

CHILD AND YOUTH ABUSE PREVENTION PROGRAM FOR PROJECT PHOENIX

Introduction

To help protect children, **Project Phoenix** has adopted the following Child and Youth Abuse Prevention Program. It is important that all **Project Phoenix** paid staff, volunteers, and affiliated church staff members understand and implement these guidelines to help prevent sexual abuse against children.

Project Phoenix is a mission of Lutheran Youth of North Seattle, a Washington nonprofit corporation.

Purpose

These procedures are designed to reduce the risk of child sexual abuse in order to:

1. Provide a safe and secure environment for children, youth, adults, members, volunteers, visitors, and paid staff.
2. Assist **Project Phoenix** in evaluating a person's suitability to supervise, oversee, and/or exert control over the activities of students and youth.
3. Satisfy the concerns of parents and staff members with a screening process for paid staff and volunteers.
4. Provide a system to respond to alleged victims of sexual abuse and their families, as well as the alleged perpetrator.
5. Reduce the possibility of false accusations of sexual abuse made against volunteers and paid staff.

Definitions

The following terms used herein and are defined as follows:

1. *Paid Staff*: Any teacher, administrator, supervisor, pastor, minister, or employee who is paid.
2. *Child/Youth/Minor/Student*: Any person who has not reached his/her 18th birthday or the age of majority as defined by state law.
3. *Adult*: Any person who has reached their 18th birthday or as defined by state law.

4. *Volunteer*: Any unpaid person engaged in or involved in activities and who is entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors or adults.
5. *Sexual Abuse*: The employment, use, persuasion, inducement, enticement, or coercion of any minor or adult to engage in, or assist any other person to engage in, any sexually explicit conduct or any simulation of such conduct for the purpose of producing any visual depiction of such conduct or rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of minor or adult, or incest with a minor or adult, or as defined by federal and state law. This includes and is not limited to unwelcome sexual remarks, jokes, advances, leering, whistling, or sexual gestures; sexual touching, fondling, molestation, assault, or other intimate physical contact; compelling another person to engage in a sexual act by threats or fear or undue influence; and providing or displaying pornographic materials to another person.
6. *Child Emotional Abuse*: Verbal or nonverbal conduct including mental exploitation, degrading communication, or humiliating or threatening conduct that may or may not include bullying or as defined by state law.

Protection and Prevention Volunteer and Employee Screening Procedures

The following screening procedures are to be used with paid staff and volunteers who are entrusted with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors. All information collected should be maintained in confidence.

1. *Employment Application and Volunteer Application*: Any paid staff and volunteers who will work with a minor must complete the Employment Application and/or the Volunteer Application. The release statement attached to the Application must be signed by the individual completing the Application to apply for and qualify for service.
2. Our Employment Application includes questions regarding:
 - a. Current and previous residence addresses.

- b. Current and previous employment, including addresses, dates, duties, titles, and reasons for leaving.
 - c. Names and addresses of schools attended and degree(s) earned.
 - d. References from previous employers and organizations that serve children.
 - e. Pending criminal charges (where not prohibited by state law).
 - f. Criminal history information.
3. Our Volunteer Application includes questions regarding:
 - a. Current address.
 - b. Volunteer experience.
 - c. Criminal history information.
 - d. Personal references.
4. Applications include a statement, which the applicant should acknowledge in writing, certifying that statements provided in the application are true and complete, and any misrepresentation or omission may be grounds for rejection of the applicant or for dismissal if he or she is employed. This statement authorizes **Project Phoenix** to contact any individual or organization listed in the application.
5. Review all statements made in the application, paying specific attention to any gaps in time and irregular employment patterns or unexplained absence. Pursue these gaps with employers listed and in a subsequent interview.
6. Conduct interviews with qualified applicants.
7. If detrimental information is uncovered but the applicant remains desirable, discuss this information with the applicant. In the event the applicant is ultimately hired or accepted as a volunteer, document the reasons for overriding the prior information.
8. Contact references for volunteers and ask for any information that might help determine the applicant's suitability for the position. If a response is not received within a reasonable period of time, follow up and keep notes if possible.
9. Contact references and employers for paid staff. Inquire as to the reason the applicant left and ask for any information that might help determine the applicant's suitability for the position. If a response is not received within a reasonable period of time, follow up and keep notes if possible.
10. *Criminal Background Check*: **Project Phoenix** will conduct a criminal background check on all paid staff and volunteers who are entrusted

with the care and supervision of minors or a person who directly oversees and/or exerts control or oversight over minors. All criminal background checks will be updated periodically.

Confidentiality

Information obtained through the screening, application, reference check, interview, and criminal background check will be kept in confidence, unless otherwise required by law. All information discovered or obtained through the above referenced means will be kept in a secure location and access to it will be restricted if possible. These materials will be archived.

Supervision Procedures

Unless an extenuating situation exists, **Project Phoenix**:

1. Will have an adequate number of screened and trained paid staff or volunteers present at events involving minors. Supervision will increase in proportion to the risk of the activity.
2. Will monitor facilities during activities involving minors.
3. Will release minors only to a parent or guardian unless the minor's parent or guardian has given written permission for the minor to self check-out.
4. Will obtain written parental permission, including a signed medical treatment form and emergency contacts, before taking minors on trips and should provide information regarding the trip.
5. Will use two paid staff or volunteers when transporting minors in vehicles.
6. Will encourage minors to use a "buddy system" whenever minors go on trips away from the normal or specified location of the Project Phoenix event or session.
7. Will screen all paid staff and volunteers and approve those individuals in advance for any overnight activities.

Behavioral Guidelines for Project Phoenix Staff and Volunteers

All volunteers and paid staff will observe the following guidelines:

1. Do not provide alcoholic beverages, tobacco, drugs, contraband, or anything that is prohibited by law to minors.
2. To the extent possible, **Project Phoenix** events that are co-educational will have both male and female chaperones.
3. Whenever possible, at least two unrelated paid staff or volunteers will be in the room when minors are present. Doors will be left fully open if one adult needs to leave the room temporarily and during arrival to the class or event before both adults are present. Speaking to a minor or minors one-on-one should be done in public settings where paid staff or volunteers are in sight of other people.
4. Avoid, as best possible and dictated by social distancing, any touching with minors. In the event a minor initiates physical contact and/or inappropriate touching, it is appropriate to inform the minor that such touching is inappropriate.
5. Appropriate physical interactions (when pandemic restrictions permit):
 - a. Handshakes
 - b. High-fives, hand slapping, fist bumping
 - c. Incidental touching of hands, shoulders, and arms
 - d. Holding hands (with young children in escorting situations)
6. Inappropriate physical interactions:
 - a. Full-frontal hugs
 - b. Kisses
 - c. Showing affection in an isolated area
 - d. Lap sitting
 - e. Wrestling
 - f. Piggyback rides
 - g. Tickling
 - h. Allowing a child to cling to an employee's or volunteer's leg
 - i. Any type of massage given by or to a child
 - j. Any form of affection that is unwanted by the child or the employee or volunteer
 - k. Touching bottom, chest, or genital areas
7. Never engage in physical discipline of a minor. Volunteers and paid staff shall not abuse minors in any way, including but not limited to physical abuse, verbal/mental abuse, emotional abuse, and sexual abuse of any kind.

8. If you recognize an inappropriate relationship developing between a minor and adult, maintain clear professional boundaries and refer the minor to another individual with supervisory authority.
9. If one-on-one counseling or pastoral care is necessary, avoid meeting in isolated environments.
10. Anyone who observes abuse of a minor will take appropriate steps to immediately intervene and provide assistance. Report any inappropriate conduct to the proper authorities and to the **Project Phoenix** Board of Directors for handling.

Disqualification

No person may be entrusted with the care and supervision of minors or may directly oversee and/or exert control or oversight over minors who has been convicted of the offenses outlined below, been on a probated sentence or received deferred adjudication for any offense outlined below, or has presently pending any criminal charges for any offense outlined below until a determination of guilt or innocence has been made, including any person who is presently on deferred adjudication. The following offenses disqualify a person from care, supervision, control, or oversight of minors:

1. Any offense against minors as defined by state law.
2. A misdemeanor or felony offense as defined by state law that is classified as sexual assault, indecency with a minor or adult, assault of a minor or adult, injury to a minor or adult, abandoning or endangering a minor, sexual performance with a minor or adult, possession or promoting child pornography, enticing a minor, bigamy, incest, drug related offenses, or family violence.
3. A prior criminal history of an offense against minors.

Response to Sexual Abuse

Project Phoenix will respond promptly to investigate any accusation of sexual abuse. All accusations of sexual abuse will be taken seriously. It is important to be appropriately respectful to the needs and feelings of those who allege sexual abuse and those who have been accused of sexual abuse.

When an allegation is made involving sexual abuse, the person reporting the complaint is to be told about the guidelines and the procedures to be followed. The Board of Directors or their designated representative will begin investigating the allegations and may use the assistance of legal counsel or other consultants. The investigation will be conducted as follows:

1. Report the incident to appropriate authorities in accordance with the state mandatory reporting laws.
2. Report the matter to **Project Phoenix's** insurance carrier.
3. Cooperate with authorities and the insurance carrier.
4. **Project Phoenix** may suspend (with pay for paid salaried staff) the alleged offender while a confidential investigation is being conducted.
5. The investigating official of **Project Phoenix** (and legal counsel or other consultants) will then meet with the **Project Phoenix** Board of Directors and present a report on their investigation, which will include findings and recommendations of actions.
6. An official of **Project Phoenix** will meet with the alleged perpetrator and notify him/her of the results of the investigation and recommendations for actions.
7. An official of **Project Phoenix** will meet with the alleged victim, along with his/her parents or guardians, and notify them of the results of the investigation and recommendations for actions.
8. During the investigation, an official of **Project Phoenix** shall maintain contact with the alleged victim and his/her parents or legal guardian, and inform them of the actions taken and assist them in their process of healing.
9. An official of **Project Phoenix** (and legal counsel or other consultants) may meet with the alleged perpetrator, the alleged victim, and any others with knowledge of relevant facts.
10. Communicate with criminal and civil legal counsel of **Project Phoenix**.
11. Hire a consultant or assign a spokesperson to respond to the media or prepare a statement for the media if the need shall arise, subject to the approval of **Project Phoenix's** attorney.

Notification of Parents

A minor may be party to an incident either as an initiator or as a victim. Whether the minor is the initiator or victim may not be clear in all circumstances, such as a child-on-child incident. A violation of policy does not necessarily create a victim. While notification of parents of such circumstances may be warranted, utmost care in communication is required.

Therefore, a person having knowledge of an incident which warrants communication to a parent shall advise the staff or Board of Directors or pastor of the host congregation. If notified, staff or others will notify the Project Phoenix Board of Directors. While communicating with a parent, and being mindful of the importance of timely communication, care shall be given to assessing:

1. The specific facts;
2. Whether a disciplinary or termination process is required;
3. Whether a child should be dismissed from a program (requiring notification of other parents/guardians);
4. Whether mandatory reporting is a factor;
5. Whether a Pastor should be involved in the communication;
6. Tentative remedial steps to prevent a further incident.

Notification of parents shall not be delayed when immediate medical care is required.

Child and Youth Abuse Prevention Program Acknowledgment

These guidelines have been designed to guide and assist you when working with minors. The information establishes general practices and guidelines and should not be construed in any way as a contract of employment or continued employment. **Project Phoenix** reserves the right to make changes in the content or application of this program and to implement those changes with or without notice.

The terms defined herein are defined for the purposes of the program and do not suppose or establish a legal relationship. These terms are not defined for the purposes of creating a legal relationship with **Project Phoenix** or any related or associated entity and instead are to be used with this document.

I have received a copy of the **Project Phoenix's** Child and Youth Abuse Prevention Program. I understand it is my responsibility to become familiar with and adhere to the information contained herein. I understand that these policies are the property of **Project Phoenix**.

Print Name

Signature

Date

Address (street, city, state, zip)

Phone number and/or email address