will contain only one adult (driver) and one child/youth/vulnerable adult. Automobiles will contain either one driver and two or more participants or two adults and any number of children (within the seat belt limitations of the vehicle, whereas seatbelts are ALWAYS required). Use of child safety seats which meet federal standards is required for children under 6 years of age. Drivers and passengers must also follow airbag age/weight regulations per specific vehicle guidelines. If there is an extenuating circumstance causing only one adult and one child/vulnerable adult to travel together in an automobile, permission must be obtained by a parent or legal guardian of the child/vulnerable adult. This permission should be written and signed by the parent/guardian or documented by the volunteer if only verbal consent is obtainable. It is understood that the adult driving the child must have undergone a background check including a motor vehicle record check.
- 6) A minimum of two adults per group are present as chaperones throughout any event. A minimum of TWO males and TWO females are required for groups of mixed gender wherever adults WILL be in same sleeping quarters as participants for overnight events. A minimum of one male and one female adult are required for groups of mixed gender where adults will NOT

be in same sleeping quarters as participants. The following ratios will apply for each group beyond the initial two-adult rule:

- One adult to three children, 0 to 12 months of age
- One adult to four children, ages 12 to 24 months
- One adult to six children, ages 24 months to 36 months
- One adult to eight children, youth, and/or vulnerable adults ages 3 to 17 years

The specific needs of individual children, youth, or vulnerable adults may require a change to these guidelines.

- 7) Any one-on-one mentoring or consultation between an adult chaperone and a child/youth/vulnerable adult is conducted in a room (with the door open or a door with a window) or area that is in plain view of others.
- 8) Adult chaperones receive orientation on the policies and procedures of their local church related to reducing the risk of abuse and the reporting of any such incident.
- 9) All participants have completed a signed Medical Release form and Covenant of Conduct for the event. (Churches will be able to use their own forms for this purpose, but if the church does not have its own forms it will be required to have each participant complete and sign the Medical Release and Covenant of Conduct forms of the sponsoring Board, agency, and/or commission of the event of the Virginia Conference.) Example forms are attached at end of document.
- 10) The parents and legal guardians of each participant have been informed of the scope and nature of the event or program and its related activities.

Questions about these guidelines should be directed to the Conference program staff member working with the board, agency, and/or commission. Contact information for that individual:

Staff Member: _____

Phone: 800-768-6040 or 804-521-1100 ext. _____

E-mail: _____ @vaumc.org

APPENDIX A
SAMPLE Parental Consent and Liability Release Form

PARTICIPANT'S NAME _____ AGE _____ BIRTH DATE _____
ADDRESS _____

PHONE _____ SCHOOL _____

GRADE _____ PARENT(S)/GUARDIAN NAME(S) _____
WORK _____
PHONE(S)/ CELL PHONE(S) _____ / _____

TO WHOM IT MAY CONCERN:

The undersigned do(es) hereby give permission for our (my) child:

_____ ("Participant"), to attend and participate in **(Name of Local Church)** children or youth ministry activities, events, and retreats during the period of **(Dates and Time Period of Current Calendar Year of School Year)**

LIABILITY RELEASE: In consideration of **(Name of Local Church)** allowing the Participant to participate in children or youth ministry activities, we (I), the undersigned, do hereby release, forever discharge and agree to hold harmless **(Name of Local Church)**, its directors, employees, volunteers and agents (collectively herein the "Church") from any and all liability, claims or demands for accidental personal injury, sickness or death, as well as property damage and expenses, of any nature whatsoever which may be incurred by the undersigned and the Participant while involved in the children/youth activities. We (I) the parent(s) or legal guardian(s) of this Participant hereby grant our (my) permission for the Participant to participate fully in youth ministry activities, including trips away from the church premises. Furthermore, we (I) [and on behalf of our (my) minor Participant(s)] hereby assume all risk of accidental personal injury, sickness, death, damage and expense as a result of participation in recreation and work activities involved therein. Further, authorization and permission is hereby given to said Church to furnish any necessary transportation (within the limitations of church insurance and the law), food and lodging for this Participant. The undersigned further hereby agree to hold harmless and indemnify said Church for any liability sustained by said Church as the result of the negligent, willful or intentional acts of said Participant, including expenses incurred attendant thereto.

MEDICAL TREATMENT PERMISSION: We (I) authorize an adult, in whose care the minor has been entrusted, to consent to any emergency x-ray examination, anesthetic, medical, surgical or dental diagnosis or treatment and hospital care, to be rendered to the minor under the general or special supervision and on the advice of any physician or dentist licensed under the provisions of the Medical Practice Act on the medical staff of a licensed hospital or emergency care facility. The undersigned shall be liable and agree(s) to pay all costs and expenses incurred in connection with such medical and dental services rendered to the aforementioned child or youth pursuant to this authorization.

EARLY RETURN HOME POLICY: Should it be necessary for our (my) child or youth to return home due to medical reasons, disciplinary action or otherwise, the undersigned shall assume all transportation costs and responsibility.

TRANSPORTATION PERMISSION: The undersigned does also hereby give permission for our (my) youth to ride in any vehicle driven by an approved ADULT chaperone while attending and participating in activities sponsored by **(Name of Local Church)**. My child/youth and I understand that SEAT BELTS SHALL BE WORN AT ALL TIMES during transportation.

Medical Insurance: Yes _____ No _____ Insurance Company: _____

Policy/Group ID #: _____ Emergency Contacts (in case parent(s) can't be reached:

Name: _____ Phone #: _____

Allergies or Medical Conditions: _____

Parent(s)/Guardian(s) signature: _____ Date: _____

APPENDIX B
SAMPLE Youth Covenant of Conduct

During the meetings, events, and trips under the sponsorship and guidance of **Name of Local Church**, I recognize that I am a representative of the Christian Community and I am responsible for my actions. I understand that by signing this Covenant, I agree to abide by the following guidelines:

I Shall:

- ☺ Recognize that everyone in the group is a part of the body of Christ. I will embrace inclusiveness by making sure that everyone feels welcome and important.
- ☺ Respect the physical and emotional well-being of others by “doing unto them as I would have them do unto me.” (This includes refraining from harsh play or violence, refraining from harmful jokes, respecting the need for sleep, etc.)
- ☺ Respect the health of my own body by refraining from the use of tobacco, alcohol, and illegal drugs. I understand that the use of these substances is absolutely prohibited.
- ☺ Respect the things I use and the property of places I visit. The areas used for all events, including transportation, shall be left clean.
- ☺ Participate fully in all scheduled group activities and abide by additional group guidelines made during a special event or trip.
- ☺ Act appropriately with members of the opposite sex. This means no couples alone at any time, and no public displays of affection.
- ☺ Follow all instructions given by group leaders and chaperones without protest. (This does not mean an instruction may not be politely and discretely questioned if it seems unreasonable).
- ☺ Stay within the group or assigned sub-group at all times. I will not wander off alone or leave the activity site unless granted permission by an adult, and I will report for all designated check-in times.
- ☺ Hold safety in the highest regard and refrain from compromising my own safety or another’s safety.
- ☺ Provide a trusting environment for my peers. When others share something about themselves in a group discussion, I will not repeat that information to other friends outside of the group.
- ☺ Take the initiative to inform my guests of their responsibility to follow these guidelines when they visit the group or participate in an event or trip.

Guidelines for Consequences:

Consequences will focus on restoring peace with reconciliation among the parties involved. The goal of resolving each problem will be growth and learning through repentance and forgiveness. Any problems encountered will be handled within the group and by the adult leaders to the extent that this is possible. However, should a situation persist or become uncontrollable, the parent/guardian will be contacted and informed of the problem. Should the situation be urgent, the parent/guardian will be contacted immediately and will be responsible for picking up the youth from an event or trip.

Child/Youth and Parent/Guardian Signature:

In signing this covenant, I vow that I have read and understand these guidelines. I recognize that a covenant is a binding promise, and my signature is testimony that I agree to adhere to the provisions of this covenant.

Signature of Child/Youth _____ **Date** _____

Signature of Parent/Guardian _____ **Date** _____

APPENDIX C
Conference Volunteer Agreement



Volunteer Agreement and Release from Liability

Volunteer Name: _____

In signing this form, I understand and agree to the following terms and conditions related to my volunteer service with the Virginia Conference of The United Methodist Church:

- ◆ I recognize that, as a volunteer, I represent the above organization to the public. I accept responsibility for this status and will conduct myself accordingly.
- ◆ I understand that in the course of my service, I may learn certain facts about volunteers, participants, and donors which are of a highly personal and confidential nature. Examples of such information are medical diagnoses and treatment, phone numbers and addresses, finances, personal relationships, etc. I understand that all such information, including the identity of the individual, must be treated with total confidentiality (including on social media postings) and must remain confidential even after my service ends. Please initial here: _____
- ◆ I agree to abide by the child/youth/vulnerable adult protection policies of the Virginia Conference of The United Methodist Church. I understand that the limits of confidentiality, however, include that I must immediately report to the appropriate leadership any knowledge or involvement in regard to child/youth/vulnerable adult abuse and the intentions to do harm to another person or to one's self. Please initial here: _____
- ◆ I am aware that as a volunteer, I expose myself to potential hazards which include but are not limited to: kitchen accidents, cuts, burns, back injury from lifting, car accidents, property damage or injury to others in car accidents, falls, etc. I am voluntarily participating in this service with the knowledge of the potential hazards involved and hereby agree to accept any and all risks of injury. Please initial here: _____
- ◆ I agree that my assignees, heirs, distributees, guardians, and other legal representatives will not make a claim against, or sue for injury or damage resulting from the negligence or other acts, howsoever caused, by any employee, agent, or volunteer contractor of the organization as a result of my participation as a volunteer. I hereby release the Virginia Conference UMC from all actions, claims, or demands that I, my assignees, heirs, guardians and legal representatives now have or may hereafter have for injury resulting from my participation as a volunteer. Please initial here: _____
- ◆ If my volunteer service includes driving an automobile, I acknowledge that I have both a valid driver's license and automobile liability insurance policy as required by state law. I agree to maintain my license and insurance in good standing for my tenure as a volunteer for the organization. I am knowledgeable of and agree to abide by local and state traffic laws. I agree not to drive while under the influence of alcohol and/or other intoxicating substances. Please initial here: _____
- ◆ I agree to bring any problems or conflicts that are beyond the scope of my volunteer service or ability, to the immediate attention of the appropriate leadership.
- ◆ As a volunteer, I understand that my services can be discontinued at any time for any reason.

This understanding will remain in effect throughout my continuous service as a volunteer. Should I not serve as a volunteer for more than one year, a new agreement will need to be completed.

Signature

Date

Signature of Parent (if volunteer is under 18 years of age)