

# Summary



**Ages: Birth to 18 years**

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Safety and Security Materials Assembled by  
The Baptist Convention of Maryland and Delaware



# Safe Environments for Children's Ministry

## In Conclusion...

**Every church should consider a process for managing risk.** Even though risk management has many components, every church can follow a few simple guidelines to minimize risks involved in ministering to children. When putting a plan into place, consider consulting your church's legal counsel as well as your insurance agent for advice.



Safety and security issues are two priority considerations in risk management relating to children. Any guidelines set for the child should be included in a set of policies and adopted by the church. Consider the following when setting policy regarding safety and security with children.

## Providing for children at church always has risks

**Six month rule:** A person must be an active member of the church for a minimum of 6 months before working with children. You may choose to put in place a 12-month rule.

**Screening:** Every person, paid or volunteer, who wishes to work with children, needs to complete an application form, participate in an interview, and be willing for the church to conduct a criminal background check.

**Two adult rule:** There should always be a minimum of two nonrelated adults working with children. A husband and wife team would be considered as one adult.

**Doors with window:** Every room in which children meet needs to have a window in the door or some means by which to see into the room.

**Negligence:** This is one of the main reasons churches are being sued. To lessen the risk of being sued for negligence, take time to think about every activity or program provided for children.



# Safe Environments for Children's Ministry

## In Conclusion...

### **Negligence (continued)**

Consider every aspect of the program and where dangers exist. *List potential hazards and decide what actions need to take place to correct the problem. Ask yourself questions like these.*

1. Does the equipment in the room have sharp edges?
2. Are there steps or other such hazards on which children can fall or trip?
3. Can chairs and tables easily be knocked over?
4. Is a regular maintenance schedule followed on vans or buses used to transport children?
5. Is the driver of a van or bus properly licensed?
6. Are there enough adults in the room or on the bus with the children? A proper adult/child ratio needs to be followed.
7. Is there opportunity for an adult to be alone with a child? There shouldn't be.
8. Are there any objects in the room with parts small enough to break off and become a choke hazard?
9. Is equipment properly maintained and in good working condition?
10. Are accurate records kept?
11. Do you have emergency plans in place? Are exit routes and contingency plans in place in case of fire, earthquake, tornado, or other major disasters?
12. Do you have plans for communicating with parents in case of such an emergency?
13. If snacks are served, are you aware of allergies or other hazards, such as choking, related to food items?

**Avoidance:** Be able to say no to an activity or program if it does not fit into your church mission and purpose.

**Modification:** Trying to gain control of an activity to minimize injury or accident.

**Retention:** Identify areas in which the church is willing to self insure. The church needs to have money available to cover things not covered by insurance, avoidance, or modification.

**Transfer:** Plan for ways to transfer responsibility away from the church. One of the easiest ways to do this is to have adequate insurance coverage. Your church insurance agent can help you.

# Safe Environments for Children's Ministry



## Leadership Enlistment and Child Abuse Policies

- All teachers are 18 years of age.
  - Complete a Confidential Worker Application Form along with permission for a background check ([www.lifeway.com/staff\\_p0001.asp](http://www.lifeway.com/staff_p0001.asp))
  - Member of the church for at least six months.
  - Approved by the Children's Director and church.
- 
- Check with the church insurance policy and your church attorney before using youth as teachers.
  - A minimum of two adult (not from the same family) teachers are with the children at all times in room, during rotation, during restroom breaks, and while transporting children.
  - Pupil/leader ratio is maintained at all times (see *Preschool Sunday School for a New Century* and *Children's Sunday School for a New Century*).
  - Classroom doors have small windows for viewing the room.
  - All teachers and leaders receive a written job description and training and policies and procedures for teaching, security, child protection, and how to respond to and report child abuse (even when the truth cannot be determined).
  - Church staff or designated church leader monitors all activities and ministry sites both on and off the church property.
  - Employed leaders are provided detailed job descriptions to prevent employees from acting beyond the scope of their authorized authority.
  - Require that there be no unsupervised cross-gender contact. For instance, don't allow a male teacher alone with a female youth or child.
  - Children will be in a room only when a teacher is present. No children will be in rooms alone.
  - A designated staff member investigates and confronts any inappropriate behavior.
  - Leaders and teachers should not present themselves as a professional or licensed counselor unless they have received a psychological training and licensing data from an accredited institution.

## The Safety and Security Challenge

Children and leaders alike can have a better week when the environment is safe and everyone knows what to do in the event of an emergency.

**Safety and security issues should be a part of every worker's training experience.**

Here are some tips to help you insure your event is as safe and secure as possible.

### Safety

Even though we don't want to think about it, accidents do happen. However, you can take precautions to prevent as many potential accidents as possible. Before the first day of an event, perform a safety walk through both the inside and outside of your church campus, especially areas that will be used by preschoolers and children. Check for the following:

#### Inside

- Stocked, readily available first aid kits. Make sure all workers know the location of first aid kits and telephones.
- Emergency numbers are clearly posted next to every telephone.
- The names of leaders who are certified in first aid and CPR identified and posted.
- Fire exits are marked and easily accessible.
- Safety plugs are placed in exposed outlets.
- Furnishings and equipment are in sound working order.
- Chair and table legs are stable, screws are tight and nails are unexposed.
- Toys and resources are appropriate for each age group and are free of loose parts or jagged edges.
- Carpet is free of holes and frayed edges.
- Disinfectant and cleaning supplies are stored out of the reach of preschoolers and children.
- Rooms are free from items within a child's reach that could be choking hazards.
- Plants in the rooms are nontoxic.

**Safety and security is everyone's responsibility, but especially the leaders.**



# Safe Environments for Children's Ministry

## The Safety and Security Challenge

### Safety (continued)

#### Outside

- Playground equipment is checked for loose screws, exposed nails, cracked plastic, or broken metal.
- Swings are tight and in working order.
- Ground coverings (mulch, gravel, sand) under swings and other equipment are of adequate depth to provide proper cushion.
- Fence latches are in working order.
- Grounds are clean and free of holes, broken tree limbs, protruding objects, and toxic plants.
- Passenger unloading and loading areas are clearly marked.
- Sufficient outdoor lighting is available for night events.

#### Security

Security measures should be strengthened because of the additional numbers of children and adults going in and out of the building during a typical event day. Consider the following guidelines:

- Begin or reinforce existing security procedures during the event.
- Release children and preschoolers only to authorized persons. Make notations on enrollment cards as to who is authorized to pick up each child.
- Consider distributing cards with the kid's names when they arrive in the morning. Release them only to persons presenting a card.
- Children should be well supervised and leaders should make sure all children are picked up after the event, are on the proper bus, or otherwise cared for.
- Consider having a security team to monitor the facility during the event.

#### **F.Y.I**

1. Enlist a member of the church with medical experience to serve as the event nurse.
2. Create and enforce a "two person rule" that requires at least two adults to be with anyone under the age of 18 at all times.
3. Create a fire and emergency evacuation plan, and train all workers on how the plan works.

# Safe Environments for Children's Ministry

## Security and General Policies

- ◆ **Make sure that your church has adequate insurance coverage** by having an attorney knowledgeable in insurance and liability matters review your coverage before beginning.
- ◆ Have parents complete a **“Child's Information Sheet”** with accurate information. Issue each parent a security card for their child. Parent/s need to present their security card when picking up their child. No child will be released to anyone less than 18 years of age.
- ◆ Parents will sign their child in and out when arriving and upon departure.
- ◆ Persons other than the teachers and children remain outside the room.
- ◆ Adequate number of children will be maintained in the room according to space as well as teacher/pupil ratio.
- ◆ Teachers are to be in the room **20 minutes before** the session is to begin. They begin teaching when the first child arrives and continue until the last child leaves.
- ◆ Enrollment cards are completed for each child coming to class. Parents are given, in written form, the daily schedule.
- ◆ Attendance sheets are kept for each day.
- ◆ **In counseling situations, take all threats and discussions of suicide seriously.** Refer a potentially suicidal person to a qualified professional counselor for immediate help. Document your recommendations to the person in written form at the time they are made and follow up to see that he or she gets adequate help.
- ◆ Inform parents and obtain their permission to photograph their child if photographs are taken during a session/event.





# Safe Environments for Children's Ministry

## Defensive Policies

**Number one defense is education. Overcome the feeling  
“it could never happen here.”**

### **Nursery Schedule:**

- ⇒ Post schedule one month in advance
- ⇒ Notify assigned worker a day before to avoid last minute hunt for volunteers
- ⇒ Workers in nursery are to arrive early
- ⇒ Nursery open during all church functions

### **“Abuse Proof” Your Children’s Rooms:**

- ⇒ Windows in classroom doors
- ⇒ Dutch doors in nursery
- ⇒ Lock all out of the way rooms and closets
- ⇒ Have baby changing tables in plain view
- ⇒ Children should use bathroom prior to service
- ⇒ Children should never use bathroom alone during service
- ⇒ Ushers should circulate during service

### **Church Protection Policies:**

- ⇒ No one allowed to work alone in nursery
- ⇒ No teams of works from the same family (husband/wife, mother/son)
- ⇒ Usher should call parent, if necessary, not worker
- ⇒ Only approved workers or substitutes allowed in rooms
- ⇒ Allow only parents to retrieve children from nursery
- ⇒ Do not permit any child to leave room with anyone at anytime without parent

### **Screen Volunteers:**

- ⇒ Questionnaire
- ⇒ Personal interview
- ⇒ Background check
- ⇒ Supervised trial period — personality, chronically late, more interested in talking than in child’s well being, unwilling to abide by rules.

## Steps for Securing a Safe Environment

- ⇒ **Raise the church's awareness of dangers seminars**
- ⇒ **Training**
- ⇒ **Screening Volunteers**
- ⇒ **Denying Access**
- ⇒ **Be alert to abnormal behavior**
- ⇒ **Educate children**
- ⇒ **Elevate Preschool and Children's Programs**
- ⇒ **Abuse proof your building**
- ⇒ **Two adults in every room**
- ⇒ **No family members alone**
- ⇒ **Only assigned workers in rooms**



## Checklist of Steps to Lower Risk

### To eliminate a “negligent hiring” risk:

- ◆ Get a criminal records check.
- ◆ Follow other safeguards.
- ◆ Apply all rules to volunteers.
- ◆ Use the “six-month” rule ( prospect must be a member of the church for at least one year).
- ◆ Develop and use a screening form.
- ◆ Verify information:
  - Check motor vehicle records
  - Randomly verify other information
  - Check with police for background records
  - Call the prospects former church

### To eliminate a “negligent supervision” risk:

- ◆ Develop and post a policy (sample provided) for all adult caregivers:
  - Use the “two adult” rule
  - Exercise constant vigilance
  - Include an appropriate touching policy
- ◆ Post all policies conspicuously.
- ◆ Educate staff, boards, and volunteers.
- ◆ Report apparent abuse or molestation immediately and include procedure in the written policy.
- ◆ Obtain the local state rules and post them.
- ◆ Learn the rules for ministers regarding permissive or mandatory reporting.
- ◆ Find out if a minister’s reporting is covered by immunity. If not, ask for the local state rules on anonymous reporting.
- ◆ Let volunteers know they can make the church liable for their actions.
- ◆ Have adequate staffing.
- ◆ Use parental release/consent forms.
- ◆ Post emergency procedures, have first aid supplies and guidelines.

# Checklist of Steps to Lower Risk

### To eliminate a “negligent supervision” risk: (continue)

- ◆ Use claim checks for the nursery.
- ◆ Inspect nursery and Sunday School equipment, toys and furniture regularly
- ◆ Go through a “safety check” for each church activity (sample checklist provided).
- ◆ Get adequate insurance coverage:
  - ⇒ Cover volunteers
  - ⇒ Cover non-owned, non-hired vehicles
  - ⇒ Cover activities off church premises
- ◆ Get a “comfort letter” from the insurance company (sample request provided) that includes:
  - ⇒ A specific list of what is covered
  - ⇒ A specific list of what is not covered
  - ⇒ The specific policy cost each year
- ◆ Write out a policy (sample provided) for handling incidents of abuse and/or molestation:
  - ⇒ Assume innocence where two adults are present
  - ⇒ Talk to a lawyer and an insurance company representative
  - ⇒ Implement a procedure for investigation that includes psychological testing for the possibility of false accusations and/or emotional transference
  - ⇒ Give notification to parties. Establish the scriptural criteria for decisions
  - ⇒ Keep records and take notes for church records
  - ⇒ Maintain a back up file for preventive steps taken by the church
  - ⇒ Tap into the knowledge and experience database of the denomination and others
  - ⇒ Reach out to the family

## Transportation and Field Trips

Requirements for transporting minors vary from state to state. *Check with your state Department of Public Safety and Department of Human Services for day care requirements. Have adequate insurance and abide by coverage rules.*

**Drivers must be 21 years of age**, be screened and interviewed by church. Have a background check performed and a valid driver licenses for vehicle on file in the church office.

**Driver must be:**

1. medically and physically fit
2. not use tobacco products or drugs
3. and have not been arrested for DUI
4. have recently reviewed state laws
5. and have had their driving approved by the church transportation committee or staff

Pupil/teacher ratio is maintained as required by state law. **Sponsors are at least 18 years of age.**

Vehicle/s are inspected and adequately loaded with proper number of passengers. Checklist is used to account for person when loading and unloading.

Safety rules are reviewed with passengers before vehicle is in operation and abided by during the trip.

Field trip is scheduled and approved by the director and church. Written transportation route is on file in the church office, and each driver is given a copy of route and person in his/her vehicle.

Parents complete and sign permission slip and health form. **Each passenger's form is in the vehicle in which he/she travels.** Coordinator of trip has copy of the forms with him/her.

A Red Cross recommended first aid kit and an approved fire extinguisher are in each vehicle.



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- Have had their driving approved by the church transportation committee or staff.
- Pupil/teacher ratio is maintained as required by state law.
- Sponsors are at least **18** years of age.
- Vehicle/s are inspected and adequately loaded with proper number of passengers.
- Checklist is used to account for persons when loading and unloading.
- Safety rules are reviewed with passengers before vehicle is in operation and abided by during the trip.
- Field trip is scheduled and approved by the director and church.
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- Coordinator of trip has a copy of the forms with him/her.
- A Red Cross recommended first aid kit and an approved fire extinguisher are in each vehicle.

### Disaster and Emergencies

Keep emergency evacuation plans for fire, violence, chemical spills, natural disasters (tornados, earthquakes, mudslides, storms and other emergencies) posted in rooms and hallways. Train teachers what their responsibilities are in the event of any emergency.

Keep emergency equipment and supplies (fire extinguishers, sprinkler systems, smoke alarms, flashlights, first aid equipment) available, and in working order. Don't forget to train teachers in their use.

Check with your local fire department, insurance company, and building code agency to make sure that your church meets fire and building codes.

Mark a designated crib for evacuating babies. Make sure this crib goes through all doorways easily. Reinforce crib springs with wood or metal strips so the crib will hold several babies at once. Check to see that the crib rolls well when weighted with several babies.

#### **Keep fire extinguishers, alarms, and sprinklers in good working order. Educate teachers on their usage.**

When storms approach, assign one person the responsibility of listening to the weather on an **NOAA Weather radio** with battery back up. If evacuation is necessary, an assigned person will give the plan for evacuating to a designated place.

Have flashlights available for power outages.

In case of an earthquake, gather children in a doorway, under a desk or heavy table, or stand flat against an interior wall. Once shaking has stopped, staff will give directions for evacuation.

If an explosion occurs, follow the plan you follow for fires. **In case of gunfire, secure the door and hide the children under a table, in a closet, or in corner. Stay away from windows and visibility to outside. Do not leave the room for any reason until the police have searched the building and given you permission to leave.**

## Speakers in Preschool Rooms



Some well meaning people think that speakers should be put in preschool rooms to enable preschool teachers to hear the pastor's sermons.

The motive for such a suggestion is often one of concern for adults in the preschool rooms. The results of such an action, however, are negative.

### These questions need to be asked prior to installing speaker in a preschool room:

#### 1. Why are teachers there during the worship service?

⇒ Teachers are there to teach the preschoolers about God. They are missing the worship service, but a teacher would not want a speaker interrupting what he/she is doing.

#### 2. What will speakers add to the preschool learning environment?

⇒ Speakers will add noise. Speakers will add distractions to teacher and children, and accidents are more likely to happen. Speakers may communicate to the church that what is going on in worship is important but that teaching preschool is not. The same reasons for not installing speakers apply to television monitors in preschool rooms. Perhaps cassette tapes of the worship services could be made available to extended teachers to listen to later at home.

# Child/Youth Protection Policy update: Background & Frequently Asked Questions (FAQ)

**Why is our church required to get involved in the issues of child abuse/neglect, etc...? Is this a legal requirement?**

**Background:** Based on media reports, it would appear that more than ever churches are being sued in court, as taking a dispute to court is now part of the American culture. Their biggest concern legally, in general, is sexual misconduct, with a focus on incident of child molestation. There are preventive steps that churches can take to stay out of court, or in the event of litigation, demonstrate that precautions were taken.

Church leaders need to be familiar with the ever changing state of child abuse reporting laws and to understand:

1. What is reportable child abuse in my state?
2. Who are mandatory reporters of child abuse?
3. Where do I report?
4. How are allegations to be handled while under investigation?

**How much screening is necessary?**

**The quick answer is that no amount of screening is enough when you get a lawsuit delivered to your door. However, courts in this country have ruled that what is needed is very minimal.** An application process that includes reference checks. Amazingly, research results published by Christianity Today indicates that **70 percent of churches are doing absolutely nothing to screen volunteer youth/children workers.**

# Child/Youth Protection Policy Update: Background & Frequently Asked Questions (FAQ) (continued)

The “two adult” rule has been a topic of much discussion in this updating process. It's important to make the distinction between what is required for the specific ministry of the CDC (subject to the Code of Maryland Regulations (COMAR), 07.04.02, Child Care Center Licensing). We have based the “two adult rule” recommendation on group size/supervision ratios as outlined in COMAR (.31 Group Size and Staffing).

### **Isn't liability insurance supposed to provide coverage?**

Liability insurance has exclusions, coverage limits, and conditions. Liability insurance is not an excuse for adequate volunteer screening and supervision policies.

*\*Hammer, R. 2003. "Law and Disorder: Why your church might end up before a judge and jury, and what you can do to prevent it". Christianity Today, April 28, 2003.*

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## Understanding Legal Terms

**Charitable Immunity/Religious Freedom:** Idea or concept that churches and other non-profit organizations are exempt from law suits. Some states do limit liability but most churches can be sued and are not exempt.

**Tort:** Refers to activities which cause injury to another person or their property. Negligence is the most common tort. This could be something you do or fail to do. A defamation of character or breach of confidentiality are examples.

**Standard of Care:** Accepted course or conduct or an accepted way to do a certain task the violation of which could be negligent. Law may impose a legal way to conform to the standard of care. Examples: driving the posted speed but you may still be stopped if speed is not correct to weather conditions, lack of proper ratio of teachers to children.

# Safe Environments for Children's Ministry

## Understanding Legal Terms (continued)

**Reasonable Person:** “Mythical” person who always acts reasonably and appropriately. The “perfect” person who sets the standard of care by which your action will be judged. This person thinks about everything that could happen and prepares for it.

**Negligence:** Conduct which creates an unreasonable risk of harm to another person of property and results in foreseeable harm. Failure to exercise reasonable care. Examples: careless driving, failure to screen volunteers, failure to maintain equipment, or failure to supervise employees or volunteers.

**Liability:** Legal accountability. The plaintiff must show standard of care, conduct “below care”, damages, causation of injury.

**Damages:** Harm done to person or property. Damages normally are categorized as compensatory or punitive. Compensatory damages are designed to make the person whole. Punitive damages are designed to punish a person/corporation.

**Infant:** Person under the age of majority (normally 18). The law imposes a high standard of care when infants are involved. Law does recognize children at different ages understand risk differently. A 14 year old has better knowledge of risk that a 9 year old but is still consider an “infant.”



**Inherently Dangerous:** Activity that by its very nature is capable of causing significant harm or injury. Examples: swimming, white water rafting.

**Attractive Nuisance:** Conditions which are attractive to a child, who is unable to appreciate the danger. Examples: a pond, swimming pool, unlocked playground, or a ladder left unattended.

# 10 Pointers for Avoiding Church Litigation

1. Learn the rules.
2. Use the preventive forms, policies, and procedures we've developed for you.
3. Do not assume your new program is being carried out. Check and re-check and have someone in charge of assuring that all the steps are always being followed.
4. **Keep records!** Remember the words of another attorney *"Should you get into court the rule is, if you can't prove it, it doesn't exist!"* That means all your preventive measures and precautions must be in writing, backed up by credible testimony of witnesses. Keep a special file cabinet that details all the proof you will need if a problem should ever occur. Otherwise, it's as if you never took any steps at all. The other side of the coin is, do not say, or do anything you would not want to have to explain in a court of law.
5. Educate your staff, church boards, and volunteers to make them aware of the rules, and the policies the church has developed for them.
6. Avoid intense emotions when a problem occurs. Instead, review the rules, and carefully follow them.
7. **Take action if a problem occurs, or when a warning sign exists, or even if you merely have a question.** Call your attorney or insurance company immediately, do not wait until it is too late to take important measure. Keep an attorney on retainer, and make sure your insurance company representation knows, respects, and is responsive to the needs of your church.
8. Evaluate risks and determine what risks your church is prepared to assume. Some church activities may not be worth the risk involved. You may need to consider alternative activities.
9. Plan for outreach to the affected family. After receiving counsel from both your attorney and insurance carrier you should concentrate on ministering to those affected. The goal is not to prevent a lawsuit but to bring the healing power of Christ to the situation. Once you have received proper guidance from your attorney and insurance representative you may proceed to do the job of ministry as they carry out their responsibilities to you and your church.
10. Prepare for a loss. When all else fails, solid insurance coverage is the best backup plan. Be sure your legal costs are covered, as well as any court judgment against the church.

# Safe Environments for Children's Ministry

## The ALWAYS Rules of The Guardian System

**Always** remember that child molesters and abusers never look like criminals.

**Always** report anything that looks like child abuse, seems suspicious, or make you feel uncomfortable.

**Always** be with at least one other adult when working with children. This is called the "two adult" rule.

**Always** remember that everyone in the classroom must be screened. Do not allow visitors or parents who have not been screened to remain in the room.

**Always** make certain that touch is age-level appropriate and is for the purpose of encouragement and affirmation. A sideways hug placing your hand on the child's shoulder or head is an example of appropriate touching.



## The NEVER Rules of The Guardian System

**Never** go into a lavatory with a child without another adult. Always follow the "two adult" rule.

**Never** go into a lavatory with a child of the opposite sex.

**Never** release a child to an adult who is not the parent who properly checked in the child. Always ask for proper identification.

**Never** touch a child inappropriately. Do not slap children, push them, or touch them in a private area.

**Never** go behind closed doors with a child.

\*Taken from *The Guardian System*, David Middlebrook



## Safe Environments for Children's Ministry

### Checklist

- We currently screen all paid employees, including clergy, who work with youth or children.
- We currently screen all volunteer workers for any position involving work with youth and children.
- We do a reference check on all paid employees working with youth and children.
- We train all of our staff who work with children or youth, both paid and volunteer, to understand the nature of child sexual abuse.
- We train all of our staff who work with children or youth, both paid and volunteer, how to carry out our policies to prevent sexual abuse.
- We take our policies to prevent sexual abuse seriously and see that they are enforced.
- Our workers understand state law concerning child abuse reporting obligations.
- We have a clearly defined reporting procedure for a suspected incident of abuse.
- We have a specific response strategy to use if an allegation of sexual abuse is made at our church.
- We have insurance coverage if a claim should occur.
- We are prepared to respond to media inquiries if an incident occurs.