

- Sample -  
Church Child/Youth Protection Policy

A note about this sample policy. This is a resource that ChurchWest is providing your ministry with to help you comply with the new guidelines as soon as possible. **This should not be disseminated to those outside of your ministry via email or shared in any way. Any ministry that would like a copy, it is freely available on [www.churchwest.com](http://www.churchwest.com). Those that download it from ChurchWest will be kept up to date with legal and practical updates to the changing requirements in California.** This is intended to be a resource for your ministry to work with, but it is imperative that the final version is reviewed by qualified legal counsel. We strongly recommend that you only use this temporarily, while you work with professional guidance to develop a program that addresses the unique characteristics of your ministry. Please reach out to our trusted partners for assistance.

BQB Law - [www.bqblaw.com](http://www.bqblaw.com) or 858.788.3900

ChurchHRNetwork - [www.churchhrnetwork.com](http://www.churchhrnetwork.com) or 888.807.CHRN (2476)

While it may sound intimidating or expensive to reach out to an expert, its more affordable than you think. Both organizations mentioned above have worked with hundreds of ministries, so they can work with you and your budget to develop a policy that works for you.

Regardless of how this policy is finalized, we recommend that you annually review this policy with your ministry leadership and legal counsel to ensure that it is followed and updated.

Additional risk management forms, applications, renewal applications, checklists, permission slips, formal policies for premises monitors, staff accountability, sexual offender chaperone policy, and more may be found [here](#) to help you continue to build out and customize this sample policy.

It is recommended that any Worker Application form ask whether the prospective worker has ever participated in, or been accused, convicted or pleaded guilty or no contest to abuse or any sexual misconduct.

This specific wording addresses the potential worker's past record with sexual misconduct, regardless of whether that incident resulted in prosecution or conviction. If not worded this way, a prospective worker who was investigated for sexual misconduct, but not criminally charged, may be admitted to serving with children, or youth.

## SAMPLE CHILD/YOUTH PROTECTION POLICY

### MINISTRY PURPOSE

<CHURCH NAME> is a non-profit religious organization and is substantially controlled and supported by a religious body, your denomination, or church. More importantly, our organization is a community of believers who have joined together to meet the spiritual and academic needs of the greater community.

Our organization promotes behavior consistent with the Holy Scriptures. Consequently, when joining <CHURCH NAME>'s staff, youth or children's ministry, you freely and willingly agree to the standards of behavior outlined in this policy. The standards included in this policy are not exhaustive; rather, they provide a guideline of conduct we believe is in accordance with biblical standards.

As representatives of <CHURCH NAME>, we strive to keep our actions above reproach in all things. Consequently, the following standards of conduct shall apply to all staff and volunteers. Violations of these standards by employees are regarded as a serious breach of integrity and could result in discipline, up to and including termination. Violations of these standards by volunteers may result in your removal from volunteer team.

God's Word teaches us that certain attributes are desired, including: love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, and self-control (Galatians 5:22-24). I will strive to seek, encourage, and demonstrate these attributes in my relationships and in working with children or youth.

Scripture further teaches us that every believer has a duty to protect the spiritual, emotional, and physical well-being of those most vulnerable among us. (Psalm 127:3, Proverbs 22:6, Mark 9:42, and James 1:27).

<CHURCH NAME> understands the responsibility placed upon our church by both God and parents who entrust children to our care. Any person known to pose a threat to children or youth., will be prohibited from working in any ministry involving children or youth. This is non-negotiable. We desire to protect children or youth.

As an employee, regular volunteer or administrator of <CHURCH NAME>, I agree to follow the standards of conduct of this ministry.

## DEFINITIONS:

For purposes of this policy, the terms “**child**” or “**children**” or “**youth**” includes all persons under the age of eighteen (18) years.

**Youth Service Organization:** <CHURCH NAME> has activities that involve the direct supervision of children. Youth Service Organization is defined by the State of California in Business and Professions Code section 18975.

A **regular volunteer** is any volunteer who is 18 years of age or older and who has direct contact with, or supervision of, children for more than 16 hours per month or 32 hours per year.

An **occasional volunteer** is any volunteer who is 18 years of age or older and who has contact with children and works less than 16 hours per month or less than 32 hours per year.

**Employees** includes all employees, whether they work with children or not, including seasonal, occasional, and part-time employees.

**Administrators** may include ministry leaders include clergy, HR administrators, board members and elders.

**Mandated Reporters:** California Penal Code section 11165.7 identifies who are considered mandated reporters.

## TRAINING ON CHILD ABUSE & NEGLECT IDENTIFICATION AND REPORTING

Child abuse and neglect, as defined in CANRA, includes: physical abuse, sexual abuse (including both sexual assault and sexual exploitation), willful cruelty or unjustified punishment, unlawful corporal punishment or injury, and neglect (including both acts and omissions).

An administrator, employee, or regular volunteer of <CHURCH> shall individually complete training in child abuse & neglect identification and training in child abuse & neglect reporting consistent with Business and Professions Code 18975(a). This California specific training will cover types of abuse & neglect, what the law requires of mandated reporters, how to spot evidence of child abuse, examples of different types of abuse, how to report abuse, what happens after a report is filed, and much more.

Prior to your employment or volunteering at <CHURCH>, this training must be completed. This can be completed by:

**Choose Option #1 or #2 Below:**

**Option #1:**

Free, self-administered training is available at <https://mandatedreporterca.com/>. Prior to employment or volunteering with <CHURCH>, this must be completed and a certificate must be returned to <INSERT TITLE OF MINISTRY LEADER>.

Employees must complete the General Training (4 hours).

Clergy (those that are ordained, licensed or commissioned) must also complete the additional training specific for clergy.

Volunteers who are not considered to be mandated reporters are required to complete the two-hour training.

Employees will be paid for this training.

**OPTION #2 (Please contact [www.ChurchHRNetwork.com](http://www.ChurchHRNetwork.com) for subscription packages):**

<CHURCH> has subscribed to Mandated Reporter Training from ChurchHRNetwork. Prior to employment or volunteering, this 90-minute training specific to churches in California must be individually completed. You will receive an email with a link and instructions on how to complete the training. A certificate will be provided to you and <CHURCH> will also receive a copy that will be retained by <CHURCH>.

#### **ADMINISTRATORS, EMPLOYEES AND REGULAR VOLUNTEERS – BACKGROUND CHECKS**

All Administrators, employees and regular volunteers must undergo a background check as set forth in Business and Professions Code section 18975 and Penal Code section 11105.3 to identify and exclude any persons with a history of child abuse.

#### **[OPTIONAL – IF APPLICABLE]**

Prior to January 1, 2022 <CHURCH NAME> did not require administrators, employer, or regular volunteers to undergo background check pursuant to Section 11105.3 of the Penal Code. Pursuant to Business and Professions Code section 18975(b)(2), <CHURCH NAME's> policy of requiring administrators, employees, and regular

volunteers to undergo background checks pursuant to section 11105.3 of the Penal Code shall be effective January 1, 2024.

## SCREENING PROCEDURES

All employees, administrators, regular volunteers and occasional volunteers who work with those under the age of 18 participating in our programs and activities will be screened.

1. Prior to consideration, all candidates seeking a volunteer position that involves working with children, youth, or vulnerable adults will complete and return an initial ministry application.
2. The ministry leader, or designee, will carefully review the application, ensuring that the candidate is an appropriate match for the ministry position. The ministry leader also will permanently store all application materials—the application form, reference check, notes from interviews, etc.—in a locked file cabinet or other secure location.
3. If the individual appears to be an appropriate candidate for the ministry position, the ministry leader, or designee, will check at least two references to confirm the information that the candidate provided on the ministry application.
4. A Criminal Background Check Guidelines: Pursuant to Section 11105.3 of the Penal Code, all employees, administrators, and regular volunteers shall undergo a background check to identify and exclude any persons with a history of child abuse or other convictions that have been determined by the FBI that would preclude them from working with youth.

Before a background check is conducted, all employees, administrators and regular volunteers will be asked to complete sign an authorization form allowing <CHURCH> to run the check. If an individual declines to sign the authorization form, s/he will be unable to work with children.

What constitutes a disqualifying offense that will keep an individual from working with children will be determined by the authorized Custodian of Records based on guidance provided by the FBI. Generally, convictions for

an offense involving children and/or for offenses involving violence, dishonesty, illegal substances, indecency and any conduct contrary to our mission will preclude someone from being permitted to work with children. Failure to disclose a criminal conviction on the application form will also be a disqualifying event. Pursuant to privacy laws, the result of the background check will not be disclosed to any applicant. However, you may contact the FBI directly for your records [here](#).

The background check authorization form and results will be permanently maintained in confidence on file at <CHURCH>.

5. After the ministry leader, or designee, contacts references and a background check has been completed, he or she will conduct an interview with the candidate.
6. When indicated by our screening procedures, volunteer candidates who pose a threat to children, youth, or vulnerable adults will be removed from consideration for any ministry position involving children, youth, or vulnerable adults.

#### **EMPLOYEE SCREENING PROCEDURES**

1. The same procedures set forth in “Screening Procedures” above also apply to all potential employees, regardless of the ministry position for which they are being considered. *(applicable state and/or local law may regulate at which time during the hiring process and to what extent an employee may ask about an employment applicant’s criminal history)*
2. When indicated by our screening procedures, employment candidates who pose a threat to children, youth, or vulnerable adults will be removed immediately from consideration for employment anywhere within our organization.

#### **WAITING PERIOD**

All volunteer candidates must be regularly involved in our organization for six months or more before they will be considered for any volunteer ministry position involving contact with children, youth, or vulnerable adults.

## **SUPERVISION:**

**Two Adult Rule:** To the greatest extent possible, the presence of two unrelated mandated reporters when ministry activities involve contact with, or supervising, children. California does not consider volunteers to be mandated reporters.

**One-to-One Mentoring of Youth:** <CHURCH NAME> provides one-to-one mentoring of youth. Only with respect to one-to-one mentoring activities, the “Two Adult Rule” set forth in the paragraph above does not apply. In order to be eligible to participate in one-to one mentoring:

- a) volunteers must undergo the volunteer screening procedures set forth in paragh “Occasional Volunteer Screening”
- b) Volunteers, parents or guardians of youth participating in one-to-one mentoring must undergo the training set forth in paragraph “Administrators, Employees and Regular Volunteers – Background Checks”
- c) <Ministry Leader Name> shall have contact with volunteers and parents or guardians of youth participating in one-to-one mentoring no less than twice in a thirty-day period.

Any one-on-one mentoring of youth must take place in a location where the adult worker and the youth are both visible to others. Any planned one-on-one meetings must be approved by a ministry leader, and the adult worker must obtain prior written approval from parents/guardians. The duration and frequency of approved one-on-one meetings are to be limited to no more than three occasions for no more than 30 minutes at a time.

**Appropriate Behavior with Children:** Workers should avoid the appearance of impropriety—such as sitting older children on their lap, kissing, or embracing others, etc.

## **OPEN DOOR POLICY**

Classroom doors should remain open unless there is a window in the door or a side window beside it. Doors should never be locked while persons are inside the room unless for experiencing an emergency or emergency drill with procedures that dictate otherwise.

## RESTROOM GUIDELINES

Children five years of age and younger should utilize a classroom bathroom, if one is available. If a classroom bathroom is not available, workers should escort a group of children to the hallway bathroom. They should always go in a group, never taking a child to the bathroom alone. The workers should check the bathroom first to make sure that it is empty, then allow the children inside. The workers should then remain outside the bathroom door and escort the children back to the classroom. If a child is taking longer than seems necessary, the worker should open the bathroom door and call the child's name. If a child requires assistance, the workers should prop open the bathroom door and leave the stall door open as he/she assists the child.

For children over the age of five, at least one adult male should take boys to the restroom and at least one adult female should take girls. The worker should check the bathroom first to make sure that the bathroom is empty, then allow the children inside. The worker should then remain outside the bathroom door and escort the children back to the classroom.

For the protection of all, workers should *never* be alone with a child in a bathroom with the door closed and never be in a closed bathroom stall with a child. Parents are strongly encouraged to have their children visit the bathroom prior to each class.

## CHECK-IN/CHECK-OUT PROCEDURES

1. Workers should arrive at least 10 minutes before a scheduled activity. They must remain at their assigned post until all people in their care have been picked up by an authorized person. No children or youth should be released to find their parents or wait unattended for transportation.
2. Workers are to release children in their care only to parents, guardians, or persons specifically authorized to pick up the child.

{It is recommended that your ministry tailor this section to your operations}

## ACCIDENTAL INJURIES TO CHILDREN

In the event that a child or youth is injured while under our care, the following steps should be followed:



1. For minor injuries, scrapes, and bruises, workers will provide First Aid (Band-Aids, etc.) as appropriate and will notify the child's parent or guardian of the injury at the time the child is picked up from our care.
2. For injuries requiring medical treatment beyond simple First Aid, the parent and/or guardian will immediately be summoned in addition to the worker's supervisor. If warranted by circumstances, an ambulance will be called.
3. Once the child has received appropriate medical attention, an incident report will be completed in the case of injuries requiring treatment by a medical professional.

### **TEENAGE WORKERS**

We recognize that there may be times when it is necessary or desirable for babysitters (paid or volunteer) who are themselves under age 18 to assist in caring for children during programs or activities. The following guidelines apply to such workers:

- Teenage workers must be at least age 14
- Teenage workers will be screened as specified above (with the exception of a background check, which can't be conducted on minors).
- Teenage workers must be under the supervision of two mandated reporters and must never be left alone with children.

(Using only underage workers does not meet the requirements of Business and Professions Code section 18975)

### **INJURIES OR ILLNESS**

1. Persons who are ill (with a fever, or a communicable disease that can be transmitted by cough or by touch) will not be permitted to participate in any ministry activity.
2. A suitable worker—one who has been previously approved through our ministry screening process—must be used to take the place of a worker who is ill.
3. Participants should be returned to their parent or guardian as soon as the illness is discovered. If immediate return is not possible, then the person who is ill should be isolated in a manner that allows an adult worker to monitor the participant until he/she can be returned to a parent or guardian.

4. Take reasonable steps to avoid contact with blood, saliva, or other bodily fluids.
5. Ministry coordinators and supervisors who become aware of an injury to a worker or participant will take steps to ensure that proper medical attention is given to the injured person and provide for continued monitoring of the remaining activity participants.
6. Persons who have received an injury that is obviously minor should be given first aid as needed at the time of injury. The individual's parents or guardians should be notified of the injury when they pick up the injured person.
7. Any injury that may require medical treatment beyond simple first aid should be given immediate attention. The parents or guardians of the injured person should be notified immediately, along with the ministry worker's coordinator or supervisor. If warranted by the injury, emergency medical personnel should be called.

#### **MEDICATIONS POLICY**

It is the policy of <CHURCH> not to administer either prescription or non-prescription medications to the children under our care. Medications should be administered by a parent at home. Parents are reminded of our sick child policy.

Exceptions to the medications policy may be granted to parents of children with potentially life-threatening conditions (such as asthma or severe allergic reactions). Parents of such children should address their situation with <INSERT TITLE OF MINISTRY LEADER> to develop a plan of action.

#### **DISCIPLINE POLICY**

It is the policy of <CHURCH> not to administer corporal punishment, even if parents have suggested or given permission for it. There should be no spanking, grabbing, hitting, or other physical discipline of children. Workers should consult with <INSERT TITLE OF MINISTRY LEADER> if assistance is needed with disciplinary issues.

#### **VIOLATION OF POLICY OR PROCEDURES**

1. Ministry workers must promptly notify their ministry coordinator or supervisor when they or others violate the procedures mandated by this policy.

2. Ministry coordinators, supervisors, and ministry leaders who become aware of a violation of the procedures set by this policy are required to take all necessary steps to ensure future compliance with them. In the process of ensuring compliance with this policy, it may become necessary to remove workers from their positions.

## REPORTING ABUSE

Mandated reporters must report to a county child welfare department, child protective services or to local law enforcement (police or sheriff's department) immediately by phone. A written report must then be sent within 36 hours by fax or electronically (if available). Written reports must be submitted on the California Suspected Child Abuse Form 8572. This form can be found here:

[https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss\\_8572.pdf](https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf)

More information on mandated reporting can be found here:

<https://mandatedreporterca.com/about/faq>

If child abuse is suspected, administrators, employees and regular volunteers or one-to-one mentoring volunteers must also report the incident to the ministry board and chief stewardship officer so that <CHURCH NAME> may ensure that the incident is reported to persons or entities outside of <CHURCH NAME> including the reporting required by section 11165.9 of the Penal Code.

## INVESTIGATIONS

1. This ministry organization considers any allegation of abuse or neglect a serious matter. Each situation will be fully investigated first through civil authorities, then by ministry leaders following a consultation with qualified legal counsel. The ministry will not interfere with a pending law enforcement investigation.
2. Employees who are the subject of an investigation will be removed from their position pending completion of the investigation. Employees who admit to the abuse or molestation will be terminated consistent with the established employment practices of this ministry.
3. Volunteer subjects of any investigation will be removed from their positions pending completion of the investigation.

4. This ministry will permanently remove any employees or volunteers from all activities related to the organization if they are found guilty of abuse or molestation. Whenever termination of employment is a factor, we also will consult with legal counsel.

#### **DEALING WITH LAW ENFORCEMENT, NEWS MEDIA**

1. All ministry leaders, employees, and volunteers of <CHURCH> will cooperate fully with law enforcement or governmental agencies investigating abuse and neglect.
2. The leadership of this ministry will seek legal counsel as soon as possible after we receive notice of possible abuse or molestation within the organization and a report will be provided to our insurance carrier. Advice from legal counsel will be the basis for our response to the allegations.
3. One individual—a member of the leadership team, an employee, or our attorney will be the designated spokesperson to handle all inquiries from the news media. Our spokesperson will be the only person to convey information concerning the situation, doing so in a prudent manner to avoid compromising an ongoing investigation and to maintain the privacy of the individuals involved.