

WINDCREST UNITED METHODIST CHURCH

CHILD/YOUTH AND ADULT PROTECTION POLICIES AND PROCEDURES

Statement of Policy

Windcrest United Methodist Church of San Antonio, hereafter referred to as WUMC, is committed to providing an environment that is as safe as possible for children and youth who attend the church for any WUMC-sponsored programs or activities. Additionally, we will make reasonable efforts to protect church leaders from the risk of false accusations or suspicions. WUMC establishes these policies and procedures to protect the following:

- The children, youth and adults of WUMC from the opportunity or appearance of abuse.
- The workers in WUMC from the risk of false accusations or abuse.
- WUMC's integrity.
- The established atmosphere of trust for children, parents/legal guardians, and workers.

To reach these goals, WUMC establishes policies and procedures that dictate the requirements for child/youth workers and their conduct. The procedures are designed to protect our children, youth, paid workers, volunteers, and the entire church body. WUMC will not tolerate occurrences of child abuse and, upon learning of such, will follow WUMC reporting procedures and Texas State reporting procedures.

Guiding Principles

It is recognized that certain people have talents for teaching and supporting the growth and development of WUMC's children and youth, and we wish to encourage them to use those spiritual gifts. At the same time, certain standards must be established for those adults who choose to serve in that capacity. Through prayer, we rely on God's wisdom in developing, implementing and carrying out His will through these guidelines.

This document is designed in accordance with the Child, Youth, and Adult Safety Policy of the Southwest Texas Annual Conference of The United Methodist Church, adopted June 2000.

GENERAL PROCEDURES:

Applicability

These policies and procedures shall apply to all activities involving children and youth that are sponsored and/or supervised by WUMC. Beginning January 1, 2002, all workers assigned to such activities by WUMC shall comply with and conduct themselves in accordance with these policies and procedures. Noncompliance subjects the worker to disciplinary and/or legal action, which may include dismissal from employment and/or work with any children or youth at WUMC.

Exception for Child Care Facilities Subject to State Requirement

WUMC operates childcare programs that fall within the purview of guidelines developed by the State of Texas. Nothing in this policy is intended to alter or change any requirements imposed by the State. This policy exempts those programs from the specified Team Approach coverage, understanding the State requirements for Child/Staff ratios and grouping as found in the Texas Department of Protective and Regulatory Services Minimum Standards & Guidelines for Day Care Centers will be followed.

Waiver of Policies and Procedures

The goal of WUMC is to promote safety while maintaining practical flexibility in children's and youth ministries. Policies may be waived only for exceptional circumstances or instances outside of its control (example – WUMC affiliations with outside organizations, or mission projects of Conference/District events). Only the Church Council may authorize waiver to policies established herein. A waiver request must be submitted in writing to the Church Council by a Staff Director. Parents/Legal guardians will be made aware of known variances and must provide written permission for their minor to participate.

Definitions

Children and Youth

- **Minor:** A minor shall include any child from birth through age 17.
- **Infant:** An infant shall include all minors from birth to walking.
- **Toddler:** A toddler shall include all minors from walking to two (2) years of age.
- **Child:** A child shall include all minors from birth through 5th grade.
- **Youth:** A youth shall include all minors from 6th grade through 12th grade.

Workers and Volunteers

- **Worker:** Any person, regardless of age, who performs full-time, part-time, or occasional work in WUMC and has contact with minors. This includes volunteers and paid workers.
- **Primary Worker:** All paid staff and those volunteers whose work requires contact with minors on a consistent and regular basis. Primary workers include, but are not limited to, youth and children's program sponsors, youth drama and music workers, Sunday School teachers, WUMC staff in the youth and children's departments, nursery workers, and janitors. Primary Workers shall meet the Primary Screening requirements (See Primary Worker Form).
- **Secondary Worker:** Volunteers who occasionally interact with minors or only serve a few hours each year on an as-needed basis. This category may include, but is not limited to, parents of participants who supervise activities, vehicle drivers, and persons who volunteer on an infrequent basis to assist in the nursery or classroom. Secondary Workers shall meet the Secondary Screening requirements. Secondary Workers will not serve in a leadership role (See Secondary Worker Form)

- **Group Leader:** Any primary worker age 18 or older who has a leadership role
- **Staff Director:** WUMC paid worker who is responsible for a specific ministry area. (Program Director, Children's Director and Youth Director)
- **Custodian:** A person who has been given custody of a minor on a temporary basis with the permission of the child's legal parent or guardian. This position should not be confused with the job description of a janitorial staff member.
- **Prohibited Workers:** Persons who have been convicted of, placed on regular or deferred adjudicated probation for, received pre-trial diversion for, or pled guilty or nolo contendere to any Prohibited Offense shall not serve or be employed in connection with any church-sponsored activity or program involving minors.

Contact and Offenses

- **Child Abuse:** Child abuse is legally defined in Texas Family Code Section 261.001 (1), which is included in document at Appendix A.
- **Informal Contact (Independent of Church Activities):** WUMC recognizes that informal contact between workers and minors frequently occurs. For example, workers may hire teens as baby sitters for their own children, or workers may see children during social events with the child's family. The worker should clearly let the parent know the nature of the contact and that it is not part of church activity. Parents must be responsible for monitoring this informal contact.
- **Prohibited Offense:** Those offenses prohibited by the Texas Penal Code, Chapter 43, Texas Health and Safety Code, Chapter 481, and such other statutory offenses as pertain to child abuse in the state of Texas. Additionally, "Prohibited Offense" includes any offense involving sexual contact, physical abuse, violence or threatened violence, or such other felony or crime involving moral turpitude as determined by the Senior Pastor in his or her sole discretion. Convictions for traffic offenses which rising above Class C misdemeanors shall be considered prohibited offenses with respect to the duty of driving children/minors/youth in support of WUMC activities.

Authority

These policies and procedures will be implemented under the supervision of the church's Senior Pastor in coordination with the church staff.

GENERAL CHILD/YOUTH/ADULT PROTECTION PROCEDURES

Worker Selection and Screening

- A. Submission of Application – All paid staff and volunteers who apply to work with minors will complete the applicable Screening Form and return it to the appropriate Staff Director. Primary Workers shall be subject to primary screening requirements. Secondary Workers shall be subject to secondary screening requirements. A confidential file will be kept by the designee of the Senior Pastor that will include the appropriate screening forms, consents to investigations, and other pertinent information. Applicant's access to and dissemination of information in this file will be restricted to only that information required to be given by law.

- B. Background checks and reference checks will be completed on all paid workers, primary workers, and selected secondary workers. The Southwest Texas Annual Conference of the United Methodist Church will process all background checks.
- C. Names of all potential volunteer workers will be submitted to the appropriate Staff Director. The Staff Director and/or ministry leader(s) responsible for that particular ministry area will interview Primary Workers who are volunteers using the Volunteer Interview Evaluation Form to determine how the applicant's gifts and talents can best be utilized within WUMC. Additional information concerning the applicant may be required in the review process.
- D. Persons who have been in continuous service with minors at WUMC prior to January 1, 2000 will not be subject to reference checks or the personal interview unless deemed necessary by the Staff Director. They will, however, be subject to all other screening, including background checks.
- E. All workers will be subject to periodic re-checks of criminal records/driving records.
- F. Re-checks of driving records will be limited to those applicants/workers who drive vehicles, privately owned or WUMC owned/rented in the course of performing WUMC duties/activities
- G. Any worker who has a lapse in service or community with WUMC may be required to repeat all required screening/background check requirements for their position. If the lapse is greater than one year, the screening/background check protocol for their position is required.
- H. Any person who refuses to fill out a Screening Form will automatically be denied a position. Any person denied a volunteer position because of his/her refusal to complete a Screening Form or a denial of a position as a result of the screening process, may appeal the decision to the Senior Pastor. The Senior Pastor shall consult the appropriate Staff Director before making a decision. The decision of the Senior Pastor shall be final.

Screening Requirements

- A. All workers must successfully complete applicable screening requirement process prior to working with minors.
- B. All workers are required to sign a statement acknowledging that they have read, understand and will abide by the Child/Youth/Adult Protection Policies and Procedures. See attached acknowledgement form.
- C. Applicants who indicate they are survivors of child abuse will be asked to meet with Senior Pastor prior to working with minors. The Senior Pastor shall determine if the worker may work with minors.
- D. Prohibited Workers are unqualified.

Supervisory Requirements and Rules of Behavior

- A. Team Approach – Wherever practical, a minimum of two Workers shall be present during any activity involving minors and at least one of these shall be a primary worker. Persons under the age of 18 who are asked to work with children shall do so under the direct supervision of a Group Leader. When working with children age birth to five years, at least one of the team members must be female. In a Sunday School or similar teaching environment, it is acceptable to have individual classes or groups with one Group Leader

each, provided a second Group Leader or the Staff Director has immediate and direct access to the teaching areas.

- B. No worker will be permitted to be alone with a minor behind a closed door. It shall not be a violation of this policy, however, for the Staff Director or a worker to talk with a minor with the door closed whenever the minor has requested a closed-door meeting as long as another adult can observe them.
- C. One-on-one meetings between an adult and a child or youth may occur if written consent is given by the parent or legal guardian/custodian.
- D. A children/youth activity begins and ends generally at the times specified. Many events occur on church grounds while others occur off campus. WUMC becomes responsible for children/youth once they enter the activity or are transported to the activity by specified church workers, volunteers, parents, etc. The church is not responsible for the children/youth who are “dropped off” outside the activity (e.g. in the parking lot). They are to be taken into the activity event. The church is not responsible once an event is over. Responsibility for the youth/children rests solely on the parents or legal guardians/custodians at the conclusion of the event.
- E. Overnight or Off-Church Property Activities – All overnight or off property activities sponsored or approved by WUMC require the prior approval of the appropriate Staff Director. See “PROCEDURES FOR OVERNIGHT ACTIVITIES” section later in this document.
- F. The following behaviors are prohibited for all paid employees and volunteers:
 - 1) Threatening physical injury upon any person, adult or minor, or inflicting physical injury other than by accidental means.
 - 2) Making any kind of sexual advance, making a request for sexual favors, or engaging in other verbal, or physical conduct of a sexual nature.
 - 3) Committing any sexual offense against a minor, or engaging in any sexual contact with a minor.
 - 4) Physical discipline, such as spanking, is never permitted.
- G. Using physical restraint to prevent a child from doing something disruptive or dangerous may, in some instances, be necessary. Affirmation and encouragement are always appropriate. The Staff Director shall advise workers on the best age-appropriate discipline methods.
- H. Disciplinary problems should be reported to the parent/legal guardian/custodian and to the Staff Director.
- I. Physical affection should be used appropriately. Touching to confirm or affirm a child in an age-appropriate manner is permitted. Workers shall not touch children in genital areas except as necessary to change a diaper or to assist a child in the bathroom as noted below. Workers involved in activities with children in kindergarten and above should not allow those children to sit in their lap.
- J. If any person refuses to comply with these policies and procedures or continues to violate them, such person shall be barred from further work with minors.

Worker Training

- A. All Workers must complete a Child/Youth/Adult Protection training seminar within six months of starting. Workers who do not attend this training will be relieved of their service until training is completed.

- B. The training seminar will include, but not limited to the following:
- 1) Training in WUMC Child/Youth and Adult Protection Policies and Procedures.
 - 2) Texas' legal definition of child abuse from the Texas Family Code.
 - 3) Written information describing Texas laws regarding the reporting of suspected child abuse.
 - 4) Training in identifying child abuse.
 - 5) Recognizing inappropriate behavior and situations open to problems of misunderstandings.
 - 6) Fire and building safety.
- C. The Staff Directors will develop and conduct the worker training. The Business Administrator will regularly provide updated resources to the Staff Directors for continuing education concerning child abuse.

SPECIFIC CHILD CARE PROCEDURES FOR THE NURSERY AREA

Check In and Check Out/Infant and Toddler Rooms

1) Check In

- a) Parents or legal guardians/custodians will be asked to complete an information card before leaving their child. This card will remain on file in the nursery. It will be the responsibility of the parents or legal guardian/custodians to keep information current.
- b) Parents or legal guardians/custodians will provide a list of anyone who is forbidden by judicial order to pick up their child. (A certified judicial order must be provided upon request.)
- c) When admitting a child into the nursery area, the parent or legal guardian/custodian shall register their name, where they can be located, the child's full name, and the name of who will be signing the child out of the nursery (if other than themselves) in the daily roster. They must also complete the section stating they give permission for their child to be transported to a Sunday school class by nursery personnel if applicable.

2) Check Out

- a) The parent or legal guardian/custodian or other person designated to pick up the child shall register their name in the "sign out" column.
- b) Nursery personnel will "sign out" any children who will be moving to a Sunday school class if they have been given written permission to do so.
- c) Nursery personnel will not release children in their care to anyone other than the registered parent or legal guardian/custodian, or persons specifically authorized to pick up the child. Identification may be requested.

Check In and Check Out/Remote Nursery Rooms

(any nursery location other than infant and toddler rooms)

1) Check In

- a) Parents or legal guardian/custodian will be asked to complete an information card if one is not already on file. It will be the responsibility of the parents or legal guardian/custodian to keep information current.

- b) Parents or legal guardian/custodian will provide a list of anyone who is forbidden by judicial order to pick up their child. (A certified judicial order must be provided upon request.)
- c) When admitting a child into the remote nursery, the parent or legal guardian/custodian shall register their name, where they can be located, the child's full name, and the name of who will be signing the child out (if other than themselves) in the daily roster.

2) Check Out

- a) A parent or legal guardian/custodian or other person designated by them to pick up the children shall register their name in the "sign out" column.
- b) Nursery personnel will not release children in their care to anyone other than the registered parent or legal guardian/custodian, or person specifically authorized to pick up the child. Identification may be requested.

Check In and Check Out/Sunday School Classrooms

Ages 2-year-old through 5-year-old

1) Check In

- a) Parents or legal guardian/custodian will be asked to complete an information card before leaving their child in class. It will be the responsibility of the parents or legal guardian/custodian to keep information current.
- b) Parents or legal guardian/custodian will provide a list of anyone who is forbidden by judicial order to pick up their child. (A certified judicial order must be provided upon request.)
- c) When leaving a child in a Sunday school class, the parent or legal guardian/custodian shall register their name and the name of whom will be signing the child out (if other than themselves) on the daily roster.

2) Check Out

- a) A parent or legal guardian/custodian or other person designated to pick up the child shall register their name in the "sign out" column.
- b) Workers will not release children in their care to anyone other than the registered parent or legal guardian/custodian, or person specifically authorized to pick up the child. Identification may be requested.

Personal Items

- 1) All personal items for the child, including diaper bags, blankets, clothing, and pacifiers, should be labeled with the child's first and last name. Permanent, waterproof labels are preferred.
- 2) For safety purposes, it is recommended that no personal toys or valuable items be brought into any nursery or Sunday school classrooms. All items considered dangerous will be confiscated.
- 3) WUMC does not accept responsibility for any personal items left in nursery or Sunday school classrooms.

Staffing

- 1) All infant, toddler, and remote nursery workers shall be subject to the requirements of the Child/Youth/Adult Protection Policies and Procedures.
- 2) All nursery functions will adhere to the team approach and require at least one paid worker at all times.

Restroom/Diapering Procedures

- 1) A worker may accompany a child to the restroom after notifying another worker.
- 2) Parents or legal guardians/custodians should be encouraged to take the child to the restroom prior to check-in when a child is going to be left in the infant, toddler or remote nursery area.
- 3) Either men or women may change children's diapers in designated changing areas. Those areas will be in the open and not behind closed doors.

Miscellaneous

- 1) The Staff Director will be responsible for all completed information cards.
- 2) For safety purposes, toys and equipment will not be placed into, nor removed from nursery or Sunday school rooms without the approval of the Staff Director.
- 3) All videos shown in remote nursery or Sunday school classes must be "G" rated and will be approved by the Staff Director.

TRANSPORTATION PROCEDURES FOR CHURCH-RELATED CHILDREN/YOUTH ACTIVITIES

Vehicle Requirements

- A. These vehicle requirements pertain to vehicles owned by WUMC, those provided by parents of participating minors, those provided by workers, and any commercial vehicle provided for transportation of the minors.
- B. All vehicles shall be in good running order and possess a current license plate, a valid safety inspection sticker, and passenger restraints as required by Texas law.
- C. All vehicles will have insurance coverage as required by Texas law.
- D. All vehicles will be multi-passenger. No motorcycles, scooters, or mopeds will be allowed. No vehicle will be allowed to carry more than the passenger capacity as specified by the vehicle manufacturer. In all cases, a seat will be provided for each vehicle occupant.

Qualification of Drivers

- A. All drivers will be workers (as qualified by the Child/Youth/Adult Protection Policies and Procedures), parents of participating minors, or licensed commercial drivers. The appropriate Staff Director will pre-approve drivers.
- B. All drivers of church vehicles will have a current valid driver's license for the classification for the vehicle driven and be at least 21 years of age.
- C. All drivers will be subject to periodic check of their motor vehicle driving record.
- D. Disqualified drivers: Persons who have been convicted of, placed on regular or deferred adjudicated probation for, received pre-trial diversion for, or pled guilty or nolo contendere to the following offenses: manslaughter, criminally negligent homicide, consumption or possession of alcoholic beverage in a motor vehicle, driving while

intoxicated, or any other intoxicated offense, including but not limited to intoxication assault, intoxication manslaughter, and any drug possession or use charge, will be disqualified to drive the church vehicles or to transport minors to/from off-campus church-sponsored activities in their personal vehicles.

General Rules

- A. All transportation associated with the Youth/Children's activities is subject to the procedures herein described and will begin and terminate at the church campus. The appropriate Staff Director must approve any deviation and the concerned parents/guardian/custodian will be informed prior to departure. The church is not responsible regarding transportation issues once an event is over. Responsibility for returning home solely rests on the parents and youth.
- B. Persons who drive vehicles, rented or privately owned, to transport minors to and from church sponsored activities must complete an Auto Safety Certification form, maintain a current valid driver's license, provide proof of insurance, and comply with all WUMC transportation policies. See attached Auto Safety Certification Form.
- C. WUMC expects all drivers to obey applicable traffic laws. Failure to do so may disqualify them from further driving involvement with WUMC.
- D. A parent permission form must be completed for every minor transported in a church sponsored vehicle. The Group leader or Staff Director will verify that the Form has been completed and is on file prior to departure.
- E. The Team Approach as described in the "Supervisory Requirements and Rules of Behavior" paragraph above will apply to all transportation situations. Deviations may be permitted to accommodate specific situations; however, there will always be at least one primary worker actively participating in all transportation situations. (An example of a deviation might be where youth are caravanned to and from a location with individual vehicles in close proximity, and at least one vehicle transports a primary worker.) Each request will be considered on its own merit. Whenever only one adult is to be in a vehicle, two or more youth will be required to be in that vehicle. The Staff Director responsible for the activity will be the approval authority for any deviation. The Staff Director will document the deviation and will ensure the Senior Pastor is advised of the deviation.
- F. A driver may transport one minor in a vehicle in an emergency situation that threatens health and safety.

PROCEDURES FOR OVERNIGHT ACTIVITIES

Applicability

These procedures cover any activity sponsored by, participated in or supervised by WUMC, which requires an overnight stay. This includes, but is not limited to, camping, lock-ins, and overnight stay in a personal dwelling, hotel or motel.

Approvals

- A. Any overnight activity requires the prior approval of the appropriate Staff Director.

- B. A signed Parent Permission Form must be completed for every minor participating. The Group Leader or Staff Director will verify that the Form has been completed and is on file prior to the activity.

Rules of Conduct

- A. The Team Approach as described in the previous paragraph will apply to all overnight activities; however, requests for waiver may be submitted to meet specific situations encountered. (An example might be a case where the type of housing and the number of workers available preclude absolute compliance.) Each request will be considered on its own merits. In cases where waivers are granted, Primary Workers will be utilized.
- B. Co-ed overnight activities require male and female adult Group Leaders. The Staff Director responsible for the activity will be the approval authority for any deviation. The Staff Director will document the deviation and will ensure the Senior Pastor is advised of the deviation.
- C. The written permission of the parent or legal guardian/custodian is required for a minor to leave an overnight activity prior to its scheduled termination time or to leave with anyone other than his or her parent or guardian/custodian.
- D. No members of the opposite sex will be allowed to sleep in the same room except in group settings, and then only with direct supervision by Group Leaders. In group settings members of the opposite sex should be separated as much as possible.

WORKER REPORTING PROCEDURES

Notification to Staff Director/Senior Pastor

- A. A worker who becomes aware of any abuse or molestation within any ministry activity will immediately report the incident or suspicions (in writing if possible) to the appropriate Staff Director or Clergy. Any inappropriate behavior with a child, even though it may not be considered true abuse, should be reported.

Obligation to Report and Immunity

- A. In all cases where any worker has reasonable cause to believe that a minor may have been abused or neglected, the worker is obligated by Texas law to make a report to a law enforcement agency or to the Texas Department of Protective and Regulatory Services (TDPRS) Child Abuse Hotline (800-252-5400). If the worker is in doubt regarding whether a report should be made, he or she may telephone the agency anonymously and discuss the situation with a counselor to determine whether a report should be made. The worker shall make a written record of the name and title of the counselor with whom he or she spoke and the recommendation made by the counselors. See Symptoms of Molestation, Appendix B.
- B. The worker shall contact TDPRS within 48 hours of first learning of possible child abuse.
- C. Persons acting in good faith to report, assist in investigation, testify or otherwise participate in reporting alleged child abuse or neglect are protected in such activity as provided in Texas Family Code, Section 261.106 Immunities. See Appendix A.
- D. Persons filing false reports regarding child abuse may be punished as provided in Texas Family Code, Section 261.107. False reporting; Penalty.

- E. Persons making frivolous claims against a person reporting a suspected act of child abuse may be punished as provided in Texas Family Code, Section 261.108. Frivolous Claims Against Person Reporting.
- F. Persons who fail to report an act that such person(s) have cause to believe adversely affects a child's physical or mental health or welfare may be punished as provided in Texas Family Code, Section 261.109. Failure to Report; Penalty.
- G. Policies and procedures for reporting abuse will be posted in public areas of WUMC.

RESPONSE PROCEDURES

Responding to the Report

- A. When someone receives a report of an incident of abuse, he or she shall immediately take all steps necessary to ensure the safety of the alleged victim.
- B. Should child abuse allegations be reported, the worker(s) will:
 - 1) Respond to each allegation in a serious manner.
 - 2) Treat each allegation with confidentiality and respect for the privacy of all involved persons.
 - 3) Cooperate fully with civil authorities.
- C. Extend genuine care to all victims of child abuse.
- D. The person reporting the suspected abuse and the appropriate Staff Director, in a joint effort, shall complete the written Suspicion of Child Abuse Report and submit it to the Senior Pastor or his/her designee.
- E. In the case of an actual allegation, these guidelines will be followed by the Senior Pastor or his/her designee:
 - 1) Make certain that all investigatory efforts are documented in writing, including dates, times, places and names, etc.
 - 2) Report the incident immediately to TDPRS, and/or local law enforcement, the church's legal counsel, and insurance company. WUMC should not try to handle this without professional outside assistance.
 - 3) Contact the proper civil authorities following the guidance of official investigators.
 - 4) Do not prejudge the situation, but take the allegations seriously. Extend whatever pastoral resources are needed.
 - 5) Treat the accused with dignity and support. The accused should be removed from interaction with minors at WUMC until the allegations are fully investigated and resolved. In the case of paid workers, the Senior Pastor, in consultation with the Staff Parish Relations Committee, shall determine the extent to which employment and compensation should be continued during the investigation.
- F. Designate a single organizational leader as spokesperson. This spokesperson will be the only person to convey information concerning the situation, and convey only such information as is necessary under the circumstances. This spokesperson will be mindful to avoid compromising any ongoing investigations.
- G. Use the text of a prepared public statement to answer the press and to convey news to the congregation, being careful to safeguard the privacy and confidentiality of all involved. The Senior Pastor will approve this public statement before it is released.

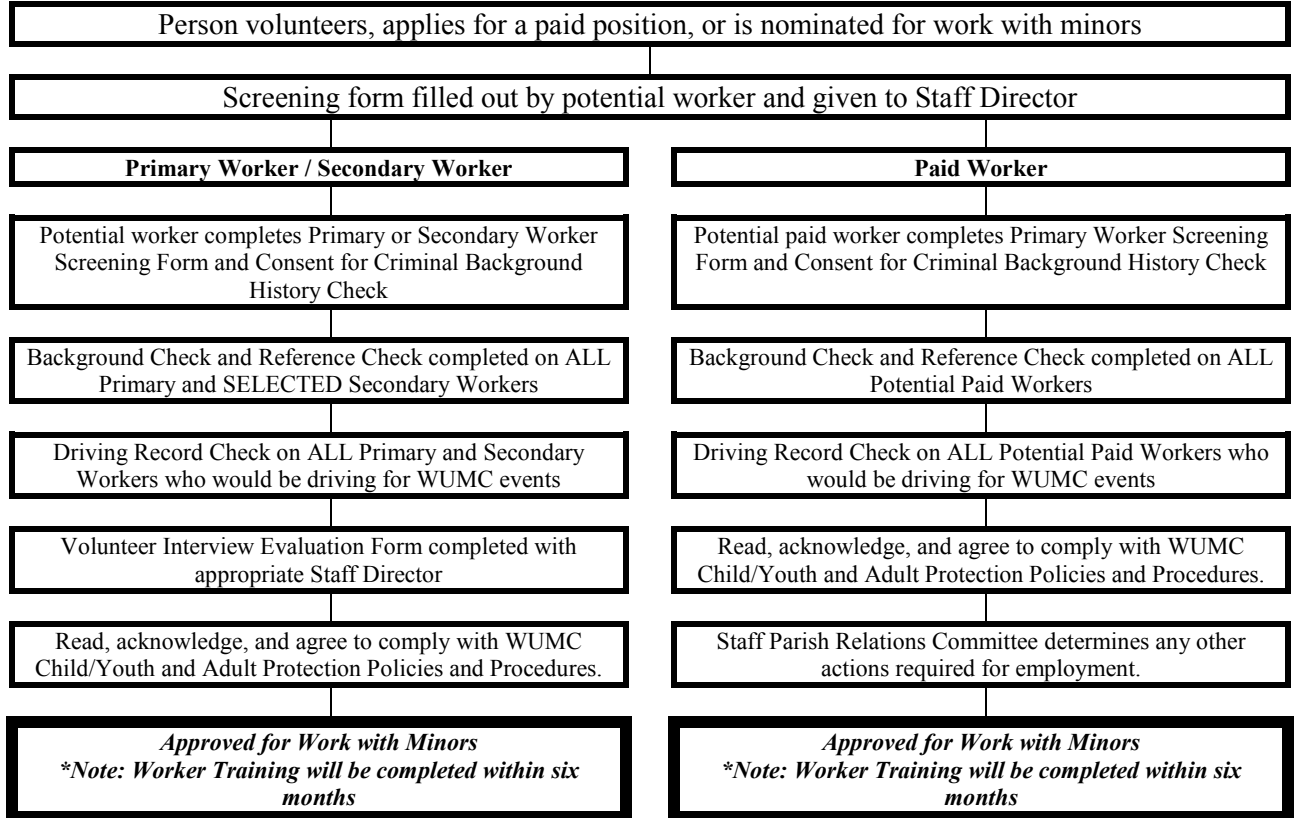
POLICY REVIEW AND REVISION

These policies and procedures will be annually reviewed by the Church Council and will be modified to ensure compliance with Texas State laws regarding child abuse. Any modifications shall be conveyed to all persons affected by the modifications. Any proposed modifications to these policies or procedures will be communicated to the Church Council for consideration.

CONCLUSION

We have a responsibility as caretakers of children, youth, and adults to provide a safe place for them to learn and grow in God's love. The development of policies and procedures is key to protecting the church by providing a safe and secure environment for children, youth, and adults entrusted to our care.

Approval Process for Working with Minors at Windcrest United Methodist Church



Notes:

1. Persons denied volunteer positions because of his or her refusal to complete a Screening Form or denial of a position as a result of the screening process may appeal the decision to the Senior Pastor. The Senior Pastor shall consult the appropriate Staff Director before making a decision. The decision of the Senior Pastor is final.
2. All workers are subject to periodic re-checks of criminal records/driving records.
3. Workers who have completed the appropriate background/reference check requests, completed the interview with the appropriate Staff Director, and have read, acknowledged, and signed the WUMC Child/Youth and Adult Protection Policies and Procedures will be considered Provisional workers and may be allowed to begin to work while awaiting results from the background/reference checks.

**CHILD/YOUTH AND ADULT PROTECTION
POLICIES AND PROCEDURES MANUAL
STATEMENT OF ACKNOWLEDGEMENT**

This statement is to acknowledge that I have received a copy of the church's Child/Youth and Adult Protection Policies and Procedures Manual. I understand that it provides guidelines and official actions regarding the church's ministry operations. I also understand that it is my responsibility to read, understand and become familiar with its content. I further understand that the Church Council reserves the right to modify, supplement, rescind or revise any of the Manual's information from time to time, with or without notice, as they feel necessary and appropriate as so lead by the Lord and Savior Jesus Christ; who is the Head of this body of believers. When and if such Manual updates are provided to me, I understand that it is my responsibility to read such updates, place updated material in the proper location of the Manual, and disregard the outdated material.

I further understand and acknowledge that this Manual and any parts of its contents in no way, shape, or form create any contract of employment.

I also acknowledge that this Manual is the property of the Church and must be returned immediately upon termination of employment, transfer of church membership, or upon request by the Church Council or its designee. I further acknowledge that this Manual contains sensitive materials that are not to be discussed or shared with others in a manner which could cause division or dissension within the Body of Christ. If personal concerns so arise, while serving in this Church, I acknowledge that I will follow the biblical principals of reconciliation as found in Matthew 18.

Employee's or Ministry Leader's Name (Please Print)

Employee's or Ministry Leader's Signature

Date

NOTE: This Statement of Acknowledgement will be filed in the employee's personnel file, if signer is an employee, or in the Staff Director' Office, if signer is a ministry volunteer.

APPENDIX A

SUBTITLE E. PROTECTION OF THE CHILD CHAPTER 261. INVESTIGATION OF REPORT OF CHILD ABUSE OR NEGLECT SUBCHAPTER A. GENERAL PROVISIONS

§ 261.001. Definitions

In this chapter:

(1) "Abuse" includes the following acts or omissions by a person:

(A) mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development, or psychological functioning;

(B) causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child's growth, development, or psychological functioning;

(C) physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian, or managing or possessory conservator that does not expose the child to a substantial risk of harm;

(D) failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child;

(E) sexual conduct harmful to a child's mental, emotional, or physical welfare;

(F) failure to make a reasonable effort to prevent sexual conduct harmful to a child;

(G) compelling or encouraging the child to engage in sexual conduct as defined by Section 43.01, Penal Code;

(H) causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting of the child if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene as defined by Section 43.21, Penal Code, or pornographic;

(I) the current use by a person of a controlled substance as defined by Chapter 481, Health and Safety Code, in a manner or to the extent that the use results in physical, mental, or emotional injury to a child; or

(J) causing, expressly permitting, or encouraging a child to use a controlled substance as defined by Chapter 481, Health and Safety Code.

(2) "Department" means the Department of Protective and Regulatory Services.

(3) "Designated agency" means the agency designated by the court as responsible for the protection of children.

(4) "Neglect" includes:

(A) the leaving of a child in a situation where the child would be exposed to a substantial risk of physical or mental harm, without arranging for necessary care for the child, and the demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the child;

(B) the following acts or omissions by a person:

(i) placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child;

(ii) failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child;

(iii) the failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused; or

(iv) placing a child in or failing to remove the child from a situation in which the child would be exposed to a substantial risk of sexual conduct harmful to the child; or

(C) the failure by the person responsible for a child's care, custody, or welfare to permit the child to return to the child's home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away.

(5) "Person responsible for a child's care, custody, or welfare" means a person who traditionally is responsible for a child's care, custody, or welfare, including:

(A) a parent, guardian, managing or possessory conservator, or foster parent of the child;

(B) a member of the child's family or household as defined by Chapter 71;

(C) a person with whom the child's parent cohabits;

(D) school personnel or a volunteer at the child's school; or

(E) personnel or a volunteer at a public or private child-care facility that provides services for the child or at a public or private residential institution or facility where the child resides.

(6) "Report" means a report that alleged or suspected abuse or neglect of a child has occurred or may occur.

(7) "Board" means the Board of Protective and Regulatory Services.

(8) "Born addicted to alcohol or a controlled substance" means a child:

(A) who is born to a mother who during the pregnancy used a controlled substance, as defined by Chapter 481, Health and Safety Code, other than a controlled substance legally obtained by prescription, or alcohol; and

(B) who, after birth as a result of the mother's use of the controlled substance or alcohol:

(i) experiences observable withdrawal from the alcohol or controlled substance;

(ii) exhibits observable or harmful effects in the child's physical appearance or functioning; or

(iii) exhibits the demonstrable presence of alcohol or a controlled substance in the child's bodily fluids.

Added by Acts 1995, 74th Leg., ch. 20, § 1, eff. April 20, 1995. Amended by Acts 1995, 74th Leg., ch. 751, § 86, eff. Sept. 1, 1995.

Amended by Acts 1997, 75th Leg., ch. 575, § 10, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1022, § 63, eff. Sept. 1, 1997; Acts 1999, 76th Leg., ch. 62, § 19.01(26), eff. Sept. 1, 1999.

§ 261.106. Immunities

(a) A person acting in good faith who reports or assists in the investigation of a report of alleged child abuse or neglect or who testifies or otherwise participates in a judicial proceeding arising

from a report, petition, or investigation of alleged child abuse or neglect is immune from civil or criminal liability that might otherwise be incurred or imposed.

(b) Immunity from civil and criminal liability extends to an authorized volunteer of the department or a law enforcement officer who participates at the request of the department in an investigation of alleged or suspected abuse or neglect or in an action arising from an investigation if the person was acting in good faith and in the scope of the person's responsibilities.

(c) A person who reports the person's own abuse or neglect of a child or who acts in bad faith or with malicious purpose in reporting alleged child abuse or neglect is not immune from civil or criminal liability.

Added by Acts 1995, 74th Leg., ch. 20, § 1, eff. April 20, 1995. Amended by Acts 1995, 74th Leg., ch. 751, § 91, eff. Sept. 1, 1995.

APPENDIX B

Symptoms of Molestation¹

Church workers and staff should be alert to the physical signs of abuse and molestation, as well as to behavioral and verbal signs that a victim may exhibit. Some of the more common signs are summarized below:

Physical signs may include:

- Lacerations and bruises.
- Irritation, pain or injury to the genital area,
- Difficulty with urination.
- Discomfort when sitting.
- Torn or bloody underclothing.

Behavioral signs may include:

- Anxiety when approaching church or nursery area (beyond normal separation anxiety).
- Nightmares.
- Nervous or hostile behavior towards adults.
- Sexual self-consciousness.
- “Acting out” of sexual behavior.
- Withdrawal from church activities and friends.

Verbal signs may include the following statements:

- I don't like (a particular church worker).
- (A particular church worker) does things to me when we're alone.
- I don't like to be alone with (a particular church worker).
- (A particular church worker) fooled around with me.

¹ Adapted from Child Abuse: Governing Law and Legislation by I. Sloan (1983)

A Summary of Your Rights Under the Fair Credit Reporting Act

The Fair Credit Reporting Act (FCRA) is designed to promote accuracy, fairness, and privacy of information in the files of every "consumer reporting agency" (CRA). Most CRAs are credit bureaus that gather and sell information about you -- such as where you work and live, if you pay your bills on time, and whether you've been sued, arrested, or filed for bankruptcy -- to creditors, employers, and other businesses. The FCRA gives you specific rights in dealing with CRAs, and requires them to provide you with a summary of these rights as listed below. You can find the complete text of the FCRA, 15 U.S.C. 1681 et seq., at the Federal Trade Commission's web site (<http://www.ftc.gov>).

- **You must be told if information in your file has been used against you.** Anyone who uses information from a CRA to take action against you -- such as denying an application for credit, insurance, or employment -- must give you the name, address, and phone number of the CRA that provided the report.
- **You can find out what is in your file.** A CRA must give you all the information in your file, and a list of everyone who has requested it recently. However, you are not entitled to a "risk score" or a "credit score" that is based on information in your file. There is no charge for the report if your application was denied because of information supplied by the CRA, and if you request the report within 60 days of receiving the denial notice. You are also entitled to one free report a year if you certify that (1) you are unemployed and plan to seek employment within 60 days, (2) you are on welfare, or (3) your report is inaccurate due to fraud. Otherwise, a CRA may charge you a fee of up to eight dollars.
- **You can dispute inaccurate information with the CRA.** If you tell a CRA that your file contains inaccurate information, the CRA must reinvestigate the items (usually within 30 days) unless your dispute is frivolous. The CRA must pass along to its source all relevant information you provided. The CRA also must supply you with written results of the investigation and a copy of your report, if it has changed. If an item is altered or deleted because you dispute it, the CRA cannot place it back in your file unless the source of the information verifies its accuracy and completeness, and the CRA provides you a written notice that includes the name, address and phone number of the source.
- **Inaccurate information must be deleted.** A CRA must remove inaccurate information from its files, usually within 30 days after you dispute its accuracy. The largest credit bureaus must notify other national CRAs if items are altered or deleted. **However, the CRA is not required to remove data from your file that is accurate unless it is outdated or cannot be verified.**
- **You can dispute inaccurate items with the source of the information.** If you tell anyone -- such as a creditor who reports to a CRA -- that you dispute an item, they may not then report the information to a CRA without including a notice of your dispute. In addition, once you've notified the source of the error in writing, they may not continue to report it if it is in fact an error.
- **Outdated information may not be reported.** In most cases, a CRA may not report negative information that is more than seven years old; ten years for bankruptcies.
- **Access to your file is limited.** A CRA may provide information about you only to those who have a need recognized by the FCRA -- usually to consider an application you have submitted to a creditor, insurer, employer, landlord, or other business.

- **Your consent is required for reports that are provided to employers or that contain medical information.** A CRA may not report to your employer, or prospective employer, about you without your written consent. A CRA may not divulge medical information about you without your permission.
- **You can stop a CRA from including you on lists for unsolicited credit and insurance offers.** Creditors and insurers may use file information as the basis for sending you unsolicited offers of credit or insurance. Such offers must include a toll-free number for you to call and tell the CRA if you want your name and address excluded from future lists or offers. If you notify the CRA through the toll-free number, it must keep you off the lists for two years. If you request and complete the CRA form provided for this purpose, you can have your name and address removed indefinitely.
- **You may seek damages from violators.** You may sue a CRA or other party in state or federal court for violations of the FCRA. If you win, the defendant may have to pay damages and reimburse you for attorney fees. If you lose and the court specifically finds you sued in bad faith, you or your attorney may have to pay the defendant's fees.

You may have additional rights under state law. You may wish to contact a state or local consumer protection agency or a state attorney general to learn those rights.

If you have questions or believe your file contains errors, call our toll-free number.

The FCRA gives several different federal agencies authority to enforce the FCRA:

FOR QUESTIONS OR CONCERNS REGARDING:

CRAs, creditors and others not listed below

PLEASE CONTACT:

Federal Trade Commission
Bureau of Consumer Protection - FCRA
Washington, DC 20580 * 202-326-xxxx

National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)

Office of the Comptroller of the Currency
Compliance
anagement, Mail Stop 6-6
Washington, DC 20219 * 800-613-6743

Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)

Federal Reserve Board
Division of Consumer & Community Affairs
Washington, DC 20551 * 202-452-3693

Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name)

Office of Thrift Supervision
Consumer Programs
Washington, DC 20552 * 800-842-6929

Federal credit unions (words "Federal Credit Union" appear in institution's name)

National Credit Union Administration
1775 Duke Street

Banks that are state-chartered, or are not Federal Reserve System members

Alexandria, VA 22314 * 703-518-6360
Federal Deposit Insurance Corporation
Division of Compliance & Consumer Affairs
Washington, DC 20429 * 800-934-FDIC

Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission

Department of Transportation
Office of Financial Management
Washington, DC 20590 * 202-366-1306

Activities subject to the Packers and Stockyards Act, 1921

Department of Agriculture
Office of Deputy Administrator - GIPSA
Washington, DC 20250 * 202-720-7051

WINDCREST UNITED METHODIST CHURCH

**WINDCREST UNITED METHODIST CHURCH
NOTICE OF AND CONSENT TO BACKGROUND INVESTIGATION**

NOTICE: Windcrest United Methodist Church (WUMC) and/or its affiliates may conduct an investigation concerning, and/or obtain from a consumer reporting agency a consumer report concerning your character, general reputation (including criminal records), personal characteristics, and mode of living for the purpose of determining your eligibility for employment, continued employment, or service as an unpaid worker. By your signature below you are affirmatively authorizing WUMC and/or its affiliates to request and use your consumer report for employment purposes or for the purposes of determining your fitness to serve as an unpaid worker.

CONSENT: I hereby authorize WUMC and/or its affiliates to request and obtain a consumer report on me as described above for purposes of evaluating my qualifications for employment, continued employment, or service as an unpaid volunteer, I also understand that if a report from a consumer reporting agency is the basis for adverse action, I will be furnished a copy of the report and such additional information as may be required by law. I have received the attached "Summary of Your Rights Under the Fair Credit Reporting Act" published by the Federal Trade Commission. I also understand that as long as I remain an employee or volunteer at WUMC, the consumer report may be repeated at any time. This authorization shall remain valid until I furnish WUMC a written notice of revocation. I hereby authorize WUMC to release all information obtained about me to the Team Leader and/or staff director overseeing the program(s) for which I seek a position, the WUMC's Business Administrator, the Senior Pastor, and other person(s) designated by the Senior Pastor.

Applicant's signature

Date

First Name

Middle Name

Last Name

Print Maiden Name (if applicable)

Print all aliases (if applicable)

Print all other cities in Texas where there has been residency

Date of Birth

Texas Drivers License Number

AUTO SAFETY CERTIFICATION

This form is intended for persons who have responsibility to conduct church business or transport minors or adults by personal auto and/or church vehicle. **Only persons 25 years and older (age 21 for paid church employees), with valid driver’s licenses and valid personal auto insurance, may transport others in church vehicles as part of church activities.**

Please answer each question. The information on this application will not be disclosed to unauthorized persons.

| | | | |
|--|---------------|-------|-------|
| Name | Date of Birth | Phone | |
| Street Address | City | State | ZIP |
| Are you a licensed driver? | Yes _____ | No | _____ |
| If yes, present your license to staff so it may be copied for your records. | | | |
| Do you currently have personal auto insurance? | Yes _____ | No | _____ |
| If yes, present your proof of insurance card to staff so it may be copied for your records. | | | |
| Have you been charged with driving violations (not including parking tickets) within the past 5 years? | Yes _____ | No | _____ |

If yes, please explain the nature of the charges on the back of this paper.

Agreement to Notify of Driving Events – I agree to immediately inform the Windcrest United Methodist Church (WUMC) Business Administrator if my driver’s license is suspended or revoked, if I am charged with a driving offense, or if I have DUI or DWI charges pending. I must also inform the WUMC Business Administrator if my personal auto insurance is cancelled or not renewed. These notifications are required *even if the offenses are not related to church work*. WUMC will not release this information to unauthorized persons. Note: Being ticketed for a minor offense does not automatically disqualify a worker from transporting people.

Seat Belt Usage – I agree to transport persons only in passenger seats equipped with appropriate seat belts and child safety seats. I agree to require seat belt usage and child safety seat usage at all times.

Safe Vehicles - I agree to transport persons only in vehicles that are safe in condition. I have truthfully and accurately responded to the questions above. I agree to notify the church if any of the driving events listed above occurs.

Signature _____
Date

Please print name

Note to church staff: This form, along with a copy of the applicant’s driver’s license and insurance card shall be filed in the church’s office.