

Dallas Chinese Fellowship Church
2640 Glencliff Drive,
Plano, TX 75075

Children & Youth Protection Policy

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Children & Youth Protection Policy

Dallas Chinese Fellowship Church

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Children & Youth Protection Policy of DCFC

Introduction

Dallas Chinese Fellowship Church (DCFC) is a congregation that is committed to addressing the needs of children, youth and adults, particularly insuring their safety and protection from any form of physical, sexual, or emotional abuse. Therefore, DCFC has adopted the following policies to provide direction for all employees, volunteers, parents, members and visitors to the church on how we seek to safeguard our children, youth and adults and nurture them in Christian love.

It is the policy of DCFC that all identified above maintain the integrity of the trust relationship at all times. Physical, sexual, or emotional abuse violates the principles of the trust relationship, is contrary to Scripture, and is never permissible. DCFC will not tolerate such abuse. The church is committed to maintaining a wholesome and safe environment for work, worship, study, nurture and fellowship for all inspired by Christian love and understanding.

Biblical foundation

God calls on His church to protect and serve those in need (James 1:27). DCFC seeks to express God's love of children/youth and provide for their personal wholeness (Mark 10:13-16, Ephesians 5:3). This caring community seeks to prevent abuse of any form to our children/youth and to minister to victims of abuse and their families. The Bible is foundational to our understanding upon which all policies, procedures, and ministries must stand.

Policy includes the following sections:

- Texas Child (and Youth) Protection Definitions and Laws
- Selection and Screening Process
- Maintaining a Safe Environment
- Supervisory Requirements
- Reporting and Responding to alleged Child/Youth Abuse or Neglect

Texas Child (and Youth) Protection Definitions and Laws

Child/Youth abuse or neglect as defined by the Texas Family Code:

Child/Youth abuse is defined to include acts or omissions which cause or permit:

- mental or emotional injury to a child/youth
- physical injury or threat of physical injury to a child/youth
- failure to make reasonable efforts to prevent action by another person that results in physical injury to a child/youth
- sexual contact with a child/youth
- failure to make reasonable efforts to prevent sexual contact with or in the presence of a child/youth

Neglect includes:

- leaving a child/youth in a situation where the child/youth would be exposed to a substantial risk of harm
- requiring the child/youth to use judgment or take actions beyond his/her level of maturity, physical condition or mental abilities
- failure to obtain medical care for a child/youth
- failure to provide a child/youth with food, clothing or shelter necessary to sustain the life or health of the child/youth

Sexual misconduct

Sexual misconduct with a child/youth includes crimes such as indecent exposure, indecency with a child/youth and sexual molestation. It also includes conduct that may not violate a penal statute but is still sexually oriented such as sexual harassment and sexual suggestion. If this conduct is committed by workers of the church, either employed or volunteer, claims can be made against both the church and the individual.

Every person's duty to report

The Texas Family Code **requires** that any person who learns of, or believes that a child/youth's health or welfare has been adversely affected by abuse or neglect **must report that belief immediately**. Call the Abuse Hotline at **1-800-252-5400**, or in the event of imminent danger to the child/youth, call **911**. Reports can also be made online at www.txabusehotline.org; however, a telephone call is the best method. Ask the person you talk to for a **Case Number**. Following this, notify the Pastor or a member of the church staff as quickly as possible. They will ask you to put your report and the Abuse Hotline Case Number in writing for the church's records.

Definition of a "child" and a "youth" for this policy

The term "child" includes all individuals under the age of twelve (12) years. The term "youth" includes all individuals who are twelve to seventeen (12-17) year olds.

Liability for failure to report

A person failing to report child/youth abuse or neglect commits a Class B misdemeanor punishable by fines up to \$1000 and/or confinement for up to 180 days. A person who is the victim of abuse and his or her family may bring a civil claim against the church or the person who failed to report the crime as required by law.

Immunity

A person making a report or assisting in the investigation of a report of abuse is immune from both civil and criminal liability that might be incurred. This means that a person who reports abuse and is later sued can defend themselves on the basis that their actions were protected by this immunity statute and the reporter should not be liable for damages relating to the reporting.

Clergy privilege

Communications between a member of clergy and an individual seeking counsel for the purpose of spiritual advice is considered privileged. There is an exception which provides that privilege disappears when the clergy member learns of child/youth abuse or neglect. In this instance the clergy member is required by law to report the information to authorities.

Selection and Screening Process

The term “People” addresses both paid church employees and anyone who volunteers to work with children/youth in a church activity.

People who work with children/youth must be:

Both volunteer and church employees who work with children/youth must be (1) a believer of God and (2) a regular attendant in DCFC. Under certain circumstances, an exception to this rule for a specific planned program may be authorized by the Pastors.

Six-month rule

No volunteer will be allowed to work with children/youth in any capacity until they have been an active participant in the church for a minimum of six (6) months. The applicant must have been a regular attendee and involved in church activities for that period of time. This time of interaction between our leadership and the applicant allows for better evaluation and suitability of the applicant for working with children/youth.

The six-month rule may be waived with the authorization of the Pastors, as in the case of a new staff member. If waived, program ministers must take additional steps to screen the applicant.

Volunteer applications

Volunteer applicants must complete and sign the DCFC Ministries Application Form. The minister in charge of the division in which the volunteer will work will be responsible for the interview process and reference checks.

The church keeps confidential all information received in the applicant selection process. Such information will be stored with access afforded only to appropriate church staff on a need-to-know basis.

If the church learns of false, misleading or amended information on an application that could cause potential danger to children/youth or liability to the church, that person will be terminated.

Criminal background check

A criminal background check and child (and youth) abuse registry check shall be required for all children/youth's worker positions, both employee and volunteer workers who are over 17 years old. No one who has been convicted of a crime involving misconduct with children/youth will be allowed to work with children/youth. Completing the DCFC Ministries Application form authorizes the church to conduct these checks. Background checks will be kept confidential in a locked file with access afforded only to appropriate church staff on a need-to-know basis. The pastoral staff will conduct criminal background checks.

Maintaining a Safe Environment

Identification of workers

All employees or volunteers who are engaged to work with children/youth must be photographed with copies of those photographs kept in their personnel file.

Name badges

All church employees and volunteer workers who work with children/youth are required to wear a name tag whenever they are supervising children/youth. These tags will be provided by the church and will show the worker's name.

Two-adult rule

It shall be the goal of Dallas Chinese Fellowship Church that a minimum of two workers will be in attendance at all times when preschoolers are being supervised during a church activity.

At no time should an adult ever be in an enclosed area alone with a child unless the door is open.

Vehicle safety

Persons who drive Dallas Chinese Fellowship Church owned or privately-owned vehicles for conducting church business or transporting children/youth on a regular basis must maintain a current valid Texas drivers license, provide proof of insurance in such amounts as may be required by the church and comply with all other church transportation policies. No one who has received a DWI will be allowed to drive a vehicle transporting children/youth. Parental permission is required before transporting a child/youth.

First aid training

It will be the goal of the church that most paid employees who work with children/youth will maintain current certification in basic first aid and basic CPR (or the equivalent) as required by applicable licensing requirements or other local regulations. The church will pay the cost of this training. Volunteer workers are encouraged but not required to get training if they frequently

accompany children/youth on activities such as recreational activities, camps, retreats, mission trips or any other activity with an element of risk.

Supervisory Requirements

For all persons working with children/youth at DCFC

It is the policy of the church to provide adequate supervisory control of persons working with children/youth participating in all church programs, including daily or temporary childcare programs of the church.

The following regulations shall be applicable to all workers having contact with children/youth participating in all church programs:

Safety of children/youth

All children/youth's workers share the responsibility to promote the emotional and physical safety of the participants. If an unsafe condition exists, they should immediately take appropriate precautions to protect the children/youth. Nothing contained in any other church policy relieves these workers from this responsibility.

Children identification system

The church will have in place an identification system so that the adults who drop off a small child are the same adults, or the adults authorized by the parents, who pick the child up. The minister in charge shall maintain the system to identify persons authorized to pick up and take responsibility for children leaving a church activity.

Observation of children/youth

Church activities for children/youth should be scheduled in areas visible from adjoining areas. Visibility will be maintained by leaving curtains and blinds open and wherever possible, by leaving the door to the room open. Reasonable exceptions to this rule may be made by the minister in charge where seclusion is necessary for rest provided two unrelated workers are present in the room at all times.

At no time will an adult meet alone with a child/youth in any room where the door is closed and in an area where they cannot be seen.

A clear glass window will be installed in the door of all rooms typically occupied by children/youth and into the door of all offices in the church.

Ratio of workers to children

It is required that a reasonable ratio of adults to children is maintained at all times involving the supervision of children. The ministerial staff member responsible for the division shall be primarily responsible for setting and maintaining a reasonable ratio of workers to children giving due regard to all factors present, including the number and age of the participants, the nature of the activities and the location where the activities are taking place.

Ministerial and staff oversight

The ministerial staff member responsible for each division shall coordinate with the respective ministry coordinators to ensure ongoing supervision of all workers. This should include regular unannounced visits into classes and other program sites.

Awareness of church policy

The minister responsible for each division shall periodically review the definition of child/youth abuse and neglect as defined by law and the church's policy concerning these crimes. These reviews can be conducted either with the workers individually or in groups, at least once a year and following each change in or addition to such policies. Each worker shall acknowledge receipt of a written copy of the policy prior to the time they commence working with children/youth and after each change to such policy. Each worker shall acknowledge participating in the periodic review of the church's policies and procedures. The signed acknowledgements shall be retained in the personnel file of the worker.

Children's pickup

If a child younger than sixth grade is not picked up by their parent or guardian on time, they will be kept by their teachers in the children's area where safe supervision can be continued until the parent or guardian is located.

A child shall not be taken from or allowed to leave church property, either unattended or in a group, without specific parental permission.

Release of claims

Prior to any activity away from the church, a Release of Claims will be necessary to be signed by the child/youth's parent or legal guardian.

Without the form signed and in the possession of the church, the child/youth will not be allowed to participate in the away activity.

Reporting and Responding to Alleged Child/Youth Abuse or Neglect

Reporting policy

It is the policy of the church to report any incident of abuse or neglect toward any child/youth in the church. This would include participants in temporary childcare and youth programs.

- Do not treat any suspicion as frivolous.
- Notify your supervisor immediately. Commence the investigation right away.
- The staff member in charge should suspend the accused person from the performance of duties involving children/youth until the official investigation has been completed.
- Cooperate fully with law enforcement officials.
- The pastor or his agent will inform victim and victim's family of the steps that are being taken, and continue to keep them advised of the status of the investigation. If abuse is confirmed, ask the victim and the victim's family what action they would like to take in the matter and fully cooperate to address their requests within the bounds of a legal and prudent response (legal counsel may be asked to assist).
- In an instance where abuse is confirmed, the church will immediately dismiss the worker from their position. Termination will be considered appropriate in the circumstances.
- In instances where evidence is inconclusive, the church should take action with the advice of law enforcement officials depending on the strength of the evidence available and after consideration of the victim and the victim's family's requests.
- The pastor will determine the amount of information he believes is appropriate to relate to the congregation. Usually commenting on an ongoing investigation is not wise.

Reporting obligation

As previously stated, the Texas Family Code requires that any person who learns of or believes that a child/youth's health or welfare has been adversely affected by abuse or neglect must report that belief immediately. The report shall be made using the following procedure:

- a. The worker shall report such belief to the pastor or a member of the church staff and will complete an Incident Report.
- b. The pastor or staff member will immediately report to one of the following:
 1. The Plano Police Department
 2. The Texas Child Protective Services hot line (1-800-252-5400 then press 4 for a case worker).
- c. The pastor, or his agent, will notify the parents of the child/youth (unless the parent is the person responsible for the abuse or neglect).
- d. The pastor, or his agent, in consultation with one of the Elders will notify the appropriate legal counsel.

- e. The pastor, or his agent, will notify the church's insurance agent that an abuse report has been filed with the appropriate local or state agency.

Incident report

The person making a report should identify:

- a. The name and address of the child/youth.
- b. The name and address of the person responsible for the care, custody, or welfare of the child/youth.
- c. Any other pertinent information concerning the alleged or suspected abuse or neglect.

Confidentiality

All reports of abuse or neglect shall be held in absolute confidence. No person shall communicate any information concerning the alleged event to any person except as necessary to cooperate with any official investigation. Any breach of this confidentiality by an employee of the church shall be cause for immediate dismissal.

The pastor, in consultation with the official conducting the investigation, may authorize limited additional disclosure if necessary to protect other children/youth from harm in the near future, particularly where the person responsible for the abuse cannot be identified, but in no case shall the identity of the victim or the accused person be disclosed except as required by law.

Investigation of alleged abuse or neglect

No person shall attempt to conduct a detailed investigation either through examination or interrogation of the child/youth, the accused person or a witness. It is acceptable to obtain a reasonable amount of information to have cause to believe a child/youth has been abused or neglected.

Interviews shall be conducted only by authorized officials of the agency to whom the suspected crime has been reported, or when appropriate, by legal counsel or persons representing the church in an official capacity. All employees and volunteers of the church shall cooperate with the official investigation as requested.

Suspension of church related duties

A person accused of abuse or neglect will be suspended from all church related duties involving children/youth. This would include all childcare and youth programs, teaching, transportation, or sponsorship duties. The administrative staff is not authorized to conduct an investigation of the incident but is allowed to monitor an investigation and receive confidential information concerning the incident necessary to determine issues concerning continuation of employment and compensation.

The accused should be suspended, on 'paid leave' if a staff, until the investigation is completed. This removal from duty should occur in such a way that an innocent person is not immediately deemed guilty. If the allegation is determined to be unsubstantiated, the employee can be returned to their prior position.

Preservation of records

Copies of all documents relating to an event of abuse or neglect, including a list of all persons known to be present or in the vicinity, shall be transferred to the pastor or his agent. They will review them to determine if the documents are complete in accordance with church policy. If any documents are missing, they shall make a written notation and transfer the documents to the church business administrator who shall retain them until advised that all criminal and civil investigations and actions have been completed.

Pastoral care

The pastoral staff shall encourage and assist the child/youth and the parents in securing appropriate counseling, care and support. In the event the abuse or neglect involves a member or employee of the church, the staff shall encourage and assist the individual in securing appropriate pastoral care and support including third party counseling, being mindful of the potential for a conflict of interest.

All persons shall act towards the child/youth, the parents and the accused in accordance with the principles of Christianity at all times.

Liaison with the community

The pastor, or his appointed agent, will serve as the church's sole access to the media. The church should emphasize to the public its position on child/youth abuse, its concern for the victim and the extensive steps being taken to address the safety of all children/youth.

**Acknowledgement of Receipt of
Texas Child Protection Definitions and Laws**

and

Dallas Chinese Fellowship Church Child/Youth Protection Policy

Statement

I have been given a copy of both the Texas Child Protection Definitions and Laws and Dallas Chinese Fellowship Church Child/Youth Protection Policy.

I have read and understand both documents. I understand that my services as an employee or as a volunteer who works with children/youth at Dallas Chinese Fellowship Church is dependent upon my strict adherence to these policies.

Signature

Printed Name

Date

Waiver of Liability and Hold Harmless Agreement

1. As a volunteer for Dallas Chinese Fellowship Church (DCFC), I hereby **release, waive, discharge and covenant not to sue** DCFC from any and all liability, claims, demands, actions and causes of action whatsoever arising out of or related to any loss, damage, or injury, including death, that may be sustained by me, or any of the property belonging to me, **whether caused by the negligence of DCFC**, or otherwise, while volunteering for DCFC.
2. I further hereby **agree to indemnify and hold harmless** DCFC from any loss, liability, damage or costs, including court costs and attorney fees, that they may incur due to my volunteering **whether caused by negligence of DCFC** or otherwise.
3. It is my express intent that this Waiver of Liability and Hold Harmless Agreement shall bind the members of my family and spouse, if I am alive, and my heirs, assigns and personal representative, if I am deceased, and shall be deemed as a **release, waiver, discharge and covenant not to sue** DCFC. I hereby further agree that this Waiver of Liability and Hold Harmless Agreement shall be construed in accordance with the laws of the State of Texas.
4. **In signing this release, I acknowledge and represent that** I have read the foregoing Waiver of Liability and Hold Harmless Agreement, understand it and sign it voluntarily as my own free act and deed; no oral representations, statements, or inducements, apart from the foregoing written agreement, have been made; I am at least eighteen (18) years of age and fully competent; and I execute this release for full, adequate and complete consideration fully intending to be bound by same.

Signature

Printed Name

Date