

**Tuckahoe Presbyterian Church
Richmond, Virginia**

**Policy for the Protection of
Children, Youth, Elderly, and Persons with Disabilities**

The members of Tuckahoe Presbyterian Church believe that as caring shepherds we are called by God in all phases of our church life to create a safe haven for all of the children, youth, elderly, and persons with disabilities in our care, nurturing, protecting, and empowering them through faith and trust. This commitment includes taking appropriate steps to reduce the risk to these vulnerable people.

For the protection of those persons in our care, everyone working directly with children, youth, elderly, and persons with disabilities, whether paid or volunteer, at Tuckahoe Presbyterian Church sponsored or co-sponsored activity is subject to the provisions of this policy.

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**Policy for the Protection of
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I. Statement of Purpose

It is the intent of this policy to protect children, youth, elderly, and persons with disabilities. All of these groups are collectively referred to as “protected groups” in this policy. In addition, other vulnerable groups may be defined by Session, and it is the intent of this policy to cover those groups as well. The following material will help in establishing measures that will minimize the risk of any of them being subject to various types of abuse. The policy and procedures outlined herein must be observed.

These procedures are also intended to minimize the risks to invaluable adult volunteers who make our ministries possible, while also providing respect and affording due process to persons accused of improper conduct.

As used herein, the terms “child,” “children,” and “youth” refer to all persons under eighteen (18) years of age. The term “elderly” refers to any person 60 years of age or older. The term “persons with disabilities” refers to any person 18 years of age and older who is “impaired by reason of mental illness, mentally challenged, physical illness or disability, advanced age, or other causes to the extent that the adult lacks sufficient understanding or capacity to make, communicate, or carry out responsible decisions concerning his or her well-being.” Additionally, a person with a disability is one who needs supervisory assistance or assistance with activities of daily living.

For the protection of those persons in our care, everyone working directly with children, youth, elderly, and persons with disabilities, whether paid or volunteer, at Tuckahoe Presbyterian Church sponsored or co-sponsored activity is subject to the provisions of this policy. Therefore, all such persons are expected to participate in training and orientation including, but not limited to, training to increase their sensitivity to the prevention of any form of abuse to and protection of children, youth, elderly, and persons with disabilities.

The requirements of this policy understandably intrude into the privacy of the lives of our church volunteers and staff. However, the security of our protected groups outweighs the personal invasion inherent with such investigation and disclosure. All personal information is voluntarily disclosed. Furthermore, the results of all reference and background checks, the refusal of any person to participate in a program or activity rather than comply with such disclosure requirements, and all staff and volunteer information forms provided to Tuckahoe Presbyterian Church will be considered confidential and kept in a locked storage cabinet accessible only to the Pastor/Head of Staff and the Office Administrator.

II. Policy and Procedures for Protecting the Well Being of Children, Youth, Elderly, and Persons with Disabilities

Tuckahoe Presbyterian Church is committed to the safety, welfare, and protection of all children, youth, elderly, and persons with disabilities participating in the activities and programs of this church. This policy addresses the preventable risk of any form of abuse or harassment, whether physical, mental or sexual, by any of the employees or volunteers of this church engaged in church sponsored activities or programs.

This policy is intended to be all-inclusive. However, situations could arise that require the exercise of good judgment by the concerned parties.

This policy further helps protect workers from unsubstantiated charges of wrongdoing. In addition, we are called to stand not in judgment, but with compassion for each other. We believe that any person who has been accused of committing an act of abuse can expect due process, our prayers, and acceptance as a human being.

Therefore, all Tuckahoe Presbyterian Church activities and programs, regardless of location, involving protected groups will be subject to the following:

- **Exclusion:** No one who has had an abuse conviction or expungement—or who refuses to complete the forms associated with this policy—will be permitted to work with Tuckahoe Presbyterian Church’s protected groups.
- **Acknowledgement and Consent:** All volunteers who work with Tuckahoe Presbyterian Church’s protected groups, all staff members, and all church officers will be required to read the *Tuckahoe Presbyterian Church Policy for the Protection of Children, Youth, Elderly, and Persons with Disabilities* and sign a statement indicating that they have read and understood the policy and agree to abide by it and that they have never been convicted of child abuse, or other offenses. Anyone failing to sign this statement will not be permitted to serve in activities with protected groups.
- **Background Screening:** All volunteers over the age of 18 who work with Tuckahoe Presbyterian Church’s protected groups, all staff members, and all officers whose responsibilities would involve direct contact with any member(s) a protected group, will be required to sign the authorization form that allows the church to request a background check (Appendix B).
- **Training:** All volunteers who work with the church’s protected groups, all staff members, and all church officers will also be required to participate in training related to this policy. These training sessions will be part of the Officers Retreat each year, and with new volunteers when tasks are assigned.
- **Church Spokesperson:** The Pastor/Head of Staff shall be the spokesperson for the church with respect to this policy and shall serve as a representative of the church to the

community and media should that prove necessary. If an allegation involves the Pastor/Head of Staff, then Session shall designate a spokesperson for the church by contacting the Presbytery and requesting the involvement of the Committee on Ministry. Staff and volunteers shall be instructed that all communications about any incidents relating to this policy come only from the designated spokesperson.

In addition, all Tuckahoe Presbyterian Church activities and programs, regardless of location, involving children and youth will be subject to the following:

- **Two Adult Rule:** Our goal is that teachers and volunteers will be assigned in teams of two (2) or more unrelated individuals to supervise or lead Sunday School and other activities involving children and youth. All workers, including volunteers, should be at least five years older than the children. Workers under 18 shall work with an unrelated adult

For children's off-premises trips, at least two (2) unrelated teachers or volunteers shall accompany the group. If the group stays overnight, whether on or off church property, two (2) or more unrelated leaders shall be present. In addition, the parent or guardian must give written permission for each overnight stay. Other community groups of youth who meet or stay overnight at the church shall have two (2) or more unrelated adults present for the entire meeting.

We recognize that it may be appropriate occasionally for students to meet one-on-one with a class mentor, staff member, or volunteer leader. This shall occur in a public setting.

- **Open Classrooms:** The physical setting should be made safe. Classrooms or child-care rooms may be visited without prior notice by church staff, parents, or other volunteer church workers. It should be possible to visually observe classrooms from the hallway.
- **Classroom Discipline:** All teachers and other volunteers should be guided by the following classroom discipline practices:

If a child is behaving inappropriately, the teacher or worker will tell the child specifically what is not acceptable and state what the expected behavior is, e.g., "We do not throw blocks. We use blocks for building." If this measure is not effective, the child will be guided to another activity. If inappropriate behavior continues, the child may be placed at a table to work alone away from the other students. If the child's disruptive behavior continues after these steps have been taken, the child may be taken to the Director of Christian Formation or a designated representative and left under the Director's or such representative's supervision. No physical punishment, verbal abuse, or ridicule is to be used at any time.

III. Examples of Inappropriate Conduct

- A. A commitment to the call to care for all of God’s children includes preventing “child abuse”, which is defined in the Code of Virginia as follows:

“Child abuse refers to the act committed by a parent, caregiver, or person in a position of trust (even though he/she may not care for the child on a daily basis) which is not accidental and which harms or threatens to harm a child’s physical or mental health or welfare.” See also the definitions and explanations in Appendix E.

- B. In addition, caring for God’s children includes preventing the abuse, neglect, or exploitation of the elderly and persons with disabilities, which is defined by the Code of Virginia as:

- The willful infliction of physical pain, injury, or mental anguish or the unreasonable confinement of adults (Adult Abuse)
- The illegal use of an incapacitated adult or his/her resources for another’s profit or advantage (Adult Exploitation)
- An adult is living under such circumstances that he/she is not able to provide for himself/herself or is not being provided services necessary to maintain his/her physical and mental health and that the failure to receive such necessary services impairs or threatens to impair his/her well-being (Adult Neglect).

See Appendix F for details.

- Furthermore, Tuckahoe Presbyterian Church seeks to prevent the following types of inappropriate conduct:
 - Physical Abuse, including any unwanted touch, any physical contact intended to coerce or do harm, any hitting or touch in anger.
 - Emotional or Verbal Abuse, including insults, name calling, belittling remarks, unfavorable comparisons with others, shaming, deliberately causing fear, or using speech to hurt.
 - Spiritual Abuse, including using scripture or church authority inappropriately to coerce, control, or shame.
 - Sexual Abuse, which includes any sexual contact with protected groups in the care of a volunteer or staff member, including:
 - Fondling private parts
 - Oral, genital, or anal penetration
 - Sexual intercourse
 - Forcible rape
 - Suggestive sexual comments
 - Showing pornography (sexually explicit materials)
 - Exposing sex organs
 - Allowing children to witness sexual activity.

IV. Reporting Violations of Policy

In order to maintain an environment free of destructive acts toward all protected groups, the staff, employees, teachers, parents, officers, and volunteers of Tuckahoe Presbyterian Church must be aware of their individual responsibility to immediately report any questionable circumstance, observation, act, omission, or situation thought to be in violation of this policy.

- **Response Team Makeup and Authority:** All questions or concerns about any suspected abusive behavior or harassment shall be reported immediately to (i) the Pastor/Head of Staff (unless the allegation involves the Pastor/Head of Staff), or (ii) one of the following: the Moderators of the Administration and Personnel Committee and/or the Christian Formation Committees and/or the Director of Christian Formation. The Pastor/Head of Staff shall contact the Presbytery for guidance and request a representative to join a team of at least two of the individuals listed in the preceding sentence. They shall comprise the Response Team that will have responsibility for carrying out the intent of this policy and the requirements of Virginia state law in the event there is a report of an alleged violation of policy.
- **Responsibilities of Person Receiving and Conveying Complaint:** The person who receives the initial complaint or witnesses an occurrence in violation of this policy will be asked to complete an Incident Report Form (Appendix C), including recording the specific words first spoken by the child, youth, elderly, or disabled person and the observed conduct and demeanor. This person should also follow the steps below to ensure the security and protection of all those involved:
 - Personally secure the safety of the child, children, youth, elderly, or person with disabilities.
 - Report the incident immediately as outlined above.
 - Do not leave the child, children, youth, elderly, or person with disabilities alone to report the incident.
 - Do not personally confront the alleged or accused violator of the policy.
 - Maintain the confidentiality of the accused, the accuser, and the victim.
 - Remember that the church spokesperson bears the responsibility for communication on behalf of the church.
- **Response Team Action Steps:** Upon determining that a formal allegation of child or adult abuse is either mandated by law or is warranted although not legally mandated, the designated members of the Response Team will:
 - Treat seriously every allegation of child or adult abuse.
 - Immediately begin documenting all information and actions involved in the handling of the allegation.

- When the allegation involves children or youth, immediately notify the parents if it is not known that they have previous knowledge.
- Immediately report the allegation to the office of the Virginia Department of Social Services where the alleged victim resides or where the abuse is believed to have occurred. The report should include all information that is the basis for the suspicion of abuse, neglect, or exploitation. Upon request, the reporter should make available any information, records, or reports that document the basis for the report.
- Immediately notify the church's insurance carrier.
- Temporarily relieve the accused of any assigned duties within the life of the church involving contact with protected groups, until the investigation is concluded.
- Maintain the confidentiality of the accused, the accuser, and the victim.
- Ensure that under no circumstances shall the Response Team, a minister, church leader, or other members of the church investigate the allegation after such time as a formal allegation has been made to the local office of the Virginia Department of Social Services.
- Extend whatever care and comfort is appropriate. In providing care to the victim, the accused, and the accuser and their families, the Response Team, a minister, church leaders, or other church members should under no circumstances be drawn into discussion of the truth or falsity of the allegation. No one should assign blame or take any steps that involve establishing or refuting the allegation. The ultimate resolution of the matter will rest with the authorities of the Commonwealth of Virginia.
- Pray for the church and all persons affected by the allegation.

V. Approval, Ratification and Monitoring of the Policy

This policy shall be reviewed annually by the Administrative and Personnel Committee. The review shall include an assessment of the effectiveness of its implementation in all applicable programs and activities of the church. Under Tuckahoe Presbyterian Church polity, this policy is approved or amended by the Session. The policy becomes effective upon approval by Session.

Appendix A

Acknowledgement of and Consent to Policy for the Protection of Children, Youth, Elderly, and Persons with Disabilities Tuckahoe Presbyterian Church, Richmond, Virginia

Purpose

The *Tuckahoe Presbyterian Church Policy for the Protection of Children, Youth, Elderly, and Persons with Disabilities* was established by Tuckahoe Presbyterian Church to demonstrate our absolute and unwavering commitment to the physical safety and to the spiritual and emotional growth of all of our children, youth, elderly, and those with disabilities. The Policy requires that, before working with such persons, all volunteers and paid employees will be required to verify in writing that they have been educated regarding, understand, and agree to abide by the Policy.

Statement

I, the undersigned, represent that I understand the *Tuckahoe Presbyterian Church Policy for the Protection of Children, Youth, Elderly, and Persons with Disabilities*; and I acknowledge that I will abide by this policy.

I swear or affirm that I have never been convicted of child or adult abuse or had such a conviction expunged. No civil, criminal or ecclesiastical complaint has ever been sustained or is pending against me for sexual misconduct or child or adult abuse. I have never resigned or been terminated from a position for reasons related to sexual misconduct or child or adult abuse. I will voluntarily and without requiring further inquiry disclose to Tuckahoe Presbyterian Church any general information, criminal convictions, prior church affiliation and prior volunteer or paid work with children, youth, the elderly or persons with disabilities that might reasonably bring into question my suitability to volunteer or work with children, youth, the elderly or persons with disabilities as part of any ministry or activity sponsored by Tuckahoe Presbyterian Church.

I understand that my consent, self-disclosure, and compliance are being relied upon by Tuckahoe Presbyterian Church in permitting me to work with children, youth, elderly, and persons with disabilities.

Signature

Witness Signature TPC Staff Member

Name (please print)

Witness name and position (please print)

Date

Date

Appendix B

**Tuckahoe Presbyterian Church
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BACKGROUND CHECK AUTHORIZATION

- In connection with my Christian service through Tuckahoe Presbyterian Church, I, the undersigned, authorize the church to procure background information (also known as a consumer report or investigative consumer report) about me. I understand that this report may include my driving history, including any traffic citations; a social security verification, present and former addresses; criminal and civil history/records; and the state sex offender records.
- I hereby release the Tuckahoe Presbyterian Church and agents and all persons, agencies and entities providing information or reports about me from any and all liability arising out of the requests for or release of any of the above-mentioned information or reports.
- I understand that I am entitled to a complete copy of any background report of which I am the subject upon my request to Tuckahoe Presbyterian Church, if such is made within a reasonable time from the date it was produced. I also understand that I may receive a written summary of my rights under the Fair Credit Reporting Act.

Please print your full name

Please print other names you have used

Current Home Address

City State Zip Code Dates

Former Home Address

City State Zip Code Dates

Date of Birth _____

Gender _____ Daytime Telephone Number _____

Driver's License Number _____ State Issuing License _____

Signature _____ Date _____

Appendix C

**Tuckahoe Presbyterian Church
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INCIDENT REPORT FORM

Reason for report _____

Date of incident _____ Time _____

Name of Reporter _____ Activity: _____ Title

Name(s) of Victim(s) _____ Age(s) _____

Quote the victim's first words verbatim: _____

Briefly describe victim's behavior/appearance _____

Briefly describe what happened. _____

What action did you take? _____

Has the incident been resolved? yes no Explain: _____

Names of Witnesses: _____

Signatures (if possible): _____

Report submitted to: _____

Reporter's Signature: _____ Date: _____

Appendix D

PARTIAL SUMMARY OF VIRGINIA REQUIREMENTS FOR REPORTING CHILD ABUSE

Under Section 63.2-100 of the Code of Virginia (1950), as amended, an abused child is defined as one who is less than eighteen years of age, whose parents or other persons responsible for his/her care create or inflict, or threaten to create or inflict, or allow to be created or inflicted upon such a child a physical or mental injury by other than accidental means, or create a substantial risk of death or disfigurement or impairment of bodily or mental functions. This includes the following: failure to provide care necessary for health; abandonment; committing or allowing sexual exploitation; endangerment or neglect. Child abuse may be physical, sexual, emotional or mental and may be the result of actions or the failure to act (e.g. lack of care for a child).

Section 63.2-1509 Physicians, nurses, teachers, etc., to report certain injuries to children; penalty for failure to report. –

A The following persons who, in their professional or official capacity, have reason to suspect that a child is an abused or neglected child, shall report the matter immediately to the local department of the county or city wherein the child resides or wherein the abuse or neglect is believed to have occurred or to the Department's toll-free child abuse and neglect hotline:

5. Any teacher or other person employed in a public or private school, kindergarten or nursery;
6. Any person providing full-time or part-time childcare for pay on a regularly planned basis;
11. Any professional staff person, not previously enumerated, employed by a private or state-operated hospital, institution or facility to which children have been committed or where children have been placed for care and treatment;
12. Any person associated with or employed by any private organization responsible for the care, custody or control of children;

In addition, although not required by law to do so, anyone else who knows or reasonably suspects child abuse should report such suspected child abuse immediately. Such a report is confidential, and the person making the report is immune from liability for making the report unless it is proven that such person acted in bad faith or with malicious intent.

DEFINITION OF CHILD ABUSE

Child abuse refers to an act committed by a parent, caregiver or person in a position of trust (even though he/she may not care for the child on a daily basis) which is not accidental and which harms or threatens to harm a child's physical or mental health or welfare. The following definitions and explanations in this section are from the Virginia Department of Social Services.

TYPES OF ABUSE

1. PHYSICAL ABUSE

A Physical injury, threat of injury, or creation of a real and significant danger of substantial risk of death, disfigurement, or impairment of bodily functions. Such injury or threat of injury, regardless of intent, is inflicted or allowed to be inflicted by non-accidental means. Examples: asphyxiation, bone fracture, brain damage, skull fracture, subdural hematoma, burns, scalding, cuts, bruises, welts, abrasions, internal injuries, poisoning, sprains, dislocations, gunshot, and stabbing wounds.

2. PHYSICAL NEGLECT

Physical Neglect is the failure to provide food, clothing, shelter or supervision for a child if the child's health or safety is endangered. Physical neglect may include multiple occurrences or a one-time critical or severe event that results in a threat to health or safety, such as a toddler left alone. Other types of

neglect include abandonment, inadequate supervision, inadequate clothing, inadequate shelter, inadequate personal hygiene, inadequate food and malnutrition.

- SEXUAL ABUSE

Sexual abuse includes any act defined in the Code of Virginia that is committed or allowed to be committed upon a child by his/her parent or other person responsible for the child's care.

Examples of such abuse are: sexual exploitation, sexual molestation, intercourse/sodomy and other sexual abuse.

- MEDICAL NEGLECT

Refusal or failure by a caretaker to obtain and/or follow through with a complete regimen of medical, mental or dental care for a condition, which if untreated, could result in illness or developmental delays.

- FAILURE TO THRIVE

A syndrome of infancy or early childhood that is characterized by growth failure, signs of severe malnutrition and variable degrees of developmental retardation. Children are considered to be in this category only when the syndrome is diagnosed by a physician and is caused by non-organic factors.

- MENTAL ABUSE/NEGLECT

A pattern of acts or omissions by the caretaker that result in harm to a child's psychological or emotional health or development.

- EDUCATIONAL NEGLECT

The child's caretaker is directly responsible for the failure of the child to attend school or an approved alternative program of study.

- BIZARRE DISCIPLINE

Any actions in which the caretaker uses eccentric, irrational or grossly inappropriate procedures or devices to modify the child's behavior.

Appendix E

PARTIAL SUMMARY OF VIRGINIA REQUIREMENTS ON ADULT PROTECTION

§ 63.2-1603. Protection of adults; definitions.

As used in this article:

"Adult" means any person 60 years of age or older, or any person 18 years of age or older who is incapacitated.

"Emergency" means that an adult is living in conditions that present a clear and substantial risk of death or immediate and serious physical harm to himself or others.

"Incapacitated person" means any adult who is impaired by reason of mental illness, mental retardation, physical illness or disability, advanced age or other causes to the extent that the adult lacks sufficient understanding or capacity to make, communicate or carry out responsible decisions concerning his or her well-being.

63.2-100 Definitions

"Adult abuse" means the willful infliction of physical pain, injury or mental anguish or unreasonable confinement of an adult.

"Adult exploitation" means the illegal use of an incapacitated adult or his resources for another's profit or advantage.

"Adult neglect" means that an adult is living under such circumstances that he is not able to provide for himself or is not being provided services necessary to maintain his physical and mental health and that the failure to receive such necessary services impairs or threatens to impair his well-being.

"Adult protective services" means services provided by the local department that are necessary to protect an adult from abuse, neglect or exploitation.

§ 63.2-1606. Protection of aged or incapacitated adults; mandated and voluntary reporting.

A. Matters giving reason to suspect the abuse, neglect or exploitation of adults shall be reported immediately upon the reporting person's determination that there is such reason to suspect. Reports shall be made to the local department or the adult protective services hotline in accordance with requirements of this section by the following persons acting in their professional capacity:

1. Any person licensed, certified, or registered by health regulatory boards listed in § [54.1-2503](#), with the exception of persons licensed by the Board of Veterinary Medicine;
2. Any mental health services provider as defined in § [54.1-2400.1](#);
3. Any emergency medical services personnel certified by the Board of Health pursuant to § [32.1-111.5](#);
4. Any guardian or conservator of an adult;
5. Any person employed by or contracted with a public or private agency or facility and working with adults in an administrative, supportive or direct care capacity;
6. Any person providing full, intermittent or occasional care to an adult for compensation, including but not limited to, companion, chore, homemaker, and personal care workers; and
7. Any law-enforcement officer.

B. The report shall be made in accordance with subsection A to the local department of the county or city wherein the adult resides or wherein the adult abuse, neglect or exploitation is believed to have occurred or to the adult protective services hotline. Nothing in this section shall be construed to eliminate or supersede any other obligation to report as required by law. If a person required to report under this section receives information regarding abuse, neglect or exploitation while providing professional services in a hospital, nursing facility or similar institution, then he may, in lieu of reporting, notify the person in charge of the institution or his designee, who shall report such information, in accordance with the institution's policies and procedures for reporting such matters, immediately upon his determination that there is reason to suspect abuse, neglect or exploitation.

C. Any person other than those specified in subsection A who suspects that an adult is an abused, neglected or exploited adult may report the matter to the local department of the county or city wherein the adult resides or wherein the abuse, neglect or exploitation is believed to have occurred or to the adult protective services hotline.

D. An employer of a mandated reporter shall not prohibit a mandated reporter from reporting directly to the local department or to the adult protective services hotline. Employers whose employees are mandated reporters shall notify employees upon hiring of the requirement to report.

E. No person or entity shall be obligated to report any matter if the person or entity has actual knowledge that the same matter has already been reported to the local department or to the adult protective services hotline.

F. All law-enforcement departments and other state and local departments, agencies, authorities and institutions shall cooperate with each adult protective services worker of a local department in the detection, investigation and prevention of adult abuse, neglect and exploitation.