

FAIRVIEW PRESBYTERIAN CHURCH
PROTECTION POLICY FOR CHILDREN AND ENDANGERED ADULTS
(Adopted September 19, 2000) (Amended 9/16/08)

Fairview Presbyterian Church has a strong commitment to its ministry for children, youth, the disabled and elderly. Consistent with its mission, Fairview Presbyterian Church recognizes the importance of making and keeping the Church as a safe place where children, youth, the disabled and the elderly can seek, explore, celebrate and share a living relationship with God, Jesus Christ and the Holy Spirit. The Church has an important role to play in preventing abuse of children and others who cannot protect themselves. Those who are selected to work with children and youth, the disabled and the elderly at Fairview Presbyterian Church have important responsibilities to keep those they serve safe, to nurture and protect them, and to lead them by example. The responsibilities are the same for paid and volunteer workers. Fairview Presbyterian Church also recognizes that a policy for the prevention and reporting of child or elder abuse helps to protect children, youth, the disabled, the elderly, Church employees and volunteers, ministers, members and the Church family as a whole.

POLICY APPLICABILITY AND DEFINITIONS. This policy shall apply to all child and youth activities of Fairview Presbyterian Church. This policy shall also apply to all activities involving those who are disabled, elderly or otherwise unable to care for themselves physically or mentally and who could be considered an "endangered adult" under Indiana law. This policy shall apply to those, whether paid or volunteer, who work or provide services for any activity or ministry for children, youth, the disabled or elderly of Fairview Presbyterian Church. This policy shall apply to all activities held on the premises of Fairview Presbyterian Church and to all activities sponsored or organized by Fairview Presbyterian Church regardless of where such activities take place. When the Church building is made available to other organizations or groups, this policy shall apply if the activity is intended for children, youth, the elderly or the disabled and they will be participating in separate activities intended only for them. Use of the Church building and facilities by such organizations and groups on a recurring or regular basis shall be made conditional on agreement to abide by this policy.

For purposes of this policy, a "child" or "youth" is any person under age eighteen.

For purposes of this policy a "disabled" or "elderly" person is any person who is a participant in the Adult Day Care Program offered at Fairview Presbyterian Church, the programs of "A Caring Place," or any similar program offered at Fairview Presbyterian Church in the future. For purposes of this policy, "disabled" and "elderly" persons also include those persons who are unable to care for their own physical and mental needs and would be recognized as incompetent or an "endangered adult" under Indiana law.

For purposes of this policy, "Worker" means a person who has applied, been screened, accepted and trained to be a paid or volunteer worker with children or youth, the elderly or the disabled for any activity at, sponsored or organized by Fairview Presbyterian Church. "Adult Worker" means a Worker who is age 18 or older. "Youth Worker" means someone who meets all the criteria to be a Worker, but is between the ages of 14 and 17. Parental permission is required before any person can be accepted as a Youth Worker.

For purposes of this policy, "child or youth activity" includes but is not limited to any activity for or attended by children or youth on the premises of Fairview Presbyterian Church and any such activity sponsored or organized by Fairview Presbyterian Church, wherever it may occur. For example, this policy shall apply to all Church school classes and activities, any Church nursery session, all youth groups and activities, as well as field or mission trips involving youth off Church premises.

PARENTAL PARTICIPATION AND PERMISSION. Parents of children and youth who are attending an activity at or sponsored or organized by Fairview Presbyterian Church are always welcome to attend with their sons and daughters. Parental attendance shall be in addition to and not in place of trained volunteer Workers or paid Church employees. Parental permission may be required before children or youth may participate in certain activities of Fairview Presbyterian Church (including but not limited to those taking place off Church premises), and the Church reserves the right to exclude any child or youth where the required written parental permission has not been received. Similarly, spouses, relatives, guardians and/or care givers of the elderly or disabled may attend activities at or sponsored or organized by Fairview Presbyterian Church, but their attendance shall be in addition to and not in place of trained Workers. Any parent or other person who attends activities at or sponsored or organized by Fairview Presbyterian Church is encouraged to participate in the training described elsewhere in this policy.

WORKER SELECTION. No person may become a Worker, whether adult or youth, and whether on a paid or volunteer basis, until the person has completed an application form and consented to a background check by the Indiana State Police (or other law enforcement agency selected by Fairview Presbyterian Church), been screened and accepted by Fairview Presbyterian Church. No person shall be accepted as a Worker until (1) the person has been a member of Fairview Presbyterian Church or an active and regular participant in the life and ministry of Fairview Presbyterian Church for at least six months and (2) Fairview Presbyterian Church has received and studied the person's application, the results of the background check, checked the person's references and otherwise agreed to accept the applicant as a Worker. If the person meets the criteria for working with children or youth but has been a member or active participant for less than six months, the person may work with children or youth if the person is at all times accompanied by another trained Worker. No person may become a Worker to work with the elderly or disabled, whether on a paid or volunteer basis, who has not completed an application form and consented to a background check by the Indiana State Police (or other law enforcement agency selected by Fairview Presbyterian Church) and who has not been approved by the sponsor of the program (which may or may not be Fairview Presbyterian Church). All those who assist on a volunteer or paid basis on the premises of Fairview Presbyterian Church with children, youth, the elderly or disabled shall be encouraged to attend training. Any person who is unable or unwilling to attend training, may be temporarily or permanently barred from being a Worker.

No individual who has been charged with child or elder abuse or neglect or who has been convicted of any felony or serious misdemeanor shall be permitted to become or continue as a Worker. Any person who has been charged with a felony or serious misdemeanor may also be barred from being a Worker in the sole discretion of Fairview Presbyterian Church. In addition, any individual who uses illegal drugs or abuses alcohol shall not become or continue as a Worker.

All Worker applications, results of background and personnel checks and related information shall be maintained by the personnel committee of the session of Fairview Presbyterian Church in confidential, secured files. Access to these files shall be granted to the pastor, Church business administrator, clerk of session, and chair of the personnel committee on a need to know basis. Access to these files may be granted by the pastor to others only in connection with a specific auditing, legal, insurance, or similar need-to-know basis.

WORKER TRAINING AND SUPERVISION. All those who seek to become Workers in activities with children, youth, the elderly or the disabled which are sponsored or organized by the Church shall attend at least one training session on the prevention and reporting of child abuse within the first week of service and at least once each calendar year thereafter. All those who work with children, youth, the disabled or the elderly on the premises of Fairview Presbyterian Church in programs not funded or sponsored by the Church shall be encouraged to attend at least one training session on the prevention and

reporting of child abuse at least once each calendar year. All paid staff of Fairview Presbyterian Church, the Early Childhood Program, Fairview Studios, and A Caring Place shall attend at least one training session on the prevention and reporting of child abuse at least once each calendar year. In the case of Fairview employees, failure to complete the annual training by March 15 could result in formal discipline and/or immediate discharge. Additional training may be required or recommended by the session of Fairview Presbyterian Church from time to time. Failure to participate in the initial training session, annual training, and any subsequently required training may result in the Worker being barred from further participation in activities with or service to children, youth, the elderly or the disabled.

At least two adult Workers, whether paid or volunteer, shall be present at all activities where children or youth are present. A parent attending a child or youth activity shall be in addition to and not in place of an adult Worker unless the parent is also a trained adult Worker. The following are the only exceptions to this two-adult Worker rule:

1. A pastor providing confidential counseling services may meet in private with a child or youth or an elderly or disabled person. If any such counseling extends beyond a single session, the pastor shall obtain written permission from the parent or guardian of the child or youth, or guardian of any incompetent or endangered person.
2. A regularly scheduled Church school class or nursery session on Sunday mornings or for similar regularly scheduled recurring events such as Fairview Studios lessons, Thursday evening choir practices or Wednesday evening summer program sessions or worship services of the Church, may be conducted by one (adult or youth) Worker, provided the room where the class or nursery is held has an unobstructed window or other opening, permitting those outside the room to see inside or provided that the door to the room remains open during the class, lesson or session.
3. A youth Worker may be substituted for one of two required adult Workers so long as at least one trained adult Worker is also present.

PROHIBITED ACTIVITIES. No person shall touch, interact with or communicate with any child or youth or endangered adult for the purpose of sexual stimulation or gratification. No child or youth can consent to any sexual activity with an adult. No person shall engage in conduct or activity that harms or threatens the physical, mental, emotional or spiritual health or well-being of any child, youth or endangered adult.

REPORTING AND RESPONDING TO SUSPECTED ABUSE. Any person who reasonably believes that a child, youth, or endangered adult has been or is the victim or abuse or neglect or reasonably believes that this policy has been violated shall promptly report the basis for such belief to the pastor (unless the pastor is the one being accused), the Director of the Early Childhood Program, the Director of the Fairview Studios, the Director of A Caring Place, the clerk of session, the chair of the personnel committee or the chair of the Christian education committee. If the person receiving the report is not the pastor, and the pastor is not the accused, the pastor shall be promptly notified, and thereafter the pastor or individual receiving the report shall notify the Church's attorney and the Presbytery. The parent or guardian of any child or youth involved shall be promptly notified unless that person is the accused. The spouse, guardian or other person responsible for the care of an endangered adult shall be promptly notified unless that person is the accused.

If any Worker learns that a person has made a report to a law enforcement agency or child protective agency or similar agency concerning abuse or neglect and involving a Fairview Presbyterian Church Worker or Fairview Presbyterian Church activity, the Worker shall promptly notify the pastor, the clerk of session or the chair of the personnel committee. Notification of such reports shall then be given to the Church's attorney and the Presbytery. Other reports or notices (such as to insurance companies) may be made as required and in consultation with the Church's attorney.

All reporting requirements in this policy are in addition to, and not in place of, any reporting requirements imposed by civil or ecclesiastical law. All requirements of the Book of Order of the Presbyterian Church (U.S.A.) shall be met. Nothing in this policy shall be interpreted or construed to require any person ordained in the Presbyterian Church (U.S.A.) to breach a confidence or violate any provision of the Constitution of the Presbyterian Church (U.S.A.).

If any Worker is accused of violating this policy or any person is otherwise accused of abuse or neglect and the person or Worker is not an ordained Minister of the Word and Sacrament, the person shall be informed of the accusation by the pastor and one other person (preferably the Church's attorney or clerk of session or chair of the personnel committee). If the accused is a Worker, the Worker may be suspended (with or without pay) from any further activity with children, youth or endangered adults until such time as the matter is resolved to the satisfaction of the Church. In the event the accused is a paid employee of the Fairview Presbyterian Church, Fairview Studios, Early Childhood Program or A Caring Place, the Church's personnel policies may also apply. If the accused is not a Worker, but attends Fairview Presbyterian Church, the person may be asked to refrain from attending or participating in any activity with children youth or endangered adults until the matter is resolved to the satisfaction of the Church. If the accused is an ordained Minister of the Word and Sacrament, the Presbytery's policies (including its Sexual Misconduct Policy) shall apply and shall be followed.

No accused person shall be presumed to be guilty until found guilty by a court of law, but reasonable steps shall be taken to protect those who are potentially vulnerable from contact with the accused until the matter is resolved. Under no circumstances shall any person who is believed to be the victim of abuse or neglect be questioned about the incident by any Worker.