

# **NEBRASKA CONFERENCE POLICY STATEMENT FOR THE PROTECTION OF CHILDREN, YOUTH, AND DEVELOPMENTALLY DISABLED ADULT DEPENDENT PERSONS**

## **PREFACE**

In accordance with scripture and the Social Principles of The United Methodist Church, the Nebraska Annual Conference affirms the sacred worth of all persons. We reject as unacceptable any form of sexual and/or physical behavior which damages or destroys, or threatens to damage or destroy, the humanity which God has given to each of us as a birthright. We are particularly concerned to guard the well-being of those who are most vulnerable to physical and sexual abuse; namely, children, youth and developmentally disabled adult dependent persons. Therefore, the Nebraska Annual Conference is determined to minimize the risk of abuse to the above-named persons who are participants in activities of the Nebraska Conference and of its districts and programming agencies. Further, we are called in the name of Jesus Christ to minister to persons who are the victims of abuse and to their families. To that end we covenant to act justly in the interest of those who have been affected by abuse.

## **SCOPE**

This policy and its provisions shall apply to all staff persons, volunteer or paid, lay or clergy, who have any direct or indirect contact with children and/or youth and/or developmentally disabled adult dependent persons who participate in any activities or events sponsored by the Nebraska Conference of The United Methodist Church including its districts and programming agencies. Further, each local church is encouraged to adopt a similar policy for local personnel and events. In the matter of clergy, this policy must be coordinated with the Clergy Sexual Misconduct Policy of the Nebraska Annual Conference.

## **DEFINITIONS**

1. **Physical Abuse** – Physical abuse is any deliberate act or omission of an act that inflicts bodily harm to a person. Physical abuse may result from punishment that is overly punitive or inappropriate to the individual/s age or condition. In addition, physical abuse may result from purposeful acts that pose serious danger to youth, developmentally disabled adults, dependent persons, or child/s physical health.
2. **Sexual Harassment** – Sexual harassment is any sexual related behavior that is unwelcome, offensive or which fails to respect the rights of others. Sexual harassment includes any unwelcome advance, a request for a sexual favor, and any other verbal, nonverbal or physical contact of a sexual nature that creates an intimidating, hostile or offensive environment, or any other action that creates an intimidating, hostile or offensive environment on the basis of gender.
3. **Sexual Abuse** – Sexual abuse is any physical conduct of a sexual nature which violates or attempts to violate the free choice and consent of another person, and includes any criminal act as defined by any applicable federal, state or municipal law, which includes, but is not limited to rape, sexual battery, aggravated sexual battery, lewd and lascivious behavior, enticement of a child, indecent solicitation of a child, aggravated indecent solicitation of a child, or indecent liberties with a child.
4. **Negligence** – Negligence is the failure to act as a reasonable prudent person would do in the same or similar circumstances. It shall include acting reasonably under existing circumstances in failing to prevent an act of abuse or omission of an act that would ensure the health and safety of a child, youth, or developmentally disabled adult dependent person.
5. **Staff Persons** – Staff persons are defined as persons who provide leadership and/or care for events of the Nebraska Conference of The United Methodist Church and/or its districts or programming agencies whether they are volunteer or paid.
6. **Participant** – Participants are children, youth or developmentally disabled adult dependent persons who are registered, enrolled, attending or otherwise participating in an event or activity sponsored or under the auspices of the Nebraska Conference of The United Methodist Church, or districts or programming agencies of the Nebraska Conference of The United Methodist Church.

## STANDARDS FOR STAFF PERSONS (See definition #5 above)

In addition to standards set by sponsoring group or agency, the following standards shall apply:

1. Staff persons shall submit a written application/consent form.
2. Staff persons shall sign a written consent for background investigations.
3. Staff persons shall participate in the required training program.

## SCREENING FOR VOLUNTEER AND PAID STAFF

Careful screening is one way to provide for the safety of children, youth and/or developmentally disabled adult dependent persons. Screening calls for a careful gathering and review of information in search of persons who can provide supervision in a safe environment.

1. Prior to employment or acceptance as a volunteer paid staff person, the event coordinator or administrator in charge of an event or program shall direct each prospective staff person to complete the application/consent form. By signing the form, the applicant will give the Conference-authorized person or persons permission to contact references and to perform the necessary investigations to complete the review of the application. Initial implementation of this policy shall also apply to person currently employed as staff or volunteers.
2. The Conference Director of Youth and Outdoor Ministries, **The Conference Director of Outdoor and Retreat Ministries**, or persons designated, shall facilitate a screening check with appropriate law enforcement agencies and Department of Health and Human Services. This screening will be valid for three (3) years. If a person has been screened for local church activities, that screening report may be accepted. Results of screening procedures are the property of the Nebraska Annual Conference, and shall be maintained in the Conference Office in a secure manner. Access to these records shall be limited to the Conference Executive Director of Ministries **Conference Director of Connectional Ministries** or his or her designee. Individuals in whose name a record is kept shall have access to their personal records.
3. References received by the Conference Executive Director of Ministries, **Conference Director of Connectional Ministries**, or his or her designee, shall include references from pastors of lay applicants, or district superintendents if the prospective employee or volunteer is clergy, or bishop if the prospective employee or volunteer is a district superintendent.
4. The Conference Executive Director of Ministries, **Conference Director of Connectional Ministries**, or his/her designee, shall receive the completed forms and reports, and review them. If any of the reports raise questions about the suitability of the prospective volunteer or employee, the Conference Executive Director of Ministries **Conference Director of Connectional Ministries** or his/her designee(s) shall notify and confer with the applicant. If the Conference Executive Director of Ministries **Conference Director of Connectional Ministries** determines that the person is unsuitable to serve, the application shall be disapproved and the applicant shall be notified. The Nebraska Conference reserves the right to not accept any person for volunteer or paid service. If the applicant (either paid or volunteer) has been criminally charged with abusing or exploiting children, youth or developmentally disabled adult dependent persons, the applicant shall not be approved for service until such time as they are found innocent in a Court of Law in the Nebraska Conference, District or Programming Agency sponsored event or activity. If at any time the applicant is found to be unsuitable, the Conference Executive Director of Ministries **Conference Director of Connectional Ministries** has the authority to review or revoke participation.

## TRAINING

The Nebraska Conference of The United Methodist Church through its Director of Youth and Outdoor and Retreat Ministries **Conference Director of Outdoor and Retreat Ministries** shall develop and implement training procedures for all staff (paid and unpaid) person who work with children, youth, and/or developmentally disabled adult dependent persons at conference, district, and programming agency sponsored activities and event. No staff person shall, after July 1, 1998, have any direct or indirect contact

with children, youth, and/or developmentally disabled adult dependent persons until they have met the training requirements. Persons shall update training every three (3) years.

### **SUPERVISION (30 or 60 days)**

Prior to the event or program, the administrator or supervisor in charge shall submit a list of staff (paid or volunteer) to the Nebraska Conference Executive Director of Ministries, **Conference Director of Connectional Ministries** or his or her designee, for verification that all staff have been approved. The event coordinator, administrator, or supervisor shall also submit an accountability plan (see Appendix) to ensure a safe environment for children, youth, and developmentally disabled adult dependent persons. At the completion of the event or program, the administrator or supervisor in charge will return this document along with a count of persons in attendance and a comment that there were/were not any reportable incidents. This document will be retained on file in the Nebraska Conference Office.

### **REPORTING OF INCIDENTS**

When the necessity for reporting occurs, the protection of children, youth, and developmentally disabled adults must be paramount. Reporting abuse to proper authorities is a legal, covenantal, and ethical responsibility. A person having cause to believe that a child's, youth's or developmentally disabled adult's physical or mental health or welfare has been or may be adversely affected by abuse or neglect by any person shall report the incident.

Two principles shall prevail in all cases; they are:

1. It is important to listen to children, youth, or developmentally disabled adult carefully, taking their report seriously yet not exaggerating it. It is equally important that no one questions the child, youth, or developmentally disabled adult dependent person about the details of the alleged abuse. Only Child Protection Services or Law Enforcement officers should do this.
2. Staff are not expected to handle abuse problems alone. They are expected to do what is reasonable to protect a child, youth or developmentally disabled adult in immediate danger and report any abuse as the policies indicate.

**CONFIDENTIALLY IS IMPORTANT! The incident shall be discussed with persons involved in the reporting procedure listed below.**

Whether the incident occurred at the event or prior to and away from the event, and regardless of whom the incident alleges was abusive (a staff person, or a participant, or a caretaker, relative, or other authority person away from the event) it is the event director/s responsibility to gather information and determine how the incident is to be reported.

1. If the incident involves the event director, then the campsite director or the leader of the conference or district agency sponsoring the event shall be the first contact, who will follow the steps indicated and make provision for adequate leadership for the remainder of the event.
2. If the incident involves a staff person, the site director shall be contacted immediately after conversation with the participant and should be involved in all the steps indicated.

### **MEDIA RESPONSE**

If allegations of abuse should come to the attention of the media, the only response shall come from the Conference Executive Director of Ministries **Conference Director of Connectional Ministries**. Direct all inquiries to that person.

### **MINISTRY OF SUPPORTIVE CARE**

It shall be the goal of the Nebraska Conference to be supportive of both the victim/survivor and the accused. Supportive care can include the procedures of the criminal justice system, provisions of the current *Book of Discipline of The United Methodist Church*, appropriate counseling referrals, and continued pastoral care.

**IMPLEMENTATION**

Management of all provisions of this policy shall be the responsibility of the Nebraska Conference Council on Ministries.

**TASK FORCE ON RISK MANAGEMENT**

Cabinet: Marvin Koelling, Jim McChesney

BOLD (Chrisitan Educ.): Nona Morrison

NUMeCEF: Jan Tooker

COARM: Sherry Sklenar

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