

PRESBYTERY OF FLORIDA

MINOR PERSONS AND VULNERABLE ADULTS PROTECTION POLICY

The members of the Presbytery of Florida believe we are called by God to create a safe haven for all minor persons and vulnerable adults participating in activities designed to nurture, protect, and empower them through faith and trust. This commitment includes taking appropriate steps to reduce the risk to minors and vulnerable adults in our care.

The following policy is established to minimize the risk to minors and vulnerable adults from being subjected to sexual, physical, or mental abuse. These policies and procedures are also intended to respect the rights and afford due process to persons accused of improper conduct.

DEFINITIONS

Minor Person (Minor): Biologically a minor is an individual who is between the ages of birth and under 18 years of age.

Vulnerable Adult: “A person 18 years of age or older whose ability to perform the normal activities of daily living or to provide for his or her own care or protection is impaired due to a mental, emotional, sensory, long-term physical, or developmental disability or dysfunction, or brain damage, or the infirmities of aging.” (www.flsenate.gov/laws/statutes/2012/0415.102)

Paid Staff: Any adult who is paid to work with minors/vulnerable adults at a Presbytery of Florida function or event.

Volunteer: Any unpaid person who is entrusted with the care and supervision of minors/vulnerable adults, or a person who directly oversees and/or exerts control or oversight of minors/vulnerable adults.

Sexual Abuse: See Florida Statute at <https://m.flsenate.gov/Statutes/827.071>.

SCREENING, TRAINING, AND BACKGROUND CHECKS FOR VOLUNTEERS

One who works with minors/vulnerable adults, whether on the basis of a paid staff, contractor, or volunteer, shall be subject to:

1. The approval of completed, and signed application and background check authorization forms, including a signed form verifying the event policy has been read. The application should include a minimum of two references.
2. All those who work with minors and/or vulnerable adults must ordinarily be at least eighteen-years-old.

3. The applicant's consent to a criminal background check. The Presbytery of Florida will conduct and cover the cost of background checks for all volunteer and paid workers. These checks shall be run no more than six months prior to the event, and may be valid for 2 years, depending on insurance company standards.
4. All those who work with minors/vulnerable adults paid, contracted, or volunteer, must participate in training sometime within the year prior to the event. The training is to be provided by the Presbytery of Florida through its appropriate committee and shall cover this protection policy thoroughly as well as methods of abuse prevention and a detailed plan of reporting. Outside experts may be contracted to provide these trainings. These trainings shall further cover:
 - What constitutes minor/vulnerable adult abuse and neglect.
 - How to recognize signs and symptoms of abuse and neglect.
 - Definitions of abuse and reporting.
 - Mandatory criminal background checks and the security of those files.
 - Explanation of the importance of the application and screening processes.
 - Appropriate boundaries with minors, especially regarding adult-to-minor ratios, transportation, and use of technology.
 - If an overnight event is planned, discussions of boundaries involving appropriate sleeping arrangements and restroom/shower facilities use shall be discussed.
 - At least one volunteer or paid staff member working directly with event participants must be certified in first aid and CPR.
 - Other related topics.
5. No person may serve as a minor/vulnerable adult worker who has a conviction on his/her record of certain felonies or misdemeanors, including, but not limited to, any of the following:
 - Criminal homicide;
 - Aggravated assault;
 - Crimes related to the possession, use, or sale of drugs or controlled substances;
 - Sexual abuse;
 - Sexual assault;
 - Incest;
 - Indecency with a youth;
 - Inducing sexual conduct or sexual performance of a minor or vulnerable adult;
 - Possession or promotion of child pornography;
 - The sale, distribution, or display of harmful material to a minor;
 - Abandonment or endangerment of a minor or vulnerable adult;
 - Any crime that involves abduction, kidnapping, or unlawful restraint;
 - Public lewdness or indecent exposure;
 - Any crime that involves sexual misconduct or sexual abuse, particularly if it involves misconduct or abuse with a minor;
 - Any crime that involves misuse of technology for sexual purposes, such as collecting or distributing photographs of minors who are naked or in sexual or inappropriate poses (child pornography);
 - Any crime that involves the use of force, such as assault or endangerment;
 - Any crime that involves drinking and driving, such as driving while intoxicated.

In addition, if any council (as defined in the latest version of the Book of Order Part 2 of the Presbyterian Church (U.S.A.) of the Presbytery of Florida is aware that one who wishes to work with minors/vulnerable adults has a prior conviction for one of the aforementioned crimes or a related crime, that person shall automatically be ineligible to serve.

PAID OR VOLUNTEER COUNSELORS AT DOGWOOD ACRES

Briefly, the State of Florida says: Personnel for the purposes of screening for summer day camps and summer 24-hour camps includes owners, operators, employees, and volunteers working in summer day camps and summer 24-hour camps providing care for children. Volunteers who assist on an intermittent basis for less than 10 hours per month do not need to be screened if a person who meets the screening requirement is always present and has the volunteer in his or her line of sight.

An employer may not hire, select, or otherwise allow an employee to have contact with any vulnerable person that would place the employee in a role that requires the background screening.

There are two levels of screening – Level 1 and Level 2

Level 1 Background Screening requires an employment history check, statewide criminal correspondence checks through the Florida Department of Law Enforcement (FDLE) (name-based check), and a check of the Dru Sjodin National Sex Offender Public Website and may include local law enforcement checks.

Level 2 Background Screening requires fingerprinting for statewide criminal history checks through FDLE and national criminal history checks through the Federal Bureau of Investigation (FBI), and may include local law enforcement checks.

For further explanation of background screening requirements for persons who wish to work as a camp counselor for remuneration or as a volunteer at Dogwood Acres, please refer to those stated at:

- https://www.myflfamilies.com/programs/backgroundscreening/faqs_camps.shtml, (The Florida Department of Children and Families); and
- The State of Florida statutes found in Title XXXI (Labor), Chapter 435, under Employment Screening, and relate references.

The level of interaction with minors and vulnerable persons will determine whether a Level 1 or Level 2 Background Screening is required.

The level of interaction with minors and vulnerable persons, and the type of engagement as a paid or volunteer staff person will determine whether a Level 1 or Level 2 Background Screening is required.

EXPECTATIONS FOR PERSONS WORKING WITH MINORS, AND/OR VULNERABLE ADULTS

It is the policy of the Presbytery of Florida to provide events free of any form of Sexual Abuse and Misconduct, including sexual intimidation by any volunteer or Presbytery employee contacts. Sexual Abuse and Misconduct, in any form, is unacceptable behavior and is subject to disciplinary action.

Sexual Abuse and Misconduct includes, but is not limited to, unwelcome and unsolicited sexual advances, requests for sexual favors, discriminatory torment based on gender or sexual preference, and other undesirable verbal, visual, or physical conduct of a sexual nature, manifested in person or via one (1) or more types of electronic media.

In particular, Sexual Abuse and Misconduct has occurred if:

- submission to any kind of Sexual Abuse and Misconduct is an explicit or implicit term or condition of participation in an event;
- submission to, or rejection of, sexually harassing behavior is used as the basis of employment or other personnel decisions affecting the recipient of the behavior;
- Sexual Abuse and Misconduct has the purpose or effect of unreasonably interfering with the recipient's participation in an event or creating an intimidating, hostile, or offensive environment.

Any Presbytery employee or volunteer who believes, in good faith, that there has been a violation of this policy should report the perceived violation as soon as possible. If the perceived violation occurs during a Presbytery sponsored event, the matter must be reported to the coordinator of the event. If the event is sponsored by the Committee for Dogwood Acres, the Director of Dogwood Acres, the CDWA Chair, or a member of the CDWA Personnel Team must be contacted as soon as possible. Every complaint received by any one of these persons must be immediately communicated to the Stated Clerk and General Presbyter for action in accordance with the Presbytery's policy and procedures on sexual misconduct.

MANDATORY EVENT RULES FOR WORKING WITH MINORS AND VULNERABLE ADULTS

The Presbytery of Florida shall ensure that the following measures be in place and actions taken for each event or activity of the Presbytery involving minors and/or vulnerable adults.

1. **Supervision:** There will always be one (1), and when feasible two (2) adult workers present in groups of minors and vulnerable adults.
2. **Ratios:** It is preferable that the adult to minor ratio for events is 2:17. There shall also be one adult of each gender when there is more than one gender in a group. Only in emergency situations may the ratio and gender diversity be compromised.
3. **View Windows and Open Doors:** When minors and adult workers or volunteers are in a room, if the door is closed, the door must have a view window installed. If no view window is installed in the door, the door must remain open at all times.
4. **Adult workers/caregivers** should respect the privacy of the minors to whom they provide care. Responsible use of digital devices and cell phones is required in all situations (e.g. Taking age-appropriate photographs and movies, not taking photographs of minors who are not fully clothed).

Adults and minors are required at all times to wear appropriate attire. Training is to be provided to understand age-appropriate behaviors that need to be reported to a caregiver or leader of the event.

5. All volunteers and employees at any Presbytery of Florida sponsored event must also abide by a code of conduct that emphasizes the following prohibited behaviors. Some of these prohibited behaviors include but are not restricted to:
 - a. Display of sexual affection toward a minor/vulnerable adult.
 - b. Use of profanity.
 - c. Discussion of sexual encounters with or around minors/vulnerable adults or in any way involving minors/vulnerable adults in personal problems or issues.
 - d. Dating or becoming “romantically” involved with minors or vulnerable adults.
 - e. Using or being under the influence of alcohol or illegal drugs in the presence of minors or vulnerable adults.
 - f. Possessing sexually oriented materials – including printed or online – at such an event.
 - g. Telling a minor to keep something secret told to the minor.
 - h. Staring at or commenting on others’ bodies.
 - i. Initiating inappropriate or unapproved electronic communication with minors/vulnerable adults.
 - j. Working one-on-one with minors/vulnerable adults in a private setting.
 - k. Abusing minors/vulnerable adults in anyway, including (but not limited to) the following:
 - 1) Physical abuse: hit, spank, shake, slap, unnecessarily restrain.
 - 2) Verbal abuse: degrade, threaten, or curse.
 - 3) Sexual abuse: expose oneself, or engage in sexually oriented conversations.
 - 4) Shame, humiliate, act cruelly toward others.
 - 5) Neglect: withhold food, water, shelter.
 - l. Permitting minors/vulnerable adults to engage in hazing, bullying, derogatory name-calling, ridicule, humiliation, or sexual activity.

ALLEGATION REPORTING

- All adults working with minors and/or vulnerable adults are to be completely familiar with the procedures for reporting alleged abuse. Please see <https://www.flsenate.gov/Laws/Statutes/2018/39.201> for State of Florida mandates for reporting allegations of abuse.
- Anyone aware of inappropriate contact involving a minor or vulnerable adult regardless of where the conduct occurred, must immediately report the questionable activity to the event coordinator.
- If an incident is witnessed or reported, that person should first secure the safety of the minor/vulnerable adult. The minor or vulnerable adult should not be left alone.
- The coordinator is to immediately notify the General Presbyter, who will then notify the Stated Clerk.
- The person initially contacted by the alleged victim, or who observed the offense, should immediately fill out a written report verbatim.
- The Presbytery will have available a list of agencies to be contacted which will also contain the Abuse Hotline number of 1-800-252-5400.

- The event coordinator shall have “Incident Report” forms available at the event.
- If an accusation by one attending a Dogwood Acres camp or conference is made after the camp season is over, it shall be directed to the Director of Dogwood Acres, and the chair of CDWA, who will then report to the General Presbyter.

RESPONDING TO ALLEGATIONS

A Response Team (trained and available through the Committee on Ministry), shall be initiated by the General Presbyter. This team will then follow its prescribed responsibilities. (See COM Handbook, latest version.)

Approved for use by the Presbytery by the Coordinating and Planning Commission May 14, 2020