

YOUTH PROTECTION POLICY

Texas Child Protection Definitions & Laws

Definition of Child Abuse or Neglect as Defined by the Texas Family Code:

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

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

Neglect includes:

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

Sexual Misconduct

Sexual misconduct claims include all crimes involving sexual conduct under the Texas Penal Code. They include indecent exposure, indecency with a child and sexual assault including rape. They also include conduct that may not violate a penal statute but is still sexually oriented such as sexual harassment and sexual suggestion. If this conduct is committed by agents of the Behind Every Door Ministries, either employed or volunteer, claims are often made against the individual and the company.

Duty to Report - The Texas Reporting Statute

Any person who learns of or has cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect by any person must report that belief to a local or state law enforcement agency or the Texas Department of Protective and Regulatory Services. An oral report must be made immediately upon learning of the abuse or neglect or the likelihood of abuse or neglect. A written Incident Report Form (Form #2) must be made within five days to the same agency or department. The report shall be non-accusatory, meaning the identity of the victim of the abuse or neglect must be identified but the person making the report is not required to speculate as to the person who committed the abuse or neglect.

Liability for Failure to Report

A person failing to report child abuse or neglect commits a Class B Misdemeanor punishable by fines up to \$1000 and/or confinement for up to 180 days. Additionally, a person who is the victim of child abuse and his or her family may bring a civil claim against Behind Every Door Ministries and/or its agent (the person who failed to report the crime) as required by law.



Immunity

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

Goal

It shall be the goal of Behind Every Door Ministries to provide a safe environment for the physical and emotional well being of all children and youth participating in programs and events, including participants in all programming. Our goal is to inform volunteers and enforce policies to ensure that all children and youth are safe and well protected while attending scheduled activities.

Definition of "Children" or "Youth"

The term "child" or "children" or "youth" shall include all persons under the age of eighteen (18) years.

Selection and Screening Process

Pre-Placement Procedures

It is the goal of Behind Every Door Ministries to adequately screen the applications of all persons (employees and volunteers alike) desiring to work with children and youth participating in all programs and events.

References

Behind Every Door Ministries requires at least three (3) references for each employment applicant and must conduct a reasonable inquiry into the character of all applicants. References may be checked by phone, mail or in person. Information gained in these checks should be noted directly on the application and will be kept confidential.

Confidential interviews

All employment applicants desiring to work with children and youth must be interviewed for suitability for the work they desire to do. Policy concerning prevention and response to child and youth abuse and neglect must be discussed during the interview.

Criminal Background Check

A criminal background check that includes a search of the Texas DPS database and child abuse registry check shall be required for all employees and volunteers working with and/or transporting children or youth. No one convicted of a crime involving misconduct with children and youth will be allowed to work with children and/or youth. Completing the Volunteer Application authorizes Behind Every Door Ministries to conduct these checks. Background checks will be kept confidential with access afforded only to appropriate staff on a need-to-know basis. Behind Every Door Ministries background check administrator will conduct criminal background checks notifying the appropriate staff if a negative report is received.

Vehicle Safety

Persons who drive Behind Every Door Ministries owned vehicles for transporting children or youth must maintain a current valid Texas driver's license and comply with all other transportation policies.

Supervisory Requirements

It is the policy of Behind Every Door Ministries to provide adequate supervisory control of persons working with children and youth participating in all programs and events. The following regulations shall be applicable to all employees and volunteers having contact with children and youth participating in all programs and events:

1. *Safety of Children and Youth*
It is the responsibility of all persons having contact with children and youth participating in programs and events to promote the emotional and physical safety of the participants giving regard to all factors and circumstances known to them. If in their opinion, an unsafe condition exists, such persons shall immediately take appropriate precautions under the circumstances to protect all children and youth. Nothing contained in any other policy, procedure or instruction shall be construed to relieve persons having contact with children and youth from this responsibility.
2. *Preschool Identification System*
To reduce the possibility of kidnapping, only persons authorized by the parent or guardian shall be permitted to pick up the child. Behind Every Door Ministries shall maintain a system to identify persons authorized to pick up and take responsibility for preschool children leaving an activity. The identification system will not be necessary for children above the grade of kindergarten unless a parent specifically requests it in writing.
3. *Two-Adult Rule*
It shall be the goal of Behind Every Door Ministries that a minimum of two staff members or volunteers will be in attendance at all times when children and youth are being supervised during an activity regardless of the number of participants, location, or activity. At least one of these must be a staff member or primary volunteer. Whenever possible, these two adults should not be related to one another. Some classes may have only one adult in attendance as the teacher while the class is in session. In these instances, doors to the classrooms will remain open. **At no time should an adult ever be in a room or an enclosed area alone with a child or youth.**
4. *Observation of Children and Youth*
Activities and events for children and youth should be scheduled in areas visible from adjoining areas. Such visibility will be maintained by leaving curtains and blinds open and, wherever possible, by leaving the door to the room open. Reasonable exceptions to this rule may be made by Behind Every Door Ministries where seclusion is necessary for rest provided two unrelated employees or volunteers are present in the room at all times, whenever possible. **At no time will an adult meet alone with a child or youth in any room where the door is closed or in an area where they cannot be seen.**
5. *Ratio of Employees/Volunteers to Children and Youth*
It is required that a reasonable ratio of adults to children and youth is maintained at all times involving the supervision of children and youth. The Behind Every Door Ministries associate responsible for the activity shall be primarily responsible for setting and maintaining a reasonable ratio of employee/volunteers to children and youth giving due regard to all factors present, including the number and age of the participants, the nature of the activities and the location where the activities are taking place.
6. *Staff Oversight*
The Behind Every Door Ministries Associate responsible for each program or event shall coordinate with the respective activity coordinators to ensure ongoing supervision of all employees and volunteers. This should include regular unannounced visits into classes and other program sites.

7. *Off-Site Activities*

Staff Members and Volunteers are not allowed to take children or youth off site for any activity alone. Any off site activities must be approved in advance by the CFO of Behind Every Door Ministries. All off-site activities must have at least two Staff Members or Volunteers in attendance, and must maintain an acceptable ratio of adults to children. **No children or youth are ever to be taken to the home of a Staff Member or Volunteer.**

8. *Release of Claims*

Prior to any activity away from Behind Every Door Ministries, a Parental Permission, Release and Consent to Medical Treatment Form will be necessary to be signed by the child's or youth's parent or legal guardian. Without the form signed and in the possession of Behind Every Door Ministries, the child or youth will not be allowed to participate in the away activity.

9. *Awareness of Policies*

Behind Every Door Ministries shall conduct periodic reviews of the Youth Protection Policy and Texas Child Protection Definitions & Laws. These reviews can be conducted either with employees and volunteers individually or in groups, at least once a year and following each change in or addition to such policies. Each employee/volunteer shall acknowledge receipt of a written copy of the policy (by signing the Acknowledgement Form prior to the time they commence working with children and youth and after each change to such policy. Each employee/volunteer shall acknowledge participating in the periodic review of Behind Every Door Ministries' policies and procedures. The signed acknowledgements shall be retained in the respective personnel files.

10. *Children's Pickup*

Children who are in fourth grade or older are permitted to leave the area of Behind Every Door Ministries activity at the conclusion of the scheduled activity without further supervision of the staff members/volunteers unless otherwise instructed by the parent or guardian. If a child younger than fourth grade is not picked up by their parent or guardian on time, they will be kept by their teachers in an area where safe supervision can be continued until the parent or guardian is located. A child twelve years or younger shall not be taken from or allowed to leave event property, either unattended or in a group without specific parental permission. Infants and children through kindergarten must be picked up by an authorized adult.

Reporting and Responding to Alleged Child Abuse or Neglect

Reporting Policy

It is the policy of Behind Every Door Ministries to report any incident of child abuse or neglect toward any child or youth in Behind Every Door Ministries. This includes participants in offsite and onsite activities alike.

- Do not treat any suspicion as frivolous.
- Notify your supervisor immediately. Commence the investigation right away.
- The Behind Every Door Ministries Associate in charge should suspend the accused person from the performance of duties involving children and youth until the official investigation has been completed.
- Cooperate fully with law enforcement officials.
- The Behind Every Door Ministries Associate or his agent will inform victim and victim's family of the steps that are being taken, and continue to keep them advised of the status of the investigation. If child abuse is confirmed, ask the victim and the victim's family what action they would like to take in the matter and fully cooperate to address their requests within the bounds of a legal and prudent response. (Company legal counsel should assist in this determination).

- In an instance where child abuse is confirmed, Behind Every Door Ministries will immediately dismiss the employee/volunteer from their position. Termination will be considered appropriate in the circumstances.
- In instances where evidence is inconclusive, Behind Every Door Ministries should take action with the advice of law enforcement officials depending on the strength of the evidence available and after consideration of the victim and the victim's family's requests.
- The Behind Every Door Ministries Associate will determine the amount of information he believes is appropriate to relate to remaining volunteers. Usually commenting on an ongoing investigation is not wise.

Reporting Obligation

Any person having cause to believe that a child's or youth's physical or mental health or welfare has been or may be adversely affected by abuse or neglect must report the person's belief. Non-accusatory reports, that identify the victim whether or not the person responsible for the abuse is known, must be made to the local or state law enforcement agency or to the Texas Department of Human Services as follows:

1. An oral report must be made immediately on learning of the abuse or neglect.
2. Notify the Behind Every Door Ministries Associate as quickly as possible.
3. A written report must be made within five (5) days to the same agency.
4. All reports must contain the name and address of the child and youth, the name and address of the person responsible for the care of the child and youth and any other pertinent information.

The oral and written reports are required by law. This entire reporting policy is required as a condition of employment for volunteers.

Reports Required

Any volunteer of Behind Every Door Ministries who has cause to believe that a child's or youth's physical or emotional health or welfare has been or may be adversely affected by abuse or neglect shall report that belief according to the following procedure:

1. The volunteer shall report such belief to the Behind Every Door Ministries Associate and will complete an Incident Report Form.
2. The Behind Every Door Ministries Associate will immediately report to the associate in charge and one of the following:
 - a. The local police department;
 - b. Or the Texas Child Protective Services hotline (1-800-252-5400 then press 4 for a caseworker).
3. The Behind Every Door Ministries Associate in charge or his agent will notify the parents of the child and youth (unless the parent is the person responsible for the abuse or neglect).
4. The Behind Every Door Ministries Associate in charge, or his agent, in consultation with the CFO, will notify the appropriate legal counsel.
5. The CFO, or his agent, will notify Behind Every Door Ministries' insurance agent that an abuse report has been filed with the appropriate local or state agency.

Confidentiality

All reports of child abuse or neglect shall be held in absolute confidence. No person shall communicate any information concerning the alleged event to any person except as necessary to cooperate with any official investigation. Any breach of this confidentiality by an employee or volunteer shall be cause for immediate dismissal. The Behind Every Door Ministries Associate in charge, in consultation with the official conducting the investigation may authorize limited additional disclosure if necessary to protect other children and youth from



harm in the near future, particularly where the person responsible for the abuse cannot be identified, *but in no case shall the identity of the victim or the accused person be disclosed except as required by law.*

Investigation of Alleged Abuse or Neglect

No person shall attempt to conduct a detailed investigation either through examination or interrogation of the child and youth, the accused person or a witness. It is acceptable to obtain a reasonable amount of information to have cause to believe a child and youth has been abused or neglected. Interviews shall be conducted only by authorized officials of the agency to whom the suspected crime has been reported or, when appropriate, by legal counsel or persons representing the company in an official capacity. All employees and volunteers of Behind Every Door Ministries shall cooperate with the official investigation as requested.

Suspension of Duties

A person accused of child abuse or neglect will be suspended from all company related duties involving children and youth. This would include all after school, teaching, transportation or sponsorship duties. The Staff or Behind Every Door Ministries Associate is not authorized to conduct an investigation of the incident but is allowed to monitor any such investigation and receive confidential information concerning the incident. This removal from duty should occur in such a way that an innocent person is not immediately deemed guilty. If the allegation is determined to be unsubstantiated, the volunteer can be returned to their prior position.

Preservation of Records

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

Ministerial Care

The ministerial staff shall encourage and assist the child and youth and the parents in securing appropriate counseling, care and support. In the event the abuse or neglect involves a member or volunteer of Behind Every Door Ministries, the staff shall encourage and assist the individual in securing appropriate Behind Every Door Ministries Associate care and support, including third party counseling, being mindful of the potential for a conflict of interest. All persons shall act towards the child and youth, the parents and the accused in accordance with the principles of Christianity at all times.

Liaison with the Community

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