

Essential Guide to
Children's
Ministry Safety

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Introduction

As a children’s ministry worker, you know what a privilege it is to work with children—and what an enormous responsibility comes with caring for others’ kids. Children’s workers are sensitive to a wide range of safety and liability issues surrounding our young ones at church. From food allergies to preventing access by sexual predators, it’s vital to understand and implement best practices to protect our kids.

This guide is designed to help you do exactly that—ensure that you have access to the basic information you need to keep kids safe at church, and to give you practical guidance for applying this information. Whether screening workers or sanitizing playthings, you’ll find the basic “must-dos” to keep kids in your care safe and healthy—and their parents worry-free, knowing their children are in good hands.

Safety starts with you and your staff. That’s a big responsibility, but it doesn’t need to be overwhelming. Follow the tips and procedures presented by many knowledgeable children’s ministry practitioners throughout this guide, as well as the information I’ve gleaned from my years as a church attorney (and as a fifth-grade Sunday school teacher). You’ll be well on your way to a children’s ministry that’s safe for all.

— *Richard R. Hammar*

Part 1

Creating Safe Spaces for Children

Keeping Young Children Safe at Church

Practical measures to create a safe environment for kids.

By John R. Throop

An essential part of any church's ministry is the care of infants, toddlers, and young children. Many congregations offer childcare on Sunday mornings, both during worship services and during adult education sessions. Some provide childcare for midweek services and special events. Many churches even offer a Christian school or day care center throughout the week to the surrounding community.

All childcare workers need to receive training. Some may be offended by this suggestion because they are parents, grandparents, or professionals with experience in nurseries and classrooms. The children's ministry director, however, must be clear about the church's mission and vision for children and establish a common pattern of care. That way, parents know their children are treated consistently by all workers.

The following information will help develop a consistent pattern of excellence in your childcare ministries. Specific patterns and practices may differ from state to state or province to province. In this outline of specific issues, it will be important for the children's ministry director to compare the information with regulatory requirements, ordinances, and statutes.

Security Issues

Security for children's areas is more pressing than ever before in local churches. Even in wealthy suburbs or friendly small towns, infants and small children are vulnerable. For instance, in a separation or divorce, a spouse may attempt to take a child when he or she is not entitled to do so. Churches must develop security procedures to protect little ones—and to prevent a loss that causes terrible financial and legal liability claims.

Controlled access. Security devices or trained personnel must be put into place at the entrance to the nursery and pre-kindergarten area. Doors must be locked, and only those with an identification device should be allowed through the doors. Children also must be prevented from letting themselves out of the room.

Childcare pickup control. Children need to have a UPC strip or another form of identification for check-in and check-out. This helps ensure that a child is picked up by the correct person.

Parental notification. Parents or appointed guardians should give cell phone numbers to notify them that the child is ready to be checked out of the nursery, or if there is a problem requiring assistance. Some churches send text messages to parents or guardians to communicate a need.

Paid and Volunteer Assistance

All persons working in the nursery or childcare areas need to be cleared for ministry work. This policy is necessary, whether the worker is a paid staff member or a volunteer at any age.

Volunteer recruitment. Develop job descriptions for nursery and childcare workers. Prospective workers can determine if the job is right for them, and if they meet certain qualifications. A childcare ministry will make every effort throughout the year to publicize the need for workers and the importance and value of the task. It is important to have a sufficient number of workers so that certain people are not locked into the tasks at all times.

Training. Even the most experienced parent or grandparent needs training in church childcare. Certainly, a nursery is a ministry of love, but there is a pattern of care that needs to be developed for all to follow. By creating consistent policies and procedures, children’s workers know what the expectations are, and parents can feel reassured that their children are being cared for in a uniform way.

Background checks. The individual overseeing the childcare ministry needs to collect information from *every adult-age volunteer* in order to conduct a background check. Various firms—some secular and some Christian—can do a rapid review of the accuracy of the person’s identity, legal records, and criminal history. This step can help screen out potential problems before they happen. In the event that a person causes a problem, the childcare ministry can prove its due diligence in reviewing the individual’s qualifications for this ministry. For volunteers under age 18, the ministry director should obtain several references from people outside the church who can report on a youth’s qualifications for serving with children.

Preventing Abduction

Question:

What can we do to prevent a child abduction from happening in our children’s ministry at church?

Answer:

The best strategy starts with the word “diligence.”

This means diligently sticking to the two-adult rule. A volunteer will notice when a co-worker attempts to leave with a child who’s not his or her own. But this only helps if volunteers are trained to question anything that doesn’t look right.

Diligently require every child leaving the children’s ministry area to go through a security check that matches that child with the correct adult using an identification system. If an adult loses his or her piece of the identification match, make that adult wait in the room until all children have checked out. While waiting, have the adult complete paperwork and show a driver’s license for identification. Prepare to endure complaints about the inconvenience.

Diligently assign adults to work check-in and check-out positions. A teen helper can be easily intimidated by a persistent adult. Make sure your greeters follow procedures every time—no exceptions. It’s easier to consistently enforce a “no exceptions” policy than to become strict only with unfamiliar people. If a line forms, consider assigning more people to that station.

Keep in mind that many parents who see news reports about child abductions that occur at churches silently audit your security procedures and form opinions about their effectiveness. Give them peace of mind that their children are in good, careful, and diligent hands. You’ll never regret it.

– **David Staal**, president of *Kids Hope USA*

Essentials of Waivers and Release Forms

Documents that can help protect your church and its people.

By John R. Throop

A generation ago, churches hired staff members for various positions based primarily on recommendations from others. Young people freely participated in church activities and went on missions trips without parental signatures on official forms. As communities of faith, churches relied on honesty and trust among members and employees.

Times have changed—drastically. Over the last 20 years, congregations have suffered financial and personal losses, sometimes at a staggering level. Employees and volunteers have embezzled money, engaged in acts of sexual misconduct or abusive behavior, or behaved recklessly in the use of church equipment, causing damage and endangering themselves or others. Attorneys have filed suits on behalf of individuals and churches to recover damages. Insurance companies have raised church liability insurance rates. Carriers have insisted that churches obtain separate riders for specific activities and proof of background checks prior to hiring. For many reasons, church administrators and pastors must require that potential employees, ministry volunteers, and members complete waiver and release documents.

Reasons for Waiver/Release Documents

Waivers are documents and forms that provide language holding the church harmless from litigation in church activities should something go wrong. Parties involved in an activity actively sign off or passively assent to the language of the document. If those involved in activities are under 18 years of age or are mentally or emotionally challenged in some way, a parent or guardian is responsible for signing the waiver.

Release documents are signed by potential employees and volunteers to permit background checks to be conducted as part of the application process for specific positions. Churches and ministries can conduct these checks directly, or hire an employment screening firm to do this work with a higher level of automation.

With waivers, churches and ministries can assign risk with those participating in activities. By disclosing any possible harm or injury from direct involvement in activities (and claim for the church's areas of responsibility), people can acknowledge the risks and agree to participate anyway. Churches—and their insurers—want to separate any specific church and ministry risks from the risks and dangers people assume in their own potential carelessness and neglect.

Authorization for background checks is important because applicants for specific responsibilities should be willing to allow their histories to be examined. In this way, they can demonstrate that they have nothing to hide in terms of behaviors and decisions. In the event that a complaint is lodged against an employee or volunteer, or if losses or damages need to be investigated in areas of direct involvement, a person can clear their name—or perhaps acknowledge wrongdoing.

Types of Waivers and Releases

There are nine specific forms of background checks. Specific checks on a person will depend on responsibilities and activities. The depth of a background check also may depend on the length of time a person has been a member of the church. Someone who is new and not well known may require a more thorough check than someone who has been active in the church for 30 years.

Identity match. This basic, simple check verifies the person's name, place of residence, length of res-

idence, and Social Security number. Potential problems: different names or aliases; frequent moves in recent years; a mismatch with the Social Security number.

Identity theft protection. A records check may reveal that others may have stolen a person's identity—raising some questions to be resolved.

Criminal background check. The United States has the equivalent of 3,141 counties. Criminal background checks are done county by county. Therefore, it is important to determine—from stated residence history—how many counties will be contacted for a records check for trials and convictions for a wide variety of offenses.

Sexual misconduct check. In addition to reference checks, a church administrator can do a check for sexual misconduct records. There is no centralized national registry. State governments have various records on sexual misconduct, including rape, abuse, predatory behavior, pornographic history, or sexual misconduct with a child.

Driver history and licensing check. The Division of Motor Vehicles in each state carries records for accidents, motor vehicle violations, approval or denial of a driver's license, and the type of license carried by the individual.

Financial background check. With permission, the person's bank can provide financial transaction history. The three major credit rating firms can provide a credit score and basic information on a person's credit history (including bankruptcy). Financial checks can coordinate with criminal background checks to track any history of embezzlement, nonpayment, check bouncing, or fraud.

Employment background checks. The applicant's employment history can be verified. Questions may arise around start and end dates. Previous employers may or may not disclose any information other than start and end dates.

Professional licensing. Depending on the applicant's work responsibilities at the church as well as the nature of professional licensing in a state, the status of a person's licensure (accounting, medical practice, psychological or counseling practice, or other professions) can be verified.

Immigration and security checks. Increasingly, the Department of Homeland Security is maintaining a database on immigration status and security clearance, particularly for those from outside of the United States.

Since background checks have become so burdensome, a church administrator may want to use a background check company to do some degree of investigation. Some firms are secular and work with a wide variety of employers; some are focused strictly on church employees and volunteers. There are many packages and plans available for a reasonable cost. It is important that a church or ministry budget for this kind of due diligence.

Waiver and release forms generally have five necessary components, along with a place for a signature at the bottom of the form.

Description of activity or activities. The form must provide a clear description of the activities in question, including types of activities, date(s) and times of the activities, whether transportation is provided, and whether a fee is involved.

Assessment and description of risk. The language can get quite specific if needed. If the activity is a ropes course during Vacation Bible School, there may be inherent risks that need to be disclosed.

Disclosing and itemizing risks can be essential.

Specific description of the church's responsibilities. The church describes its responsibilities for safety and risk reduction. A couple of examples: if the church provides bus transportation, it is responsible. Or if security needs to be provided, the church will disclose that responsibility.

Specific description of the person's responsibilities. The form describes the participant's responsibilities in the event or activity. Examples: complying with directions from the staff, taking lessons in horseback riding or skiing, knowing how to swim, disclosing physical limitations, or having necessary medications on one's person.

Acknowledgment and signature. The person, or parent/guardian, acknowledges the risks, affirms that he or she has read the form and understands and agrees to the conditions. The person's signature and date are essential.

Assistance from an attorney specializing in tort or contract law can be helpful in developing the waiver and release language.

Importance of Clearance and Confidentiality

Two final points are very important in the waiver and release process.

The applicant(s) must agree to let the church have clearance to investigate, and the participants must acknowledge that they have read and understood the form. That is why it is important to secure a signature and a date so that the record keeping can begin.

Record keeping must be rigidly safeguarded. The church needs to disclose that all employment records and activities forms will be placed in locked cabinets that are accessible to a limited number of church personnel. Destruction of records must take place by shredding onsite, or by hiring a disposal firm to destroy records for the church.

Avoiding Food Allergies

When did snack time become a risk?

By Brotherhood Mutual Insurance Company

The U.S. Centers for Disease Control and Prevention released a report in October 2008 that says the number of American kids with food allergies has increased by 18 percent in the last decade, with an estimated 4 percent of children and teens now affected with food allergies. Allergic reactions to these foods can range from a tingling sensation around the mouth and lips to hives, or even death, depending on the severity of the reaction. Just 8 types of foods account for 90 percent of all food allergies: milk, eggs, peanuts, tree nuts, fish, shellfish, soy, and wheat.

Food allergies in children can sometimes be so severe that they may not even have to ingest the food for a reaction to occur. A child who is allergic to milk can have a skin reaction just by putting their hand in a few drops of milk that spilled on the table. A knife that is used to spread peanut butter may accidentally be used to slice a jelly sandwich for a child who is allergic to peanuts. Even the smallest bit of peanut butter can be very dangerous to a child with peanut allergies.

Develop Policies and Procedures

In order to effectively prepare for pre-existing medical needs, your ministry will want to develop and implement policies and procedures in consultation with legal counsel. An effective policy will include the following components.

- Volunteer training. Let your volunteers know about the risk of harm to individuals with food allergies when they come into contact with certain foods, and prepare them to address allergic reactions.
- Posting notices. Decide where to post food warnings (such as “This is a peanut-free area.”)
- Medical Needs Form. Work with legal counsel to develop a medical needs form for the parents or guardians of affected individuals to complete.
- Location of equipment. Indicate where volunteers can find allergy-related medicines or equipment.

The following concepts should also be taken into account when developing an effective food allergy policy.

Read the Ingredients

Always read the entire list of ingredients on any food product you plan to serve during ministry activities, because some foods you may not even think of can pose a threat. For example, the use of peanut oil in products such as candy and hot dogs can cause a severe reaction in a child with a peanut allergy.

Most of the time, special symbols or specific warnings and/or indications are used on product packaging to identify the presence of peanut products and other common allergens. Look for common allergens listed in bold-faced type at the beginning of the ingredients list, too. For example, it may read “Contains milk, soy, and wheat ingredients,” or “Manufactured in a facility that uses tree nuts.”

When In Doubt, Don't Serve It

Peanut allergies are so common that the best thing to do is to make sure all snacks in your children's ministry are peanut-free. If a child has more than one food allergy, you may want to ask his or her parents to send in a supply of snacks that he or she can safely eat.

All staff and volunteers must be made aware of food allergies, and trained in what to do should a reaction occur. You may want to consider using name tags for children that specifically identify food allergies, so

that staff and volunteers can easily identify and keep a watchful eye on them.

Timing is Everything

When dealing with severe allergies (like peanut products or bee stings), timing can literally mean the difference between life and death. If treatment involves the administration of an epinephrine injection (via an EpiPen®), the time to learn about the treatment and how to properly administer it comes long before an actual episode.

Ministries should compile this information in a manual and conduct regular training for ministry staff and volunteers on how to use the life-saving equipment. The child's parents are an excellent source of information about their child's condition. Ask them to help educate your staff and volunteers about the condition, and what to do if a reaction occurs. Local health departments and Red Cross chapters can also be valuable resources in preparing for health emergencies like severe allergic reactions.

Provide Ongoing Training

As with fire and tornado drills, church leaders should implement training programs that routinely educate workers of the risks faced by some of their more vulnerable members, as well as provide hands-on training on emergency procedures, like EpiPen® injections. (Check with the child's parents; a prescription is required for an EpiPen®.) Here are some organizations that can help with this training:

- The American Red Cross and the local health department have several programs available to teach CPR and other basic First Aid skills.
- Local hospitals and health departments may be willing to provide instruction and practical demonstrations of other emergency procedures that may be relevant to your church's staff and volunteers.

Health and Safety Comes First

In some cases, the threat to the health and safety of a child is so great that church leaders may need to restrict a child's activities or even require that a parent stay with him or her at all times. In making these difficult decisions, church leaders should always place the health and safety of the child ahead of other ministry objectives, and sometimes even the wishes of the child's parents.

Church leaders should consult with a local attorney to develop and administer policies regarding children (or adults) with special medical needs like food allergies. The attorney can also assist the ministry in developing a Special Medical Needs Agreement for parents/ guardians to sign prior to allowing the child to participate in ministry activities.

Safe Church, Safe Kids

Let this church's safety plan inspire and teach you.

Compiled by Brad Lewis

Keeping children physically and emotionally safe in church has become more important than ever. The following is a Q&A with Jolynn Patterson, early childhood and curriculum director at Woodmen Valley Chapel in Colorado Springs, Colorado, about how parents and churches can work together to ensure the safety of children.

As a big church, how do you keep children safe while they are away from their parents?

We've taken a proactive and preventive approach. In the early childhood area, we have only one entrance and one exit to the building, with a supervisor or greeter at each door to make sure everyone coming and going has a reason to be there. We do a background check on each volunteer every two years, and we check personal references.

Each child has a two-part name tag. The child wears half and the parent takes the other half. The child can only be picked up by the parent holding the other part of that name tag. The name tags have numbers, and we can display a child's number during the service if he or she has an emergency.

We also have a family-care card system. First-time visitors fill this out for each child. It includes names of parents, family information, insurance information for emergency situations, allergy information, etc.

Finally, we have panic buttons and two-way radios in each area of the building that we can use in all kinds of situations. If an intruder enters the facility, or if we needed to call an ambulance, we can hit the panic button, which alerts others and cuts down on the time it takes to get help.

How do you communicate all this to parents?

We have flyers on almost every topic. Parents also receive a welcome packet that goes over all the procedures. And each teacher receives policies and procedures (parents can get these as well) on everything from "How do you hand out graham crackers?" to "How do you handle a blood injury?"

What should parents look for to make sure their children are safe in church?

I'd ask three main questions:

- How will the church keep track of my child, and how do they monitor who comes and goes from that classroom?
- How will the teachers find me if my child needs me?
- How will the teachers ensure that I'm the only one who can pick up my child?

When parents know they're in a controlled environment where someone has thought through the processes, they can enjoy their church experience with less worry.

Part 2

Worker Screening and Selection

Six Steps to Selecting Great Children's Workers

A simple plan to increase safety.

By Richard R. Hammar

A six-step protection plan can become the basis for your child protection program. Let's take a look at the steps:

1. The six-month rule

Start by establishing a length of time that any person must attend the congregation, such as six months, before he or she can volunteer to work with children or youth. The purpose of this rule is to prevent predators from gaining quick access to potential victims. A predator will not want to stick around a church for an extended period of time waiting to get access to children, especially when he can go elsewhere and have almost immediate access. Six months provides a threshold of time for individuals to become better known, and gives an opportunity to evaluate their suitability for volunteer service. Some congregations may opt for a shorter time than six months, but the principle remains the same: Do not give volunteers who are new and unknown immediate access to children.

Another important threshold requirement is to develop a process so that you know the motives and character of volunteers before they begin working with youth or children. Some churches do this by requiring that staff and volunteers who work with kids be involved in the church to the extent that other adult members can provide a positive character reference for them. These references should be able to describe the potential volunteer's involvement in the church, level of commitment, and ability to serve well. This is especially important in large congregations where staff members may not have personal knowledge of every member, yet depend on the recruitment of large numbers of volunteers to assist with church programs.

Sometimes churches ask, "What about people who transfer their membership from one church to another, and who have had a long history of working with children in their former church? Do they have to wait for an extended period of time before they can volunteer to work with children in their new church?" In such cases—if you have conducted thorough reference checks, interviews, and training—it may be appropriate to reduce the threshold requirement. Remember, the goal is not to thwart ministry, but to enhance it through proper safeguards. The key principle at stake here is to prevent people that you do not know from gaining easy access to children through a position of service within your church.

The six-month rule and member references establish an important threshold for the selection of volunteers who will work with children or youth. Next, there's the screening process.

2. Use a written application

Requiring a written application for church volunteers serves the same role as it does for paid employees, although the application form can be somewhat different. The goal is to document the selection process and be able to demonstrate that the church met the test of reasonable care. Remember, the focus is not upon the employment status of the worker, but on the worker's responsibilities. A church can be just as liable for the negligent selection of a volunteer as it can be for a paid employee.

3. Conduct reference checks

Once the written application is complete, the church should conduct reference checks. If the threshold

requirements are enforced, the application should indicate that the volunteer has attended the church for a minimum length of time, such as six months, and the volunteer should list two or more other church members as references, plus any other references that may be available from other forms of service.

Remember, it is not sufficient to list only parents of children with whom the prospective volunteer may work. Predators may work at grooming the parents of potential victims. The reference list should also include other adults. These people should be contacted for input concerning the volunteer's qualifications for working with children or youth. Often this is done either in person or over the phone. You may also use a written form that is mailed to the reference. Document in writing all of your efforts in collecting the references, and the information you receive. Once you are finished, keep all forms, notes, and application in a specific folder you designate for each candidate.

4. Conduct a personal interview

Use the interview as a time to explore more fully why the candidate wants to work with children or youth. It's also a good time to review your church's policies and procedures regarding the supervision of children.

5. Conduct additional background checks

A criminal records check is recommended for all volunteers who will have unsupervised access to children, youth, the developmentally disabled, senior citizens, or who serve in a counseling position. The phrase "unsupervised access to children" appears on both state and federal legislation to identify individuals requiring a higher level of screening and accountability. For many churches, the decision to conduct the check will depend upon the scope of the volunteer's service and responsibilities. Remember that risks increase when volunteers have frequent, unsupervised access to children. If a church decides that some volunteer positions do not warrant this level of screening, that evaluation and its defense should be grounded in a risk management philosophy that can be explained and defended as reasonable if called upon to do so before a jury.

We recommend using a reputable background check service provider who can access a full search and interpret the data for you. A national criminal records check should be done in conjunction with a national sex offender registry check. Most screening services bundle these two in an inexpensive package.

Most states have enacted laws requiring criminal records checks on any applicant for employment in a public school or state-licensed preschool. State law generally specifies the crimes that disqualify a person from working in these facilities. Some churches use these same lists to determine which crimes will disqualify a person from working with children. These lists generally include more than sexually motivated crimes. For example, many crimes involving assaults or personal injury often are included. Many crimes are not automatic disqualifies, because they do not necessarily suggest a risk of child abuse or molestation. These often include property offenses.

Tip! If a potential staff or volunteer worker will drive a motor vehicle as part of his or her volunteer service, a motor vehicle records check is recommended. This check reveals the volunteer's type or class of driver's license, any restrictions or violations, license revocations, auto insurance cancellations, accidents, full name, and the volunteer's address at the time of last renewal. Availability of violations information varies, but usually goes back three years, depending on the state involved.

6. The two-adult rule.

Any activity involving minors should be staffed with an adequate number of qualified adults. This will help demonstrate that the church exercised reasonable care to protect participants in youth ministry events,

thereby reducing the risk of liability based on negligence in the event that a minor is injured or molested.

The appropriate ratio of adults to minors in youth ministry events will depend on several factors, including:

- Location of the event. More adults are needed to properly supervise out-of-town trips and events.
- Duration of the event. More adults are needed for longer events.

It is often helpful to contact other institutions for assistance with staffing ratios. For example, some churches base their adult-to-child ratio in the nursery on what the state requires of licensed day care facilities. You may also contact the Red Cross, Salvation Army, or similar organizations. But the best comparable institution will be your public schools, since they are state agencies that reflect the official policy of your state government. If your church can demonstrate it based its adult-to-child ratio on the established practices of other similar organizations in its community, and especially public schools, then it possesses a strong defense in the event that it is accused of liability (for an injury to a child) on the basis of negligent supervision.

Key point. *Remember, a church is not a guarantor of the safety of minors. But, it must exercise reasonable care when conducting activities involving minors. Reasonable care simply means complying with a community standard of care as evidenced by the practice of several charities in the area. Using local affiliates of national youth-serving charities is the best option, since in some states the standard of care is defined with reference to a "national" standard.*

Safe at Church

Why screening is key to keeping every child safe.

By Beth J. Lueders

Jeffrey Black, former rector of St. Andrew's Episcopal Church in Kansas City, Missouri, knows the pain that child sexual abuse can cause a church. In May 1993, a 15-year-old parishioner came forward and indicted the church's music minister for molestation. The minister confessed, and the church terminated him after 17 years of service.

Although the boy chose not to file legal charges, the incident tore deeply into the congregation's spirit. Nearly 15 families left the church, and those who remained felt anger, confusion, and mistrust.

"It was damaging to everyone and extraordinarily sad," Black says. "It took a lot of ministry to deal with this. We developed a clear policy about sexual misconduct and put our staff through extensive training on these issues."

No one likes to think about sexual abuse of children. But the potential damage to the child and to the church—not to mention the possibility of wrenching lawsuits—has caused many churches to take steps to protect its children.

Based on interviews with pastors, abuse-prevention experts, attorneys, denominational officials, and insurance companies, here are important practical steps to minimize the risk of sexual misconduct and to keep your church's children safe. The good news, writes attorney Richard Hammar, is that "church leaders can take relatively simple (yet effective) steps to significantly reduce the likelihood of such an incident occurring."

Develop clear policies

A vital first step is to develop clear, specific policies. "Churches need a clear policy that says you can't work here if you are going to act this way," says Elizabeth Stellas-Tippins, program specialist for the Center for the Prevention of Sexual and Domestic Violence. "This itself is a strong prevention mechanism."

A church policy manual should include definitions of sexual abuse, standards of conduct, guidelines for screening and training workers, and procedures to follow if an incident is reported. Be sure a lawyer reviews the policies before you implement them, since state laws vary on employment and reporting obligations.

Screen workers carefully

As youth organizations like Big Brothers/Big Sisters have toughened their screening of volunteers in recent years, pedophiles have scurried to other agencies, including churches, to find children.

For a church, it's painful to think about screening potential Sunday school teachers and youth leaders. It takes time; it takes money; it can cause hard feelings; and it can reduce the number of willing volunteers when most churches need every one. But the fact is, churches are legally responsible for volunteer workers. Careful selection and supervision guidelines must apply, especially with positions that regularly work with children. "Negligent hiring" and "negligent supervising" are the two main issues battled in church sexual misconduct cases.

Have applicants for a paid or volunteer position complete an application. (Screening procedures should also be completed retroactively for current staff.) For most paid positions, churches already ask for

employment history, description of prior church service, and professional and personal references. But it's important to add specific questions about criminal record, particularly convictions for sexual abuse or molestation. Finish with a statement for the applicant to sign, certifying that the information in the application is true and complete, and that any falsified information may lead to rejection from employment. It is also important to verify the applicant's identity with a driver's license, since offenders often use pseudonyms.

Contact all references, preferably in writing. Note information you tried to secure, but could not verify or obtain. Be sure to maintain confidentiality of all applications and records. Restrict access to these files to only a few individuals who legitimately need the information.

When you interview the applicant, ask an associate to participate in order to give you additional opinions on the candidate.

Many states now require a criminal records check on all childcare workers. Most local police departments and state bureaus of investigation will run a criminal records check. However, these checks often cover records only within a particular state. Private, nationwide screening companies will run interstate checks. Or, contact a local day-care center to find out who handles its background checks. In most cases, you need a person's consent before you can conduct a criminal records search, so include an authorization form in the application process.

If an applicant has a criminal record for sexual or physical abuse, you might still allow him or her to work in some church ministry, but don't permit him or her to work with youth or children. A person's conversion is not a defensible position in the courts.

One of the easiest screening methods—and one that doesn't cost money—is to require volunteers to be associated with the church at least six months before they can work with youth or children. This policy gives the church additional time to evaluate workers and can ward off persons who desire immediate access to children.

But does such screening unnecessarily offend potential staff members and volunteers? "Some people get offended," admits Dee Engel, director of children's ministries at Lake Avenue Congregational Church in Pasadena, California, "because I press a little harder than they think I should in the screening process.

But I don't think you can be too careful. You have to protect your kids as well as your teachers."

Engel participates in a network of children's pastors from nearly a dozen area churches who warn each other of potentially troublesome volunteers and workers.

"One man became irate when we wanted to screen him," says Joan Whitlock, director of children's ministries at Wheaton (Illinois) Bible Church. "The next week, I discovered his name on a list of convicted pedophiles I received from the police department. If [our church] didn't have its screening process in place, we might have let him work with children."

Set supervision guidelines

You can minimize the risk to your church's children, and the risk to your church of being sued for "negligent supervision," by implementing approaches like the following:

- Arrange for at least two adult supervisors with minors during church-sponsored activities. The two-adult rule applies in changing areas and restrooms, and even if only one or two children are present

in the nursery.

- Have adults present with teenage volunteers, since the law doesn't allow screening on anyone under age 18.
- Develop a "claim-check" system in large nurseries so children are released only to a parent or guardian with the appropriate claim check.
- Install windows on the doors of classrooms and other rooms occupied by young people.
- Have church leaders randomly visit classrooms and areas of church buildings that are isolated from view.
- Provide an adequate number of adults to supervise youth events, especially overnight activities. "The highest risks," writes attorney Richard Hammar, "involve male workers in programs that involve overnight activities."
- Educate workers about appropriate behaviors between adults and children, and encourage them to report potentially harmful situations. "Sometimes in church we assume another person wouldn't dare cross a sexual boundary," says Stephanie Anna Hixon, executive director of the United Methodist Church's General Commission on the Status and Role of Women. "We don't need to create paranoia or unhealthy suspicions, but we need to be aware and show a high standard of care."
- Train all staff and volunteers at least once a year in recognizing signs of abuse; also, review your policies and procedures.
- Post a copy of your state's Child Abuse Reporting Law in a conspicuous place in your child care and youth areas. To obtain a copy, call your state's Child Protective Services Agency.

Check your insurance

"We are experiencing an alarming frequency of claim reports," says Hugh White, Brotherhood Mutual Insurance's vice president for marketing. "People are not reluctant to sue churches anymore, and the courts are taking the issue very seriously."

Companies like Brotherhood Mutual and Church Mutual offer separate sexual-misconduct liability coverage, with annual premiums ranging from \$100 to \$500, depending on the size of the church and programs offered (nursery, Christian school, etc). Or you can add the coverage to your policy. Brotherhood Mutual offers a discount for churches that screen their workers.

Some insurance companies lay out strict conditions of insurability for congregations. These guidelines include possessing a manual outlining behavior standards, thorough personnel background checks, and awareness and prevention training within six months of employment.

Still other insurance companies are reducing their coverage for child abuse and molestation, or even excluding such coverage. It's important to review your church's liability insurance policy to determine whether you have coverage for molestation, and whether that coverage is limited in some way. If possible, add specific children's activities as a rider to your church liability policy.

Talk about it.

"The most important thing the religious community can do to prevent sexual misconduct is acknowledge and learn about the reality of abuse in the church," explains Stellas-Tippans, from the Center for the Prevention of Sexual and Domestic Violence.

Conversations are beginning in more and more churches. "Most clergy and church leaders I know really care about and are in tune with this issue," affirms Chilton Knudsen, who heads the required sexual abuse

training for the 150 Episcopal churches and 450 Episcopal clergy in northern Illinois. “Some may feel overwhelmed or may not have much of a budget, but I say to them, ‘It’s a whole lot easier to prevent than to live through a painful experience.’”

To learn more about protecting your kids from child sexual abuse, visit www.ReducingTheRisk.com

Simple Tips for Screening and Selecting Underage Workers

How to recruit trustworthy youth volunteers.

By Marian V. Liataud

Churches put a lot of emphasis on screening and selecting adult volunteers, but what about recruiting minors to serve in your ministry? Because churches cannot screen all the kids active in youth ministry and because potential 16-year-old offenders have no criminal record, normal sexual misconduct preventions do not apply.

So what is a church to do? Here are some simple steps you can take to begin implementing specific screening and selection protocols for your underage workers:

Raise the bar

Start by establishing requirements that must be met before an individual can serve in a position working with children or youth. For volunteers, attention should be given to two factors: (1) how long the person has been part of the congregation, and (2) the level of involvement the person has in the church. A children's volunteer should have attended the congregation for an extended timeframe, such as six months. He or she should also be active enough in the life of the church that other members can provide a reference.

Screen carefully

The screening process for underage volunteers is similar to that of adult volunteers and paid staff, with the exception of a criminal background check. It should include the use of a written application, reference checks, and a personal interview. Because you can't conduct a criminal background check, have your youth applicants provide references from adults who have firsthand experience working with them, such as youth pastors, public school teachers, scout leaders, or coaches.

Forms for applications and interviews should be developed and approved by the congregation and reviewed by the church's attorney. All information, whether collected on a form or during an interview, should be kept strictly confidential.

Stay close to your volunteers

Richard Hammar says the most dangerous areas for sexual misconduct are in situations where older youth are given full supervision of younger children, such as in vacation Bible school or nurseries. This practice is very common in churches. Adequate adult supervision is a must. Volunteers, whether adults or minors, should never be alone with one child. Your underage workers should always be with an adult when working in children's ministry.

Part 3

Discipline and Behavior Issues

Tailor-Made Discipline

Guide children's behavior with strategies for every age and stage.

By Karen Miller, LCSW, with Kevin A. Miller

Disciplining a child can be challenging, and all of us have times we wish we were doing it better. The more we know about a child's age and developmental stage, however, the better we can tailor our discipline to fit him or her. This customized approach to discipline helps parents, caregivers, and teachers feel more confident, and it helps discipline do what it's meant to do—shape a child's character. Here are five key stages in your child's development, with principles that will help you develop effective discipline strategies at each stage.

Infant (Birth—18 months)

You've laid the baby in the crib per her mother's instructions, but she keeps crying and crying. You wonder, *Should I pick her up? Hold her? Let her cry?* What parent hasn't wrestled with these questions in the middle of the night? And yet when you're caring for someone else's child, do you follow their wishes or try a new approach?

The Struggle

The child is only a few weeks old and already you're faced with one of the fundamental questions of discipline: In satisfying this child's needs, am I allowing her to control me? It's a tough question, particularly in Christian circles where the answer can change from church to church.

The Goal

Your most important goal at this developmental stage is to help the child learn that she is loved and can trust other human beings. Trust is a foundational element of a child's overall social and spiritual development. If she learns that she can trust you, it will be much easier for her to trust others, and most importantly, God.

The Strategy

At birth, every child is dependent, fears separation from her mother, and demands immediate satisfaction of her needs. She needs protection from hunger, cold, wetness, and danger. She needs warm affection, cuddling, cooing, rocking, and holding. My number-one concern at this stage is that these needs are met. Parents will take different positions on how long to let a child cry, or how to guide the behavior of a 14-month-old.

Whatever position you take, your approach to discipline should be based on this foundation: God created this stage in a child's development, and it is appropriate, normal, and healthy for her to have needs and to depend on those caring for her to meet those needs with consistency and love.

Toddler (18 months—3 years)

One day my friend Anne heard her 2-year-old son, Sammy, singing "Jesus Loves Me." But instead of the usual words, Sammy was singing, "No no no no, no no no ..." When she told me, we both laughed, but a toddler's constant "No!" usually isn't funny.

The Struggle

Dealing with stubborn refusals is the biggest discipline challenge you'll face at this stage. How can you handle a two-year-old always saying "No!"?

The Goal

At this stage the discipline goal is to help the toddler develop self-control. While he is still primarily self-centered, he is discovering that other people have needs, too. He'll need to develop patience and self-control as he learns to wait his turn, share toys, and play with other children. And as he becomes more aware of others, he will also become more aware of God as a real part of his life.

The Strategy

At this stage, every child feels a big internal conflict. He wants to do what you want him to do and he wants to please you. But he also wants to do things his own way.

And why wouldn't he? A toddler's rapidly developing motor skills and language allow him to do new things, like push a toy fire truck or climb on the couch. It's a thrill to do something by himself, to master a new skill. A child's growing desire for independence means that tantrums are not always an expression of disobedience. For example, when a child doesn't want you to put his coat on, his no is not necessarily his way of saying, "I am directly defying your authority." He might simply be saying, "I want to do it myself."

You can let him try to put on his coat by himself, or you can say, "Let's do it together," and work with him. Either way, you're giving him the chance to develop the essential skills he needs to become more independent.

Obviously, in other situations you can't let him do what he wants. He may be endangering himself or hurting another child. In those cases, redirect the child to another activity and explain what you're doing. This will help him begin to learn how his behavior is connected to consequences.

Preschooler (3-6 years)

At this age, the word "No," turns into "Why?" "Why does that man have a red nose?"

"He's a clown."

"Why is the man in a chair with wheels?"

"That's called a wheelchair, which people use when they can't walk."

Children at this stage have become world explorers; they are intensely curious. One expert calls this stage a time of "wide-eyed openness."

The Struggle

All that wonderment can make this a tough stage. The preschooler may begin to challenge even the simplest request, just to see what happens. If you've established consequences for telling a lie or hitting another student, she might break the rule intentionally to see if you'll follow through. This kind of testing can be exasperating.

As a teacher, you may wonder, “How much can I expect a child this age to do? Should I ask him to clean up before going home?”

The Goal

Preschoolers are open to new experiences and absorb whatever you throw at them. That makes this a great time to start talking about faith and values. Use these conversations to establish values-based rules for your students that help develop godly character.

The Strategy

Preschoolers are explorers, so it’s hard to get them to stick with much of anything. If you ask a child to pick up his toys, he may put one or two things away, then become enthralled looking at a loose thread on the carpet or a bug in the corner. He’s not intentionally disobeying, he’s just curious.

What preschoolers need most are clear expectations, consistency, and endless patience. As they assimilate all that they’re learning, they need you to guide and encourage them.

When a child tests the limits, gently remind her of your expectations and the consequences of misbehavior. Be consistent with your discipline, and eventually she’ll learn that nothing has changed since the last time she was with you.

Elementary (6-12 years)

Like preschool-age children, elementary-age kids continue to assert their independence. How much leeway do you give them in the classroom? Is it better to have a lot of structure or to offer plenty of choices?

The Struggle

These questions really come down to this: How much internal motivation should you expect from your students? It’s easy to get tired of reminding them to bring their permission slips back for an upcoming outing, or to expect them to engage in every classroom activity, so keeping your cool during this stage is a major challenge for many teachers.

The Goal

Most elementary-age children want to be involved in activities, especially physical ones. They like doing things with kids their own age and gender. They can take on increasing responsibilities, which helps them learn more about following through on a task, keeping their word, and being trustworthy. It’s important to praise them for being someone other people can count on.

The Strategy

Kids this age are big on rewards. They want something in return for their efforts. Helping a child take on more responsibility involves finding out what motivates him.

My view on motivation is that everybody, at every age, needs a combination of external and internal motivation. Therefore, it’s not realistic to expect kids to be fully internally motivated. External rewards will be powerful, which is why programs like Scouts and Awana give badges or stickers.

Some children are motivated by added privileges or more time with friends. Learn what makes the kids in your classroom tick. As they get older, they’ll need less external motivation to do the right thing.

Adolescent (12-18 years)

Teenagers are in a time of rapid growth, sexual awareness, rapidly changing moods, unpredictable behavior, and experimentation. These changes can also make it hard to keep communication open between parent and child. Teachers often have a unique opportunity to guide adolescents in a way that parents aren't always able to do.

The Struggle

Adolescents are figuring out who they are. To do that, they need to loosen their ties to their parents. At the same time, they are still children and need guidance from their parents and other adults.

The Goal

In the midst of an adolescent's life experiments, you still need to guide and discipline, but in a way that gives her increasing independence and trust. Trust is a huge issue for teens, but they need to understand that trust, freedom, and responsibility are a package deal.

As teens mature, your goal should be to gradually increase their level of responsibility and, as they gain your trust, reward them with gradual increases in freedom. This cycle prepares them for life after high school, when they will be expected to show up on time, complete assignments, and follow through on commitments.

Helping a child take more responsibility for himself will also affect his faith. Part of growing up as a Christian is owning your faith, not just following what someone else told you to believe. As you encourage each child to grow more independent in other areas, they'll find ways to make faith their own as well.

The Strategy

The best approach to discipline at this stage is to make the rules and consequences as clear as you can—ahead of time. Then allow each student to decide whether she wants to follow the rules or accept the consequences for breaking them. If a teenager continues to break the rules in spite of clear and implemented consequences, seek the help of another leader. You may also want to alert the parents and encourage them to seek counseling to better understand and address their child's continuing misbehavior. Knowing a child's stage can eliminate much of the guesswork from developing an effective discipline strategy. Pay attention to how your students are developing and what makes each one happy or frustrated. The reward for age-appropriate discipline is not just a better-behaved child, but also a child who will grow into a confident, capable adult.

Loving Discipline that Works

Guide your children's behavior.

By Gary Chapman, with Ron R. Lee

We make discipline a bigger challenge than it needs to be, in part because we tend to equate discipline with punishment. But punishment is only a small part of the process. It's more helpful to think of the positive side of discipline, a word that means "training." In training our children to become responsible adults, we teach them the values and skills they need to succeed in life. It's a positive enterprise.

For example, when a child is rude to you, your initial reaction might be to punish the child. But before taking that step, consider whether proper manners have been explained to the child. Rudeness can be replaced with respectful behavior. And in practicing good manners, the child also learns important social skills that she'll use the rest of her life. Where punishment might have solved a temporary problem, training sets behavior on a positive course for life.

When to take corrective action

A second aspect of discipline is correction. While punishment involves a penalty, correction involves turning a child away from disobedience so he'll head in the right direction. In many instances, a word of correction is all that's needed. ("Don't run out into the parking lot because you might get hit by a car.")

If words don't work, the next step is corrective action. Let's say the child insists on running out into the parking lot. Before punishing him, take an intermediate step. Calmly lead him to the playground. Now removed from the temptation of a crowded lot, he can have fun in a safer part of the yard.

Training children and correcting them with words and actions are ways we teach and guide without resorting to penalties. But if your student continues to defy you, it's time for punishment. That's when discipline becomes negative. Punishment causes discomfort.

The love connection

Whether it's the loss of privileges or a time-out, punishment gets a child's attention. It shows that the teacher is serious about enforcing a rule that the child insists on breaking. But too often, we forget to punish kids in the context of unconditional love. Some people fear that heaping love on a child who seems devoted to messing up is giving the child a license to disobey. But that's a misunderstanding of discipline.

We need to discipline children because we love them, not instead of loving them. The worst thing we can do is withhold our love as a form of punishment. When a child is being belligerent, it's natural to feel angry. But no matter how many times she breaks the same rule, don't allow your frustration to cause you to love her conditionally. If a child feels neglected, it won't be long before she starts acting up. If her need for love and attention still isn't met, she will likely continue the same misbehavior, or do something worse, until she feels loved.

It's easy to shower love on a pleasant child and present an impenetrable facade to the child who regularly pushes the limits. Like most people, I've thought to myself, I'll start giving him attention when he starts controlling that smart mouth of his. But I realized that following that impulse is putting conditions on love. And conditional love doesn't reflect God's approach to us, which is an unwavering love that is unaffected by our failures.

God disciplines us because he loves us (Hebrews 12:5-7). It's crucial that we express unconditional love to children even as we punish them. A child needs to hear: "I love you no matter what, even when you disobey. But you kept hitting your classmate after I told you to stop, so I'm not going to allow you to play outside during our break today. You have to stay indoors."

Whether we are teaching and training, correcting our children with words and actions, or punishing them for repeated misdeeds, we need to do it in love. God loves us no matter what we do. We need to link our discipline with that same kind of love for our kids.

When the Teacher Needs Disciplining

Use these principles when you need to confront an offense.

By Lehman Hotchkiss

“Brothers, if someone is caught in a sin, you who are spiritual should restore him gently. But watch yourself, or you also may be tempted. Carry each other’s burdens, and in this way you will fulfill the law of Christ” (Galatians 6:1-2).

Teachers lose their cool sometimes. Before you have to call one of your volunteers on the carpet for inappropriate behavior towards her students, be sure you’re following the biblical model for dealing with discipline among church members. Let these four basic rules guide you as you plan for a confrontation with one of your teachers.

1. Examine your own spiritual well being. Paul instructs in Galatians 6:1, “You who are spiritual should restore ... gently.” There is no substitute for spiritual stability and dependence on the Holy Spirit to provide us with the grace to remain firm but gentle.
2. Only by leaning heavily on the Lord can we stand firm while rejecting the temptation to abandon gentleness and respond to a sinner in kind. The cultivation of humility and brokenness before the Lord can guard us from the tendency to become judgmental, callous, and proud. Exercising church discipline can often be a tool God uses to promote greater humility in the administer. Knowing the people who have fallen gives the discipliner a stronger sense that nobody stands above temptation.
3. Follow the pattern given by Jesus Christ in Matthew 18:15-17. If you need to confront a church member, first go to the offender privately, then take a witness, and finally take the matter before the whole church. If the church family understands that this pattern will be followed, it is a deterrent to the practice of sin. The Corinthian church ignored this important pattern and was rebuked for it by the Apostle Paul in 1 Corinthians 5. When we are unwilling to act, the effects on the local church can be devastating.

4. Remember the goal: repentance and restoration of fellowship. The Corinthian church also had to be reminded in 2 Corinthians 2:5-11 to forgive, comfort, and reaffirm their love for the repentant person. Church discipline is not “shooting the wounded.” Its purpose is redemptive.

Many churches fail at this final step of acceptance back into fellowship. Thought must be given to how to encourage loving, caring expressions of forgiveness and support.

Establish the procedures for discipline before a crisis occurs. Church members should be aware that they are spiritually accountable in this and other ways. They should know that the whole church is to watch for and carefully treat the diseases that damage our spiritual health.

Part 4

Preventing Child Sexual Abuse

Prevent Child Sexual Abuse in the Church

Reduce the risk by improving selection, supervision, and education.

By Brotherhood Mutual Insurance Company

No church is immune to the problem of child sexual assault, regardless of size, location, or denomination. Child sexual predators exist, and they're always looking for opportunities to interact with children. They may volunteer to work with children in your nursery, Sunday school, or youth program. How are you going to manage this risk? Strengthen these areas within your ministry.

Use the Six-Month Rule

Don't give any volunteer worker the opportunity to be involved in nursery, children's church, or youth work until he or she has been associated with your church for at least six months.

Screen All Workers

- Investigating prior church membership and volunteer work.
- Check references.
- Develop an application form and have your attorney review and modify it.

Use the Two-Adult Rule

On or off premises, always have at least two adults supervising each room, vehicle, or other enclosed space—even if only one or two children need care.

Other Preventive Measures

- Discourage the use of teenagers as nursery workers.
- Increase supervisors for large groups.
- Prohibit situations in which one adult is alone with children in changing areas or restrooms.
- Use a "claim check" procedure so that children are released only to apparent, guardian, or other authorized person presenting the "check."
- Don't permit participation in off-premise events, especially when they involve overnight stays, unless an adequate number of adult workers will be present.

Educate Your Workers

A good way to educate your church employees and volunteer children or youth workers is to use the training resource *Reducing the Risk: A Child Sexual Abuse Awareness Program*—a turnkey training and implementation solution for a child sex abuse prevention program.

- Become familiar with state and federal laws dealing with child abuse so you know how to comply with them.
- Train your staff to watch for and identify inappropriate behavior and to report such conduct.
- All workers should be trained to prevent situations in which an individual attempts to isolate himself with one or more youths.

Representatives from various state and federal agencies are available to provide information and may be willing to assist you in your worker education program. A good place to start may be the National Clearing house on Child Abuse and Neglect, a service of the U.S. Department of Health and Human Services' Administration for Children & Families.

Best Practices for Protecting Children

Penn State's Freeh report emphasizes building a culture of risk management.

By Richard R. Hammar

In churches, risk management often falls to one staff member or lay leader. This may occur because of a lack of manpower, or because risk management is viewed as a lower priority than other ministry initiatives.

But as recent headlines suggest, churches need to elevate the priority they give to risk management, especially related to children's ministries.

A prime example of this reality is the 2011 child molestation scandal at Pennsylvania State University. The civil claims facing the institution, as well as staff and board members, are extensive. Had the university implemented a more comprehensive risk management strategy, particularly with respect to the protection and supervision of minors and those who work with them, harmful incidents of abuse may have been avoided. In the ensuing investigation of the scandal, numerous recommendations were made to address gaps and oversights. For churches, these recommendations offer a unique opportunity to learn and to review and update their own policies and strategies.

The Report's Findings

On November 4, 2011, the Attorney General of the Commonwealth of Pennsylvania filed criminal charges against Jerry Sandusky that included multiple counts of child molestation. Several of the offenses occurred between 1998 and 2002, during which time Sandusky was the defensive coordinator for the Penn State University football team with unrestricted access to the university's football facilities. On June 22, 2012, a jury found Sandusky guilty of 45 counts of the criminal charges against him.

In the days and weeks surrounding the announcement of the charges, the university's board of trustees struggled to decide how to respond to the scandal. On November 11, 2011, the Trustees appointed a Special Investigations Task Force under the direction of Special Investigative Counsel and former FBI director Louis Freeh to perform an independent, full, and complete investigation of:

- The alleged failure of Penn State personnel to respond to, and report to the appropriate authorities, the sexual abuse of children by Sandusky;
- The circumstances under which such abuse could occur in university facilities or under the auspices of university programs for youth.

In addition, the Special Investigative Counsel was asked to provide recommendations regarding university governance, oversight, and administrative policies and procedures that will better enable the university to prevent, and more effectively respond to, future incidents of sexual abuse of minors.

The task force issued its final report in July 2012. The report contained 120 recommendations to assist university administrators, faculty, staff, and the board in improving how they govern and provide protection for children in university facilities and programs. These recommendations relate to the university's administrative structure, policies and procedures; the responsibilities and operations of the board; the identification of risk; compliance with federal and state statutes, such as reporting misconduct; the integration of the athletic department into the greater university community; the management of programs for non-student minors; and the management of access to university facilities. The key recommendations are summarized in Table 1.

Table 1

Recommendations of the Freeh Report

Recommendations	Application to churches
1. Continue to benchmark the university's practices and policies with other similarly situated institutions, focus on continuous improvement, and make administrative, operational, or personnel changes when warranted.	It is often helpful for churches to consider the policies of other youth-serving charities, including the public schools (which are run by the state), in composing their own policies addressing the protection of children. By aligning its practices with those of these other charities and organizations, a church can more readily establish its exercise of reasonable care, which will make it less likely that it will be found liable on the basis of negligent selection of supervision for injuries to minors.
2. Communicate regularly with university students, faculty, staff, alumni, and the community regarding significant university policies and issues through a variety of methods and media.	When formulating policies for the protection of minors, it is helpful to involve both board members and members at large, and to communicate policies to the membership on the church's website, in annual membership meetings, or by other means. Policies that are widely disseminated are more likely to be consistently enforced.
3. Develop a mechanism to provide and track all employee training mandated by state and federal law and university policies.	Churches should periodically train employees and volunteers who work with minors on their child protection policies.
4. Update, standardize, centralize, and monitor background check procedures.	The Freeh report views background checks as a central component of risk management. Church leaders should do the same. The report makes it more likely that churches failing to implement a risk management program (that includes background checks) for the protection of minors will be found liable on the basis of negligence for cases of child molestations.

5. Require updated background checks for employees, contractors, and volunteers at least every five years.

Church leaders often ask how often background checks should be repeated. Some churches never repeat background checks, assuming that it is highly unlikely that an employee or volunteer who has been previously screened could commit a crime involving child molestation, be prosecuted and convicted, and be placed on a sex offender registry without anyone in the church being aware of it. Other churches take a more aggressive position and repeat background checks periodically. Note the following three points:

- As noted above, it is helpful for churches to ascertain the practices of other youth-serving charities, including the public schools. If none of them conducts repeat background checks, this makes it less likely (but not impossible) that a church that follows a similar practice would be found negligent.
- The Freeh report does not clarify what it means by “background check.” This term can be interpreted to mean a criminal records check, or reference checks and other screening procedures, or both. The report references a new Penn State policy defining a “standard” background check as a criminal history check, a sex and violent offender registry check, plus the following additional components for specific positions based on job-related need: educational verification (required for all academic positions); motor vehicle record (required for positions where it can be regularly anticipated that a responsibility of the position will be to drive a university-owned vehicle); credit history check (conducted only for sensitive/critical positions with extensive authority to commit financial resources of the university); employment verifications and license verification as needed, based on job requirements. Presumably, the report’s recommendation that background checks be repeated every five years applies to these reports.
- The Freeh report’s recommendation that background checks be repeated every five years represents a clearly articulated standard that courts may apply in future cases involving negligence claims against churches and other youth-serving charities by victims of child abuse.

<p>6. Periodically audit the effectiveness of background check procedures</p>	<p>Church leaders should periodically review the effectiveness of their background check procedures. This can be accomplished in several ways, including periodic review of the procedures utilized by other youth-serving charities (including the public schools), and periodic evaluation of the competence of the criminal records search vendor used by the church. This may include Internet research, ascertaining what service other churches are using, and soliciting the input of the church insurance company, local law enforcement, and legal counsel, and contacts with other churches and charities.</p>
<p>7. Develop a procedure to ensure that the university immediately retrieves keys and access cards from unauthorized persons.</p>	<p>Churches should ensure that keys, keypad cards, or other means of accessing church property are returned by employees and volunteers who resign or are terminated. In addition, keypad access codes should be periodically changed.</p>
<p>8. Select and hire a permanent General Counsel.</p>	<p>Few churches have the resources or inclination to hire a full-time legal counsel. But, it is desirable for churches to establish a relationship with an attorney to whom it can turn for guidance in situations in which legal counsel is needed. Such a relationship will familiarize the attorney with the church, its leadership, and practices, which will greatly facilitate the attorney's counsel.</p>
<p>9. Periodically review all university policies for relevance, utility, and necessity, and modify or rescind as appropriate.</p>	<p>Always a good idea and best practice.</p>
<p>10. Establish a committee on risk.</p>	<p>Always a good idea and best practice. Such a committee should have access to our website, ChurchLawAndTax.com, which contains a wealth of information on risk management. Familiarity with ReducingTheRisk.com also would be helpful.</p>
<p>11. Require timely briefings to the board on potential problem areas, such as unusual severance or termination payments, staff appointments, settlement agreements, government inquiries, important litigation, and whistleblower complaints.</p>	<p>The point here is that many legal risks can be mitigated or avoided if disseminated to a charity's governing board, since this will broaden the pool of expertise that will formulate a response to the risk. Risk management generally is enhanced by decentralizing its formulation, as opposed to limiting analysis and responses to one or a few persons.</p>

<p>12. Increase the physical security and access procedures in areas frequented by children or used in camps and programs for children.</p>	<p>Always a good idea and best practice. This should be periodically done.</p>
<p>13. Require and provide abuse awareness and mandatory reporter training to all university leaders, including faculty, coaches and other staff, volunteers, and interns.</p>	<p>Always a good idea and best practice. Note that the Freeh report extends mandatory reporter training to volunteers.</p>
<p>14. Update, revise, or create policies for unaccompanied children at university facilities, housing, and university programs.</p>	<p>Always a good idea and best practice. As noted above, it is also advisable for church leaders to “benchmark” their policies by comparing them with the policies of other youth- serving charities, including the public schools.</p>
<p>15. Enforce all policies relating to non-student minors involved in university programs at all Penn State campuses.</p>	<p>This recommendation would apply to any church having more than one campus (such as a school in a separate building or a church with multiple sites).</p>
<p>16. Assist the university’s camp and youth program administrators in ensuring that staff and volunteers are appropriately supervised.</p>	<p>Always a good idea and best practice. As noted above, it is also advisable for church leaders to “benchmark” their policies by comparing them with the policies of other youth- serving charities, including the public schools.</p>
<p>17. Provide information to parents of non-student minors involved in university programs regarding the university’s safety protocols and reporting mechanisms for suspicious or improper activity.</p>	<p>Always a good idea and best practice. As noted above, it is also advisable for church leaders to “benchmark” their policies by comparing them to the policies of other youth-serving charities, including the public schools.</p>

Report Child Sexual Abuse

Here's what to do to be ready.

By Richard R. Hammar

Developing and following a reporting procedure is a critical component in a sexual abuse prevention program. Child sexual abuse thrives when it goes unnoticed or unreported. Often, an abusive situation continues because of someone's failure to report it. All church workers need to know what constitutes an occasion for reporting, the reporting channels they should use, and their obligations to make a report.

Reporting Obligations

An effective reporting procedure enhances the effort to protect children. Ordinarily, child molesters will not remain in a church where workers are trained to identify symptoms of child abuse and are encouraged to report suspicious behavior. Child abusers thrive on secrecy and are more likely to commit criminal acts in organizations where they go unnoticed.

State Compliance: A Legal Obligation

Church workers should be aware of state laws that govern the reporting of child abuse. Every state has a mandatory reporting law which specifies the following:

What constitutes child abuse.

Those persons ("mandatory reporters") who are legally responsible for reporting known and reasonably suspected cases of abuse.

Most states require a direct report to a state agency.

The length of time required to make a report. In most states, those providing professional care or services to children have a 48-hour period to make a report. In some states, an oral report is due within 24 hours.

The nature and content of the report. Many states permit the reporter to remain anonymous. However, if an individual desires to remain anonymous, the report should be made over the phone in the pres-

ence of an attorney or other independent witness who can verify later, if necessary, the identity of the reporter. (This may become important if the reporter later is charged with negligence for failing to make a report. If no witnesses to the report exist, and the report is done anonymously, providing a defense becomes problematic.)

The social agencies or department to be contacted. In some states, reports can be made to law enforcement officers. The criminal penalties for failing to report. Failure to report may be punishable by a fine or jail sentence. Protection from legal and civil litigation if the report is made in good faith.

Mutual Accountability: A Church Obligation

A sound reporting procedure promotes accountability among church workers. Questionable or inappropriate behavior often precedes acts of child molestation. Church workers should be trained to identify inappropriate behavior with children. Workers should be encouraged to warn each other when questionable behavior is displayed. Questionable behaviors should be reported to the proper individuals. Such a policy, if implemented with care and sensitivity, can help to avoid actual instances of abuse or molestation.

Personal Responsibility: A Moral Obligation

Workers may not report a suspected incidence of child sexual abuse for a variety of reasons. Some may want to avoid embarrassing situations. A fear of possible personal and legal recrimination may exist. Discrete and confidential reporting of suspected abuse is critical to abuse prevention. Church workers should understand that reporting reflects caring and is not an act of disloyalty.

Developing a Church Reporting Procedure

A reporting policy should provide clear instructions to church workers concerning when a report should occur and how it should be made.

Your policy should include the following:

- A clear rationale that explains the need for proper reporting and the obligation of workers to follow these procedures.
- The basis for making a report.
- A description of possible indicators and symptoms of child sexual abuse (see [Reducing the Risk](#)). Workers should report to their supervisor when a child displays these indicators. Although they do not prove abuse, they are warning signs of possible problems.
- A procedure to follow when possible abusive or unhealthy activities are suspected. All reports should be documented in writing and brought immediately to the attention of your church's leadership.

Establish a Line of Reporting

Church leaders should institute a line of reporting that should be followed in every case of suspected abuse. Reports of possible child abuse should be quickly communicated to the proper church leader. Reports reflect a serious obligation at the highest levels of church leadership. No report should be lost in "middle management."

- **Example 1.** A leader in the church's scouting program confesses to the youth director that he has molested a 15-year-old boy in the program. He pledges it will never happen again. The youth director keeps the confession to himself. The youth director's actions violate the reporting policy guidelines. Under state law, the youth director may have a legal obligation to report the confession. A church reporting policy should mandate that any allegation be reported to the senior pastor.
- **Example 2.** A teacher in the preschool program notices a two-year-old girl has severe bruises on her legs and buttocks. She immediately reports the information to the preschool director. The director reports the information to the senior pastor and also reports to the county office of Youth and Family Services.

Important. *In many states, both compensated and volunteer church youth workers will be mandatory reporters. Do not assume that requiring such persons to report suspected abuse to a designated church*

official will discharge their reporting duty under state law. These workers may still have a duty to report the suspected abuse to the state. State law must be consulted.

Reporting to the State

- **Example 3.** A fourth grade Sunday school teacher asks her class members to write down prayer requests on individual pieces of paper. One girl writes, “I want my daddy to stop hurting me.” The teacher is shocked by this statement, and immediately shares it with the pastor who advises her to question the girl about the statement after class on the following Sunday. The teacher does question the girl, who becomes defensive and insists that she was merely attempting to have the most dramatic prayer request.
- **Example 4.** A mother and her four-year-old daughter stop by the church office while the pastor is present. They all spend several minutes in conversation. At one point, the girl makes a statement strongly indicating that she is being abused by her stepfather. The mother quickly takes the girl to a back room and questions her. A few minutes later they emerge, and the mother insists that the child was “fantasizing.”
- **Example 5.** A teenage girl informs her youth pastor that her father has been sexually molesting her. The youth pastor immediately informs the senior pastor, who confronts the father with the allegation. The father (a respected member of the church) vigorously denies the charge.

Is there a legal duty to report any of these incidents to the state? These cases illustrate the difficulty that church staff encounter in making important decisions such as these. Here are some factors to consider in deciding whether or not to report a particular incident of suspected abuse to the state:

1. Are you a mandatory or permissive reporter under state law? Mandatory reporters (as defined by state law) face criminal penalties for not reporting.
2. Permissive reporters are permitted to report but they are not legally required to do so. However, it is possible that permissive reporters who do not report reasonable suspicions of abuse will be sued later by victims who allege that their suffering was perpetuated by the failure to report. Therefore, do not automatically dismiss a duty to report on the ground that you are a permissive reporter under state law.
3. What is the definition of child abuse in my state? Some states define abuse very narrowly to include only abuse inflicted by a parent or caretaker.
4. Do I have reasonable cause to believe that abuse has occurred? Remember, most state laws require mandatory reporters to report not only actual abuse, but also reasonable suspicions of abuse. Our recommendation: interpret “reasonable cause” very broadly. Also, note that child abusers, when confronted with their misconduct, often deny it. Any allegation must be treated seriously.
5. Be especially aggressive when dealing with pedophilic behavior (that is, sexual molestation of a pre-adolescent child). Some studies suggest that a pedophile may have hundreds of victims over the course of a lifetime. You have a duty to protect other innocent victims. Resolve doubts in favor of reporting.
6. Be especially aggressive when dealing with suspected abuse on the part of a person with a history of previous abusive behavior. Resolve doubts in favor of reporting.

7. Does the clergy-penitent privilege apply? In a few states, clergy who learn of child abuse during a confidential counseling session are not required to report the information to the state. (See Richard Hammar's annual *50-State Review of Child Abuse Reporting Laws*.)
8. Consider discussing the case anonymously with a representative of the state agency that receives reports of abuse. These representatives are often more than willing to discuss particular cases and evaluate whether or not a report should be filed. Of course, if you are advised that a report need not be filed, be sure to obtain the representative's name and make a record of the call.
9. Consider filing an anonymous report from the office of some independent third party (such as a local attorney or the pastor of another church). The other person can later verify that you in fact made the report
10. If you have any doubts concerning your duty to report any particular incident to the state, an attorney should be consulted. It is also desirable to inform your insurance agent.

Train Workers

Conduct periodic training of workers and staff regarding the reporting procedures. This is especially important at the beginning of a new program schedule or whenever a new person begins working in a ministry or program. Training sessions should present the church's policy on reporting and the rationale behind it. Workers should have the opportunity to voice their concerns and questions. All church staff should know their obligation to report a possible incident, and the necessity to provide feedback to one another concerning questionable behavior. The church does not want to create an atmosphere of fear or suspicion. Proper training can help workers see how reporting can be done honestly and discretely without generating undue suspicion or anxiety.

***Tip.** Be sure to check your state child abuse reporting law regularly. State legislatures tend to amend these laws often. Church leaders need to be aware of any changes.*

Simple Tips for a Response Plan to Child Sexual Abuse

No one likes to acknowledge that child sexual abuse is a reality. The trusting environment of the church makes it a prime target for abuse to occur. Recognizing the signs of child sexual abuse and responding quickly can make all the difference in the victim's life. Learn how with these simple tips.

Before It Happens

- **Know your facts.** Understand that 27 percent of women and 16 percent of men claim to have been sexually abused as children. Recognize that abusers come from all walks of life.
 - **Plan ahead.** Have a written response plan ready and waiting in the event of an incident. Outline steps for dealing with warning signs of suspected abuse as well as direct allegations of abuse.
 - **Establish a reporting chain.** Institute a reporting chain so claims are quickly escalated to church leadership. Follow state child abuse reporting laws and err on the side of caution when it comes to reporting.
 - **Be ready to believe.** Prepare yourself to believe all abuse claims regardless of who the alleged perpetrator is. A very small percentage of abuse claims are false. Even if you suspect a false claim, acknowledge the victim's feelings of pain are real and follow your response plan.
 - **Know the signs.** Familiarize yourself with the physical, behavioral, and verbal signs of sexual abuse. Understand that victims will often protect their abuser.
- **Set boundaries.** Be available for the victim, but set boundaries to avoid creating an unhealthy dependency. Show affection while ministering to the victim, but encourage the use of a larger support group such as a Bible study or prayer circle.
 - **Minister to all.** Consider the impact to the victim's family, the suspected abuser, and his or her family. All parties will need ministering through this ordeal.

After an Allegation

- **Protect the victim first.** Take whatever steps necessary to make the victim safe upon becoming aware of an incident. Immediately remove any suspects from a position of working with minors.
- **Support the victim.** Give the victim unconditional love and support. Victims often feel guilt, anger, and shame. They may need additional counseling, but you can show them faith and God's love.

Appendix:

Contributors

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is an Episcopal priest and former president of the Summit Group, a consulting firm working with businesses and nonprofit organizations.

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is the president of Kids Hope USA. Formerly, he was the director of Promiseland, the children's ministry at Willow Creek Community Church in Barrington, Illinois, which involved 6,500 children and 4,000 volunteers and staff.

Brotherhood Mutual Insurance Company

is one of the leading insurers of churches and related ministries. For more information, visit www.BrotherhoodMutual.com.

Richard R. Hammar

is an attorney, CPA, and author specializing in legal and tax issues for churches and clergy. He is a graduate of Harvard Law School, and attended Harvard Divinity School. He is the author of several books, including *Pastor, Church & Law*, the annual *Church and Clergy Tax Guide*, *Reducing the Risk*, the biannual *Compensation Handbook for Church Staff* and the *Essential Guide to Copyright Law for Churches*. He also is senior editor of *Church Law & Tax Report*, a bimonthly newsletter reviewing significant legal and tax developments for churches and clergy, and *Church Finance Today*, a monthly newsletter for church treasurers.

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is a licensed clinical social worker and served as a therapist and supervisor for eight years at the Evangelical Child and Family Agency.

Kevin A. Miller

is Rector at Church of the Savior in Wheaton, IL. Kevin is married to Karen Miller, and together, they have two grown children. He and Karen enjoy helping families, and they've written a book on marriage, *More Than You and Me*.

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ManagingYourChurch.com serves church leaders by providing accurate, authoritative, and timely law, tax, finance, church administration, and risk management articles and resources.

PUBLICATIONS:

Church Law & Tax Report (published bi-monthly) provides practical information to church leaders on important legal and tax developments that have a direct impact on ministry. In each issue, Editor Richard R. Hammar, J.D., LL.M., CPA, provides summaries of the most recent tax laws affecting churches and ministries, plus compelling case studies. This vital publication keeps pastors, board members, attorneys, CPAs, and church business administrators apprised of the ever-changing tax laws allowing for sound decisions.

Church Finance Today (published monthly) keeps church treasurers and bookkeepers informed with timely and practical information on issues all churches face when managing money: internal controls, compensation, reporting, and budgeting. In addition, subscribers receive *SkillBuilders*, a bi-monthly supplement offering specific steps to improve money management practices.

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Church Finance: The Complete Guide to Managing Ministry Resources

Overseeing the financial health of a church is no simple task. Increased regulations, IRS audits, and changing technology are a few of the challenges facing both new and experienced treasurers, bookkeepers, business administrators, and executive pastors. Church Finance, the new, groundbreaking comprehensive guide created by respected experts and CPAs, **Michael E. Batts** and **Richard R. Hammar**, gives you the confidence you need to manage every aspect of your job.

This eBook is not intended to answer every question that you will face, but we hope that it has provided an orientation to make you more effective in serving the needs of your church. It is designed to provide accurate and authoritative information in regard to the subject matter covered. It is sold with the understanding that neither the authors nor the publisher is engaged in rendering legal, accounting or professional service. If legal advice or other expert assistance is required, the services of a competent professional person should be sought.