

**CHILD, YOUTH, AND VULNERABLE ADULT SAFETY POLICY
MANDATORY STANDARDS FOR FIRST UNITED METHODIST CHURCH (FUMC)
AUSTIN, TEXAS**

**ADOPTED BY CHARGE CONFERENCE ACTION 3 DECEMBER 2018,
EDITS ADOPTED BY EXECUTIVE TEAM 5 FEBRUARY 2020**

I. MISSION

First United Methodist Church of Austin (FUMC) exists to build a community where all people are invited to know God's love and sent to join God in transforming the world.

II. INVITATION

We believe every person is a beloved child of God. We believe every person is on a journey to God, with God. We freely admit that we do not have all the answers, but we believe that Jesus points the way. When we practice genuine hospitality, engage in heartfelt acts of service, advocate on behalf of the powerless and excluded, and embrace the gifts of people from different backgrounds and experiences, the church becomes the authentic expression of God's unconditional love for us all.

III. PURPOSE

In following our mission and invitation; and the instructions of our Lord Jesus Christ to "let the little children come to me, and do not hinder them, for the kingdom of heaven belongs to such as these" (Matt. 19:14); and at the direction of the Rio Texas Conference of the United Methodist Church, it is the purpose of the members and Staff of First United Methodist Church of Austin to provide a safe and secure environment for Children, Youth, and Vulnerable Adults entrusted to our care. We, therefore, adopt this formal, written policy to help prevent and recognize the occurrence of Abuse in the church. With this policy, we demonstrate our total and unwavering commitment to the physical, emotional and spiritual safety of all Children, Youth, and Vulnerable Adults. The intent of the policy is to protect not only vulnerable populations, but church Staff and Volunteers and our entire church family at FUMC. We do this so that all of God's children can experience the grace of God, and grow in their relationship with Jesus Christ.

IV. SCOPE

This policy shall apply to all current and future Staff and Volunteers who supervise the activities of Children, Youth, and Vulnerable Adults, as sponsored by First United Methodist Church, including outside groups that use FUMC facilities and are considered ministries of the church. This policy sets forth minimum mandatory requirements for screening and training Adult Leaders. This policy does not apply to First United Methodist Preschool, as it is licensed and regulated by the State of Texas.

V. COMMITMENT

In accordance with the Rio Texas Conference of the United Methodist Church Policy on Child, Youth and Vulnerable Adult Safety, June 2017, First United Methodist Church has adopted the following set of Safety Procedures. This safety policy meets or exceeds the requirements of the Rio Texas Conference of the United Methodist Church Policy on Child, Youth and Vulnerable Adult Safety, June 2017, and has been reviewed and approved by the Administrative Board and the Trustees of FUMC. Any future revisions shall, at a minimum, meet or exceed the requirements of the Rio Texas Conference of the United Methodist Church Policy on Child, Youth and Vulnerable Adults Safety, June 2017, and be reviewed and approved by the Administrative Board. At the discretion of the Senior Pastor, minor revisions may be reviewed and approved by the Executive Team in lieu of presentation to the full Administrative Board.

VI. DEFINITIONS

For the purpose of this policy the following definitions shall apply:

- A. **Abuse:** any deliberate act that inflicts bodily or emotional harm to a Participant. Abuse includes: (1) the infliction of physical or emotional injury by other than accidental means; (2) the creation of a risk, or allowing the creation of risk, to a Participant by other than accidental means; (3) committing or allowing to be committed an act of Sexual Abuse, Sexual Exploitation, or Prostitution upon the Participant. "Abuse" is more particularly defined in Sec. 261.001 of the Texas Family Code, a copy of which is attached to this policy.
- B. **Adult Leader:** is any person at least eighteen (18) years of age including any paid Staff, Volunteer, clergy, or lay person who has the responsibility for the care and Supervision of a Participant at an event. Adult Leaders shall be fully certified in compliance with Rio Texas Conference requirements. Adult Leaders shall no longer be in high school.
- C. **Applicant:** is any person at least eighteen (18) years of age or older seeking to become an Adult Leader.
- D. **Conference:** is the Rio Texas Annual Conference of the United Methodist Church
- E. **Day Ministry Event:** is an activity or occasion sponsored by or participated in by FUMC that involves a gathering and care of Participants during the hours of 7:00 a.m.-10:00 p.m., and does not occur for more than four hours per day in duration of four or more consecutive days.
- F. **District:** is the Capital District of the Rio Texas Annual Conference of the United Methodist Church
- G. **Exploitation:** is obtaining or using another person's income, assets, or possessions with the intent to deprive the person of those resources.
- H. **Neglect:** is failure to provide nutrition, medical, surgical, or any other care necessary for the well-being of a Participant. "Neglect" is more particularly defined in Sec. 261.001 of the Texas Family Code, a copy of which is attached to this policy.

- I. **Overnight/Extended Hour Ministry Event:** is an activity or occasion that involves a gathering and care of Participants for more than four hours per day in duration of four consecutive days or involves an overnight stay.
- J. **Participant:** is a Child, Youth, or Vulnerable Adult that is registered, enrolled, attending, or otherwise participating in an event or activity sponsored by FUMC.
 - 1. **Child:** is any person 11 years of age or younger.
 - 2. **Youth:** is a person 12-17 years of age. Persons who are still in high school are considered Youth.
 - 3. **Vulnerable Adult:** persons over 18 years of age with physical, mental, and/or developmental disabilities.
 - a) It is noted that the definition of vulnerable can be broad, encompassing differentials in power and knowledge. While FUMC engages in ministry with adults who may be vulnerable in this sense (i.e., English as a Second Language, Feed My People, Mobile Loaves & Fishes, etc.), this Policy does not apply to these ministries unless they also work with Children, Youth, or Vulnerable Adults as defined herein.
- K. **Prostitution:** to engage in, to offer to engage in, or to force a Participant to engage in sexual contact by either soliciting or receiving a fee or other benefit.
- L. **Rule of Three:** is the presence of two unrelated Adult Leaders at all ministry events involving Participants. Any engagement with a Participant requires the presence of two Adult Leaders.
- M. **Safety Policy Administrator:** is the person at FUMC charged with the maintenance, implementation, and enforcement of the Child, Youth, and Vulnerable Adult Safety Policy. The Safety Policy Administrator may put together a team to help with this task, but they retain overall responsibility. The Safety Policy Administrator reports directly to the Senior Pastor.
- N. **Sexual Abuse:** is any sexual contact, sexually explicit language, gestures, or images directed to a Participant.
- O. **Sexual Exploitation:** is any deliberate act that allows or encourages a Participant to engage in an act of obscene or pornographic photography, filming, or depiction of a Participant as prohibited under Texas law.
- P. **SPRC:** is the Staff-Parish Relations Committee of FUMC, as defined by the Book of Discipline.
- Q. **Staff:** is anyone employed and paid by First United Methodist Church, full- or part-time.
- R. **Supervision:** is the leadership role of a person who is in charge of a group of Participants, giving direction, setting boundaries, disciplining appropriately, maintaining safety and being the leader in all situations.
- S. **Volunteer:** is any adult or teen who assists with Children, Youth, or Vulnerable Adults without pay. All Volunteers age 18 and over will be required to complete a background check that meets Rio Texas Conference requirements prior to working with vulnerable populations.

VII. SAFE MINISTRY MANDATES

In accordance with the Rio Texas Conference of the United Methodist Church Policy on Child, Youth and Vulnerable Adult Safety, June 2017, FUMC commits to provide adequate Supervision from Adult Leaders.

- A. All ministry events with Participants shall follow the Rule of Three with a minimum of one Adult Leader for every eight Participants.
 - 1. If only one Adult Leader is present (in FUMC classrooms ONLY), there must be visibility into the room at all times via an open door or a window, and an Adult Leader must be floating in the hallway supervising all understaffed classes.
 - 2. There shall be a minimum of two Adult Leaders present in each childcare room for infants and toddlers at all times.
 - 3. A separate FUMC Childcare Policies and Procedures manual defines best practices for FUMC childcare classrooms, including Adult-to-Participant ratios by age, with a minimum of one Adult Leader for every eight Participants.
- B. We recognize the value of one-to-one ministry with Children, Youth, and Vulnerable Adults, and the value of one Adult Leader with a small group of Participants.
 - 1. Any one-to-one mentoring or consulting shall be conducted in sight of another Adult Leader, or shall be conducted in a public place with written notification of an FUMC Staff member.
 - 2. If the activity takes place at the church, the classroom door shall remain open or the door, if closed, shall have a window which is not obstructed during the event.
 - 3. Children and Youth receiving individual counseling should be told they are free to discuss any aspects of the counseling process with a parent or other adult.
 - 4. All incidents of suspected Abuse and Neglect revealed during the session will be reported in accordance with the Abuse reporting standards set forth in this policy.
 - 5. One-to-one mentoring or consulting with Vulnerable Adults will abide by these same guidelines, with the exception of a Stephen Minister who is working with a care receiver who meets this policy's definition of Vulnerable Adult. The confidentiality that characterizes the Stephen Minister's role and their extensive training allows for one-to-one consultation in private.
 - 6. FUMC hospital and nursing home visitation is always conducted under the supervision of facility staff and, therefore, does not require two Adult Leaders to be present.
 - 7. FUMC visits with homebound members require either (a) two unrelated Adult Leaders to be present OR (b) visits must be arranged to take place while a caregiver is present.

- C. Physical affection should be appropriate to the age and maturity of the Participant.
 - 1. Touching should be initiated by the Participant and should be based on the Participant's need for comforting, encouragement, or affection, not the Adult Leader's emotional need.
 - 2. A Participant's preference not to be touched should be respected.
 - 3. Inappropriate touching or questionable behavior should be immediately reported to Staff or a Pastor.
- D. Elementary aged Children may go the restroom in pairs or groups, with an Adult Leader (floater or teacher) present in the hallway. An Adult Leader must accompany Children under age 5 to the restroom but should remain outside the door and/or stall unless the Child requires assistance. An Adult Leader shall not accompany one Child by themselves to the restroom but shall take two or more Children.
 - 1. Participants and Adults Leaders will be allowed to select the restroom that matches their gender identity.
 - 2. No Participant or Adult Leader shall be required to use an alternative restroom because they are transgender or gender nonconforming.
- E. Children through elementary school will be released at the end of Sunday School, choir, or other activities to a parent or to the adult who brought them to the event unless prior arrangements are made between the parent/guardian and teacher. Infants and Children through second grade will only be released to a parent, guardian, or their designee.
- F. It is not uncommon for children and parents to get separated while at church.
 - 1. If you find a lost child or parent(s) looking for a child in or near the Sanctuary, please escort the child or parent(s) to the Narthex. Immediately notify the off-duty officer and other ushers, greeters, and available Staff members that the child is lost, where they were last seen, and what they are wearing (or an identifying feature), and contact the Director of Children's Ministries and/or the Childcare Coordinator for assistance.
 - 2. If looking for a child, station an usher, greeter, or Staff member at every exit door to make sure the child does not leave voluntarily or against their will. Contact the Director of Children's Ministries and/or the Childcare Coordinator for assistance.
 - 3. If a child or parent(s) looking for a child is found elsewhere in the SAN or EDU buildings, please escort the child or parent(s) to the Childcare Coordinator in the church nursery on the 1st floor. In the FLC, escort the child or parent(s) to the Great Hall and contact the Director of Children's Ministries and/or the Childcare Coordinator.
- G. All adults present in ministry with Children, Youth, and Vulnerable Adults shall complete, at a minimum, a background check that meets Rio Texas Conference requirements.
 - 1. Parents/guardians are welcome to visit and observe their Children and Youth at ministry events.
 - a) If a parent/guardian who has not been previously screened wishes to be present in a classroom or event, they must first sign an acknowledgment statement indicating that they will only be allowed

- to assist their own Child until a background check is complete.
 - b) An adult without a Child in attendance may observe by signing the acknowledgment statement.
 - c) If an adult chooses to attend more than two classes, a background check that meets Rio Texas Conference requirements shall be required.
- H. Adult Leaders and Volunteers must be at least five years older than the oldest Child and Youth Participants they supervise. They may not date any of the Participants being supervised.
- I. Day Ministry Events and Overnight Ministry Events:
 1. Only Adult Leaders will be permitted to drive Participants to ministry events. Drivers must:
 - a) Be 25 years or older with a minimum of 4 years' driving experience;
 - b) Have a valid driver's license;
 - c) Have proof of insurance at the state's minimum limits;
 - d) Not be otherwise disqualified from driving (i.e., under medication, impaired, etc.);
 - e) Submit to a driving record check in compliance with Rio Texas Conference standards; and
 - f) Have their driver's license, insurance information, and signed FUMC Driving Covenant on file with the church Director of Operations or Safety Policy Administrator.
 2. Best practice dictates that there shall be two Adult Leaders per vehicle.
 - a) In vehicles only, the Rule of Three can be met by one Adult Leader and two or more Participants, when other Adult Leaders are within the line of sight via caravan, or when at least one of the Participants or the Adult Leader is engaged for the duration of the ride in a cell phone conversation with a parent or other Adult Leader.
 - b) In emergency situations, due diligence by the Adult Leader seeking assistance by calling and/or leaving a voicemail for multiple other Adult Leaders shall be deemed sufficient in meeting the Rule of Three requirement.
 3. One Adult Leader cannot drive one Participant, with the exception of a parent and child together.
 4. Adult Leaders should have access to a phone when they are traveling with Participants away from the church buildings. That number should be shared with the church office prior to departure.
 5. Written permission from a parent/legal guardian is required for events requiring transportation to and from the event location.
 6. A completed medical release form for each Participant is required to participate at any Overnight Ministry Event.
 7. Access to gendered spaces (e.g. restrooms, bathing, changing, and overnight accommodations) shall be on the basis of gender identity.
 - a) If a Participant or Adult Leader is not comfortable using the gendered spaces, Adult Leaders will seek alternatives to make the individual feel comfortable.

8. Any Participant or Adult Leader who requests increased privacy shall be provided access to an alternative space, as available, without stigmatizing any individual.
 9. Co-ed Overnight Ministry Events require a minimum of two unrelated, same-gender Adult Leaders per single-gender sleeping area or separate sleeping areas for Participants and Adult Leaders by gender.
 - a) Sleeping area assignments will be made based on gender identity. In the case of non-binary gender identity, Participants and Adult Leaders will be asked to select the gendered area in which they will feel most comfortable.
 10. Sleeping accommodations shall include sleeping distance of no less than three feet between Adult Leaders and Participants.
 11. Sleeping arrangements will be defined by Adult Leaders based on space available, separation of genders, and specific needs of the Participants, with the goal of maximizing all Participants' social integration and equal opportunity to participate, ensuring safety and comfort, and minimizing stigmatization for all.
- J. Phone, video, and online communication:
1. Individual Adult Leaders must notify parents/legal guardians before requesting access, friending, texting, contacting a Participant via social media or using any other form of online phone/video communication. This notification should take place once prior to communication but is not required upon each subsequent instance.
 2. Using the Rule of Three, all group or social media communications must include two Adult Leaders who serve as administrators/moderators. All groups must be closed, private and shall require the site administrator's approval to join.
 3. For further guidance about phone, video, and online communication, please refer to the FUMC Guidelines for Electronic Communication with Youth.
- K. Adult Leaders shall not photograph Participants for use on internet or in print media without written permission of parent/legal guardian.

VIII. REQUIRED SCREENING, PROCEDURES & TRAINING

A. SCREENING

1. Adult Leaders shall submit an application for ministry along with three (work, volunteer, or ministry) references.
2. Applicants should be active in the First United Methodist Church community for a period of at least six months, or be known and approved by a member of the church Staff, be known by a member for at least six months, or provide additional references affirming their positive leadership with Participants in another ministry setting. In the case of new Staff hires, references deemed adequate by the hiring supervisor will replace the six-month waiting period. Previous ministry experience within the Rio Texas Conference may be transferred in lieu of the six-month waiting period pending approval of the Rio Texas Conference office.

3. References shall be checked by the Conference or other Conference designee.
4. Adult Leaders shall submit to criminal background screening every two years in accordance with Conference requirements.
5. If results of the screening raise questions about fitness of the Applicant, the Conference office shall disapprove the application and notify the event leader and/or local church.
6. Results of the criminal background screenings shall be kept confidential. Applicants can request that the Conference office share the results of their criminal background screening with another district or local church in the Conference via a signed request authorization form.
7. Only (a) the Episcopal Office, (b) District Superintendent, (c) the Senior Pastor and the FUMC SPRC chairperson, (d) the person in charge of the District and Conference events, or (e) the Human Resources officer may request and be privy to the information regarding Staff. The Conference Office will report only relevant information as it pertains to the safety of Children, Youth, and Vulnerable Adults to the requesting party.
8. Applicants will only be certified for ministry with Children, Youth, and Vulnerable Adults once all steps of the process are complete. Applicants will not be allowed to serve as Adult Leaders in ministry with Participants until certified. Likewise, upon expiration of an Adult Leader's certification, they will not be allowed to serve until they have completed the recertification process.
9. If there is credible evidence to believe that any Applicant has engaged in Abuse, Sexual Abuse (whether against a child or an adult), other felony or crime of moral turpitude within the past 10 years, or has an active problem with drug or alcohol abuse, that person will not be allowed to serve in the FUMC ministry to Children, Youth, or Vulnerable Adults without the express written approval of the Senior Pastor, with notification of the SPRC or, in the case of a Staff member, the Human Resources officer.

B. PROCEDURES

1. Adult Leaders shall have a criminal background check performed every two years through the Conference and/or a Conference designee.
2. Adult Leaders shall have their driving records checked before being allowed to drive in the course and scope of their employment or ministry with FUMC and annually thereafter.
3. Requests for driving records will be submitted through the Conference designee or the Texas Department of Public Safety (or to the prior home state driving records bureau if the Applicant has maintained a Texas driver's license for less than three years).
4. Adult Leaders shall have a photograph in their personnel and/or membership file.
5. Adult Leaders shall be given this Child, Youth, and Vulnerable Adult Safety Policy, which includes the legal definition of Abuse and Neglect, as well as the policy of the church on the reporting of Child Abuse and/or Neglect.

6. Adult Leaders shall annually sign an acknowledgment statement indicating receipt of and compliance with this Child, Youth, and Vulnerable Adult Safety Policy.
7. Adult Leaders shall notify church Staff immediately if they become the subject of criminal proceedings related to Abuse, Sexual Abuse (whether against a child or an adult), other felony charges or crimes of moral turpitude, or drug or alcohol abuse.

C. TRAINING

1. All Adult Leaders must be certified for their work at FUMC events. Certification includes:
 - i. Review and acknowledgement of this Child, Youth, and Vulnerable Adult Safety Policy annually.
 - ii. Completion of approved Abuse prevention training every year.
 - iii. Safety certification every two years in compliance Conference standards.
 - iv. Documentation of training completion dates will be kept in personnel and/or membership files.
2. All childcare Staff will be certified Adult Leaders and will have current certification in First Aid and Infant/Child CPR.

IX. SPECIFIC ACTS AND OMISSIONS IN VIOLATION OF THE POLICY

The following specific acts or omissions and others of a similar nature are violations of this policy and will not be tolerated or accepted during any activity or program and are to be immediately reported to the appropriate Staff member after the safety of the Participant(s) involved has been assured. That Staff member will determine the necessary action. If there is credible evidence to believe that any Staff or Volunteer has engaged in any of the following, that person will be dismissed from working with Participants:

- A. Sexual activity (beyond expressions of affection normally accepted in public) in the presence of, or in association with, a Participant.
- B. Abuse as defined within this policy or within the Texas Family code attached hereto.
- C. Neglect as defined within this policy or within the Texas Family code attached hereto.
- D. Sexual advances or sexual activity of any kind between any Staff or Volunteer and a Participant.
- E. Intentional injury to, or physically abusive behavior toward, a Participant.
- F. Mental or emotional abuse of a Participant. This includes the use of language which is so inappropriate as to cause harm to a Participant. Milder verbal abuse is grounds for reprimand, training, and closer monitoring by FUMC.
- G. The possession of obscene or pornographic materials or the display of sexually inappropriate materials at any function of FUMC involving Participants.
- H. Possessing or being under the influence of any illegal substances.
- I. The possession, consumption of and/or being under the influence of alcohol or other intoxicants while leading or participating in an FUMC function for Participants.

- J. Behavior/actions inconsistent with the mission and values of FUMC and/or the desired character of its ministries shall subject the individual to dismissal from working with Participants at the discretion of the Senior Pastor.

X. REPORTING ABUSE

- A. Texas is a mandatory reporting state. Anyone having cause to believe that a Participant's physical or mental health or welfare has been adversely affected by Abuse or Neglect, as defined by the attached Texas Family Code, by any person is obligated by Texas law to immediately make a personal report to a law enforcement agency or to the Texas Department of Protective and Regulatory Services (TDPRS) Abuse Hotline (1-800-252-5400) or online at www.txabusehotline.org.
1. All reports of alleged Abuse should also be documented in writing on an Accident/Incident Report Form and shared immediately with appropriate Program Staff and the Senior Pastor.
 2. Allegations made by any Staff member shall be documented in writing on an Accident/Incident Report Form and shared immediately with the Senior Pastor.
 3. Reports of Abuse shall be made to the state and the Pastors within 48 hours of suspicion.
 4. All Abuse by anyone shall be reported.
 5. No Abuse should be considered trivial and not reported.
 6. If an Adult Leader is in doubt regarding whether a report should be made, he or she shall call the agency and discuss the situation with a counselor to determine whether a report should be made. This call may be made anonymously. The Adult Leader shall make a written record of the name and the title of the counselor with whom he/she spoke, and the recommendation made by the counselor. This report shall be shared with an FUMC Program Staff Member or Pastor.
- B. Anyone accused of Abuse shall be immediately relieved of duties related to any church ministry by the designated Adult Leader in charge.
1. Should Child Abuse allegations occur:
 - a) Immediate steps shall be taken to ensure the safety of all Participants.
 - b) The Senior Pastor, District Superintendent, and/or Bishop shall be notified immediately.
 - c) If the allegation is in relation to the Senior Pastor, the Adult Leader shall contact the chairperson of the SPRC, listed online at www.fumcaustin.org/aboutus/leadership. The chairperson shall notify the District Superintendent.
 - d) Parents or legal guardians should be notified immediately unless they are being accused.
 - e) FUMC Staff will take steps to ensure that the alleged victim has no contact with the accused while allegations are pending.
 - f) FUMC Staff will notify the chairperson of the Board of Trustees in

- the event that an insurance claim is made.
- g) Each allegation shall be treated with confidentiality and respect for the privacy of all involved persons.
 - h) Adult Leaders and Staff shall cooperate fully with civil authorities;
 - i) Adult Leaders and Staff shall extend genuine care to all victims of Abuse.
2. It shall be the goal of the Pastors to provide supportive care to both the victim and the accused and to restore such persons to wholeness. The church should provide a supportive atmosphere to all those who are affected, offering both objectivity and empathy as it seeks to create a climate in which healing can take place. Supportive care can include the procedures of the criminal justice system, provisions of the current Book of Discipline, appropriate counseling referrals, and continued pastoral visitation.
 3. Statement to the Media: The Conference Coordinator of Communications shall provide guidelines for communications with media about the incident(s) which may have been reported. Only the Senior Pastor or their designee is authorized to be a media contact for the congregation.

XI. ACCOUNTABILITY

- A. The FUMC Child, Youth, and Vulnerable Adult Safety Policy shall be reviewed and updated annually by the Safety Policy Administrator and/or committee appointed by the Senior Pastor.
- B. FUMC shall submit its Child, Youth, and Vulnerable Adult Safety Policy and a report on its compliance with the policy to the District Superintendent every year at charge conference.
- C. Clergy shall document the date and facilitator when they complete safety certification to their District Superintendent every year via the annual inventory/clergy consultation form.

SAFETY POLICY & ABUSE REPORT ACKNOWLEDGMENT

- I acknowledge that I have received and read a copy of the Child, Youth, and Vulnerable Adult Safety Policy of First United Methodist Church.
- I agree to abide by this policy of First United Methodist Church and seek information and clarification from Staff as needed to maintain my compliance.
- I understand that I am to immediately report any Abuse or Neglect of Participants, and/or violations of this policy, to appropriate Staff or Pastors of First United Methodist Church.
- I understand that I am **REQUIRED BY LAW** to report known or suspected instances of Abuse and Neglect, as defined by the Texas Family Code, and that my failure to do so may result in my being charged with or convicted of a crime.
- I agree to follow the policy of First United Methodist Church and state law on reporting Abuse and Neglect.
- I understand the policy of First United Methodist Church is to cooperate with the authorities in the investigation of suspected Abuse and Neglect situations. I agree to cooperate with the investigation as requested.

Printed Name

Signature

Date