



LIVING LORD LUTHERAN CHURCH & PRESCHOOL

an ELCA *Safe Haven* congregation

Growing to Serve, Serving to Grow

A Safe Haven Congregation

MISCONDUCT PREVENTION AND REPORTING POLICY

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Evangelical Lutheran Church in America

Living in God's amazing grace

INTRODUCTION

*“One thing I ask of the Lord, this is what I seek: that I may dwell in the house of the Lord all the days of my life, to gaze upon the beauty of the Lord and to seek him in his temple. For in the day of trouble he will keep me safe in his dwelling; he will hide me in the shelter of his tabernacle and set me high upon a rock. Then my head will be exalted above the enemies who surround me; at his tabernacle will I sacrifice with shouts of joy; I will sing and make music to the Lord.”
(Psalm 27:4-6 NIV)*

God calls the church to gracefully and lovingly respect all individuals as whole children of God, both flawed and gifted. Bringing our whole selves, flaws and all, into our participation in the church community can be a very vulnerable experience. Yet it is specifically that vulnerability that has the potential to unlock opportunities for transformation and redemption in our lives and in the life of the church. It is with this in mind that we strive to make the church a “safe space” for all members, free from behaviors that would hinder our communion with each other and with God.

All forms of abuse by clergy and lay leaders with church members are unacceptable within the life of the church. The church should be a safe place where people can worship, learn, work, love, and receive care in a manner that is free from abuse.

Early in the life of the Evangelical Lutheran Church in America (ELCA), this church expressed clearly its intention to take whatever measures it could to help prevent abuse and misconduct within the ELCA. In other words, the church is *Called to be a Safe Haven*.

PURPOSE

Living Lord Lutheran Church recognizes that prevention and reporting are crucial components of an approach to reducing abusive behaviors in our society. Therefore, we have implemented the following policies to safeguard from abuse all individuals, especially the most vulnerable among us — children, youth and vulnerable adults — who participate in the life of this church. Everyday operating procedures will be followed to greatly reduce the risk of any form of abuse occurring in any area where the church and its staff might be considered legally or morally responsible.

STATEMENT OF COVENANT

The congregation of Living Lord Lutheran Church is committed to providing a safe and secure environment for all children, youth, and volunteers who participate in ministries and activities sponsored by the church. The following policy statements reflect our congregation’s commitment to preserving this church as a sanctuary for all who would enter and as a place in which all people can experience the love of God through relationships with others.

In keeping with the covenant of baptism, we have committed ourselves and our resources to the nurturing of our children. We understand that children cannot grow in faith and in wisdom when they are frightened, distrustful, anxious, or depressed. They cannot learn to love and trust God when those who represent God to them are unloving and untrustworthy. We promise our children that we will provide the structure, education, and the policies that will keep them safe from harm and abuse. In that context, we will train all volunteers and ask that they abide by the policies of our church.

CONCLUSION

In all of our ministries, this congregation is committed to demonstrating the love of Jesus Christ so that each participant will be given a safe haven and sanctuary to be confirmed and strengthened in the way that leads to life eternal.

DEFINITIONS

The following definitions are for the purposes of this policy only.

STAFF — Any person who provides service to Living Lord Lutheran Church. This includes both paid employees and volunteers.

CHILD — Any minor whose age is birth through fifth grade (traditionally eleven years old).

YOUTH — Any minor whose age is 6th grade through 12th grade.

ADULT — Any person who has completed high school.

VULNERABLE ADULT — Any person over the age of eighteen years who is or may be in need of assistance by reason of mental, physical, or learning disability, age or illness, and who is or may be unable to take care of him- or herself or unable to protect him- or herself against significant harm or serious exploitation.

ABUSE — Mistreatment in any form.

CHILD ABUSE — Abuse of a minor, be it child or youth. A child abuser may be an adult, an adolescent or another child (who is four or more years older). Mistreatment through any of these forms of abuse may result in emotional scars that impair psychological growth and development. Abuse can take many forms, which include, but are not limited to, the following:

- PHYSICAL:** Intentional infliction of bodily harm on another (injury may or may not be visible) — can include shaking, hitting, beating, burning, etc.
- SEXUAL:** Violent or nonviolent exploitation of a victim's vulnerability and powerlessness in which the abuser is fully responsible for the action. Includes behaviors that involve touching and nontouching aspects.
- TOUCHING:** Fondling; oral, genital, and anal penetration; intercourse; any other contact of a sexual nature
- NONTOUCHING:** Verbal comments; pornographic videos, obscene phone calls; exhibitionism; allowing victim to witness sexual activity; inappropriate verbal descriptions of sexual activity
- EMOTIONAL:** Exposure to spoken and/or unspoken violence or emotional cruelty. Examples include belittling, irrational criticism, insults, humiliation, giving messages that the victim is worthless or unloved, put-downs, profanity, off-color jokes, being locked in closets, or being allowed or forced to abuse alcohol or drugs.
- RITUAL:** Physical, sexual, or psychological violations of a child are inflicted regularly, intentionally, and in a stylized way by the person(s) responsible for the child's welfare. The abuser may appeal to some higher authority or power to justify the abuse. Examples include cruel treatment of animals, repeated threats of harm to the child, other persons, and animals. Examples of ritual abuse are often extremely horrifying and may seem too grim to be true.
- NEGLECT:** Endangers a person's health, safety, or welfare through negligence. Examples include failure to provide basic care for a child, including food, clothing, health care, shelter, education, supervision, or even affection and affirmation of the person's self-worth.

ABUSE OF A VULNERABLE ADULT — Abuse of a vulnerable adult can be defined using the same criteria as those of child abuse (see above), but can also include the following:

FINANCIAL: Intentional misuse of the victim's financial resources, taking no regard for the continued well-being and/or financial security of the victim.

PROCEDURES

1. Adults who have been convicted of either sexual or physical abuse, and more specifically of sexual or physical abuse of a minor, will not be permitted to volunteer services in any church-sponsored activity or program for children, youth, or vulnerable adults.
2. Any staff member who witnesses or suspects the existence of inappropriate behavior will immediately report this to the Lead Pastor, Council President, and/or the Chairperson of the Personnel Committee. All staff members are mandated reporters of child abuse.
3. All staff members with security access to the church facilities or whose role(s) include direct contact with children, youth and/or vulnerable adults must attend a Safe Have Security Training Session and consent to a criminal background check prior to beginning any service with Living Lord Lutheran Church. Exceptions: Individuals under age eighteen (no criminal record available).
4. Screening forms shall be obtained and reviewed for those described in item 3, with no exceptions. Those persons described in item 3 who have at this time already begun their service with Living Lord Lutheran Church will have screenings completed within 6 months of the implementation of this policy.
5. All staff members whose role(s) include direct contact with children, youth, and/or vulnerable adults must receive training on preventing and reporting abuse prior to beginning any service. This training shall be repeated at every two years.
6. All Sunday School classes, youth activities, and activities specifically targeting vulnerable adults will be conducted with at least two staff members, of which at least one must be over age eighteen.
7. All rooms in which Sunday School, youth activities, and activities specifically targeting vulnerable adults are conducted must either have a window in the door or the door must be left open during the session.
8. Parents, guardians, or other persons responsible for the well-being of an attendee will be given advance notice of, and all information about, events specifically targeting children, youth, or vulnerable adults. For any event in which a staff member may be alone with a child, youth, or vulnerable adult, the parent, guardian, or other responsible person must give written permission for the attendee's participation (e.g., confirmation, small groups, and coaching).
9. Only authorized persons may pick up children dropped off for any church function.
10. A written procedural plan to deal with reports of suspected abuse or neglect has been implemented. Copies can be obtained from the Sunday School office (copies will also be posted in each classroom). See the included procedure for *"Reporting of Suspected / Actual Abuse of a Child, Youth, or Vulnerable Adult."*
11. To protect members of both the staff and the congregation, all one-on-one meetings will take place in an open environment. This can be achieved by either meeting in a room with a window in the door, allowing passersby to view inside, or by leaving the door to the meeting area open. See Appendix A for a breakdown of meeting rooms on the church premises. Under no circumstances will it be permitted for one-on-one meetings to occur when no other people are on the church premises.
12. Abuse, and specifically, abuse of children, youth, and vulnerable adults is a criminal act, and for any instance of abuse the proper Illinois law-enforcement agencies within the jurisdiction will be notified.
13. Information on Illinois law related to sexual/physical harassment and abuse is available in the Sunday School office.
14. Living Lord Lutheran Church will obtain an insurance policy giving a reasonable amount of coverage against claims of abuse, and for any litigation that may occur as a result.
15. All media inquiries will be directed to the Lead Pastor, Council President, or the Chairperson of the Personnel Committee. No staff member will answer any media inquiries about incidences at the church as representatives of the church without prior clearance by the Lead Pastor or Council President or the Chairperson of the Personnel Committee.
16. When a child needs to use the bathroom, staff members should wait outside of the bathroom in the hall until the child is done and then walk him/her back to their activity.

PROCEDURES (cont.)

Procedure for Reporting of Suspected / Actual Abuse of a Child, Youth, or Vulnerable Adult

The following procedure is to be used if any staff member of Living Lord Lutheran Church:

1. Suspects that a child has been abused;
2. Is told by a child that he/she has been or is being abused; or
3. Observes abusive behavior.

When with the child:

- Be calm and show concern.
- Believe the child.
- Ask a limited amount of open-ended questions to gather information, but don't make judgments.
- Reassure the child that it is not his/her fault.

When abuse is witnessed by the staff member or volunteer:

- Intervene on behalf of the child.
- Make the abuser aware that at Living Lord Lutheran Church we do not treat children in that manner.
- Assess the child's immediate well-being and safety. Call 911 immediately.
- Document what you have heard and/or what you have seen in detail by filling out an Incident report form. This can be found on the Safe Haven bulletin board outside of the Sunday School office.
- Immediately report the matter and submit the Incident Report Form to the Lead Pastor, Director of Sunday School, or Youth Director.
- We are mandated reporters and it is the duty of the person who witnesses the abuse to call Department of Children and Family Services or appropriate state agency under the guidance of the Pastor, Director of Sunday School or Youth Director. For detailed procedures, see the Safe Haven bulletin board.

NOTE: Do not discuss the incident with anyone but the people listed above. This is an issue of confidentiality and our Christian obligation of intentionally choosing not to engage in gossip or hearsay.

Upon receiving a report of suspected or actual abuse, the Lead Pastor will:

- Call the ELCA and report the incident (ensure that an Incident Report Form is completed).

NOTE: The ELCA Sexual Misconduct Policy will be followed in any situation involving the pastoral staff or any person employed by Living Lord Lutheran Church who is involved in an incident.

- Gather further information.
- Provide opportunity for the person accused to respond.
- Take appropriate action, which may include informing the child's parents and making a report to the appropriate Illinois law-enforcement agency.

Protection for those reporting suspected or actual abuse:

- The name of the reporter is confidential, except by court order.
- Reporters are immune from civil or criminal liability, if acting in good faith.

- Living Lord Lutheran Church will not tolerate any retaliation or threat of retaliation against those reporting in good faith.
- Living Lord Lutheran Church will not tolerate false reports made knowingly or recklessly.

Other Possible Actions

The provisions of the above Policy, Definitions, and Procedure are general in nature. The church reserves the right to take additional or different action as is most appropriate for each individual situation, even if that action is not expressly stated in this policy.

“Code Red” Procedure

The following procedure is to be used if any staff member of Living Lord Lutheran Church witnesses or is notified by another person that a child, youth, or vulnerable adult **has been abducted** from any church activity taking place either on or off church premises:

1. If a staff member witnesses an attempted abduction of a child, youth or vulnerable adult by someone who is not that person’s parent, guardian, or other responsible party:
 - a. **Make every attempt to intervene on the child/youth/vulnerable adult’s behalf without putting himself or herself or the victim in harm’s way. If necessary, ask for help from another adult congregational member.**
 - b. Observe all notable characteristics of the abductor and (when applicable) any vehicles used by that person, and write it down immediately. This includes the name (if known) of the abductor, physical characteristics, make/model/color and license plate number of their vehicle. The more detail the better.
 - c. Call 911 immediately.
 - d. If on premises, notify the Lead Pastor immediately, or whoever the “in-charge” person is.
 - e. If not on church premises, immediately notify the person in charge of the area where the activity is taking place, and have them contact the nearest law-enforcement agency with the information from item b, as well as all pertinent information about the victim.
2. The Lead Pastor (*or designee*) will immediately contact the victim’s parent, guardian, or responsible person.
3. All members of staff present at the time of the incident will make themselves available to answer any questions and give any other aid as requested by law-enforcement personnel.

Disciplinary Procedures

Each staff member represents the “authority of the program” to the children involved. If you come across a child who is doing something he or she shouldn’t be doing, or is someplace other than where they should be, address the issue immediately and make reasonable and appropriate attempts to stop the disruptive behavior and return them to where they need to be.

In your small group, if a child refuses to behave or cooperate:

- a. Verbally correct behavior in a positive way, state the behavior that you want to see.
- b. If the student continues, give them a “time out.”
- c. Remember not to physically discipline a child or yell at him/her. Use a calm, rational voice.
- d. If the student continues to disrupt your group or class, walk him/her to the person in charge. The leader will contact the parents to explain the situation and ask them to come to the site and work with their child.

APPENDIX A

The following is a list of most rooms in the church building that can be used for meetings:

Rooms with windows in the door <i>(Door may be closed for 1-on-1 meetings)</i>	Rooms without windows in the door <i>(Door must remain open during 1-on-1 meetings)</i>	Open areas
Library Nursery Preschool Conference Room Youth Director's Office Kitchen Fellowship Hall All Sunday School Classrooms Music Office	All Pastor Offices Work/Copier Room SS office	Sunday School Central (near offices) Sanctuary Lobby/Narthex