

**Statement of Purpose and Policy
For Presbytery of West Virginia Events
Involving Children, Youth and Persons with Disabilities**

The members of the Presbytery of West Virginia believe that we are called by God to create a safe haven for all of the children, youth and persons with disabilities in our care, nurturing, protecting and empowering them through faith and trust. This commitment includes taking appropriate steps to reduce the risk to these vulnerable people in our care. The following material will help in establishing measures that will minimize the risk of any of our children, youth and persons with disabilities being subject to various types of abuse. These policies and procedures are also intended to respect the rights and afford due process to persons accused of improper conduct.

It is the intent of these policies to protect persons with disabilities regardless of age, as well as children and youth. Policies and procedures to protect such persons from harm and/or abuse must be carefully observed. However, it is understood that adult persons with disabilities are distinct from younger persons and as such, these guidelines (such as the two adult rule) are mitigated.

As used herein, the terms “child,” “children” and youth” refer to all persons under 18 years of age.

For the protection of those persons in our care, everyone working directly with children, youth and persons with disabilities, whether paid or volunteer at any Presbytery of West Virginia sponsored or cosponsored events is subject to the provisions of this policy. Youth who are assigned leadership responsibilities shall also be subject to the provisions of this policy. Therefore, all such persons are expected to participate in pre-event training and orientation including but not limited to training to increase their sensitivity to the prevention of any form of abuse to and protection of children, youth and persons with disabilities.

Revised as of 08/25, by the Safe Child Oversight Team of:
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I. BIBLICAL, CONFESSIONAL AND REGIONAL MANDATES

It is imperative that the Church of Jesus Christ express in action and intentions the love of God to children, youth and persons with disabilities by providing a safe and welcoming environment for their care and nurture. Therefore, the Presbytery of West Virginia, its member congregations, and all of its programs and activities seek to prevent abuse in any form or of any type to children, youth and persons with disabilities. We further seek to be in ministry to families where abuse may occur.

Biblical mandates

“He has shown you O mortal, what is good: and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God.”

Micah 6:8

“The Lord our God, the Lord is one, and you shall love the Lord your God with all your heart, and with all your soul, and with all your strength....You shall love your neighbor as yourself. There is no other commandment greater than these.” **Mark 12:29-31**

“As he who called you is holy, be holy yourselves in all your conduct.”

I Peter 1:15

“I exhort the elders among you to tend the flock of God that is in your charge, exercising the oversight, not under compulsion but willingly, as God would have you do it – not for sordid gain but eagerly. Do not lord it over those in your charge, but be examples to the flock....Discipline yourselves, keep alert.” **I Peter 5:1-3, 8**

Confessional

“The Spirit gives us courage
to pray without ceasing,
to witness among all peoples to Christ as Lord and Savior,
to unmask idolatries in Church and culture,
to hear the voices of peoples long silenced,
and to work with others for justice, freedom, and peace.”

A Brief Statement of Faith (lines 66-71)

Regional

“Mountaineers are always free.” **Motto of West Virginia**

II . POLICY OF THE PRESBYTERY OF WEST VIRGINIA FOR SAFEGUARDING THE WELL BEING OF CHILDREN, YOUTH AND PERSONS WITH DISABILITIES

The Presbytery of West Virginia is committed to the safety, welfare, and protection of all children, youth and persons with disabilities participating in the activities and programs of this Presbytery. This policy addresses the preventable risk of any form of abuse or harassment, whether physical, mental or sexual, by any of the employees, or volunteers of this Presbytery engaged in Presbytery sponsored activities or programs.

This policy further helps protect workers from unsubstantiated charges of wrongdoing. In addition, we are called to stand not in judgment, but with compassion for each other. We believe that any person who has been accused of committing an act of abuse can expect due process, our prayers, and acceptance as a human being.

Therefore, all Presbytery activities and programs, regardless of location, involving children and youth, will be subject to the following policy:

- Two unrelated adults will be assigned to supervise or lead all activities involving children and youth. This shall be known as the “Two Adult Rule.”
- Acknowledging there may be times when there is a need for one on one interaction, all one on one interaction between a child or youth and an adult shall take place in a public place where interactions can be observed.
- Exceptions to the above two bullet points would be: in the event of an emergency and/or a child in direct harm; or when prior permission has been given by a parent/guardian concerning transportation. (See Appendix E)

- No person will serve as a teacher or volunteer leader of children or youth activities until such person has been a member or an active participant as certified by the Pastor or Clerk of the Session of a church of the Presbytery for six months. Exceptions to this would be new staff members of churches in the presbytery, provided that the responsible church would have conducted a thorough background check of the person. All adults will be subject to background checks by the presbytery.
- An Information Form, criminal record check, and reference checks must be completed before service begins.
- This Presbytery will neither tolerate nor accept any act or omission as specifically described in Prohibited Acts on page 8.
- Upon accusation the accused is entitled to prompt and fair disposition of such serious charges and to receive due process of law including the presumption of innocence until proven guilty.
- Any violation of the policy shall be reported in accordance with Reporting Suspected Abuse on page 10.

Information Form

Employees and volunteers for children, youth, and persons with disabilities in the activities or programs of the Presbytery will be required to complete an Information Form (Appendix A) providing personal and confidential information necessary to perform criminal and driving (where appropriate) record checks and reference checks on each individual. While this process understandably intrudes into the privacy of our lives, the

security of our children, youth and persons with disabilities outweighs the personal invasion inherent with such investigation and disclosures. All personal information is voluntarily disclosed. Furthermore, the results of all criminal record checks and reference checks as well as the refusal of any person to participate in a program or activity in lieu of such disclosure requirements will be considered confidential.

Criminal record checks (Appendix B) for persons 18 and older will be conducted by a Presbytery staff person designated as the “Administrator.” Additionally, character references will be checked by a person designated by the planning committee for each activity or program (Appendix C). The written results of the criminal record checks and the reference checks initially will be reviewed by the Administrator. After this initial review, if the Administrator determines that further review should be made, the Administrator will consult with the appropriate program staff.

The information contained in the Information Form, the results of the criminal record check, and the results of the reference check will be disclosed only to the persons designated in the previous paragraph and only with the written permission of the worker.

The Administrator will maintain a locked storage cabinet for all Information Forms and results of all record checks. The results of the criminal record checks will be updated every three years. Whether disclosed voluntarily or by result of the criminal record check, the following items will automatically disqualify a person from participating in the leadership or sponsorship of any children or youth activity or program:

Any pending indictment alleging the offense of, or any conviction for: murder; aggravated assault; sexual abuse; sexual assault (rape); aggravated sexual assault; injury to a child; incest; indecency with a child; inducing sexual conduct or sexual performance of a child; possession or promotion of child pornography; the sale, distribution, or display of harmful material to a minor; employment harmful to children; or abandonment or endangerment of a child.

All other convictions or charges for any other crimes not listed above will be reviewed by the Administrator as described in the second paragraph under Information Form. When leadership involves driving, driving records will be reviewed and carefully considered.

Examples Of Inappropriate Conduct

A commitment to the call to care for all of God's children includes preventing the following types of inappropriate conduct:

Physical Abuse, including any unwanted touch, any physical contact intended to coerce or do harm, any hitting or touch in anger.

Emotional/Verbal Abuse, including insults, name calling, belittling remarks, harassment, unfavorable comparisons with other children or youth, shaming, deliberately causing fear, using speech to hurt, and bullying.

Spiritual Abuse, including using scripture or church authority to coerce, control or shame; using threats about condemnation from God or making threats about God withholding love to control behavior.

Sexual Abuse, which is defined as any sexual contact with children, youth or persons with disabilities in a leader's charge, including:

- Fondling private part
- Oral, genital, or anal penetration
- Sexual intercourse
- Forcible rape
- Suggestive sexual comments
- Showing pornography (sexually explicit materials)
- Exposing sex organs
- Allowing children to witness sexual activity

With regard to appropriate and inappropriate interactions, the following guidelines apply:

1. **Approval and Affection** – In providing approval or affection:

<i>Appropriate Physical Interactions</i>	<i>Inappropriate Physical Interactions</i>
<ul style="list-style-type: none"> • Side hugs • Shoulder-to-shoulder or "temple" hugs • Pats on the shoulder or back • Handshakes • High-fives and hand slapping • Verbal praise 	<ul style="list-style-type: none"> • Full-frontal hugs • Kisses • Showing affection in isolated area • Lap sitting • Wrestling • Piggyback rides • Tickling

<ul style="list-style-type: none"> • Pats on the head when culturally appropriate • Touching hands, shoulders, and arms • Arms around shoulders • Holding hands (with young children in escorting situations) 	<ul style="list-style-type: none"> • Allowing a child to cling to an employee's or volunteer's leg • Any type of massage given by or to a child • Any form of affection that is unwanted by the child or the employee or volunteer • Compliments relating to physique or body development • Touching bottom, chest, or genital areas
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2. **Verbal and Social Media Interactions** – The manner of speaking with children establishes respect.

<i>Appropriate Verbal and Social Media Interactions</i>	<i>Inappropriate Verbal and Social Media Interactions</i>
<ul style="list-style-type: none"> • Positive reinforcement • Appropriate jokes • Encouragement • Praise 	<ul style="list-style-type: none"> • Name-calling • Discussing sexual encounters or in any way involving children in the personal problems or issues of employees and volunteers • Secrets • Cursing • Off-color or sexual jokes • Shaming • Belittling • Derogatory remarks • Harsh language that may frighten, threaten or humiliate children • Derogatory remarks about the child or his/her family

Prohibited Acts

The following acts are prohibited by this Policy and will not be tolerated or accepted during any Presbytery activity or program or on any social media platform. Any observations or personal knowledge of such violations must be immediately reported to the Designated Person (see “Implications for Specific Programs” section) after the safety of the child, children, or youth involved has been assured.

- **Any display or demonstration of sexual activity, abuse, insinuation of abuse, or evidence of abusive conduct towards any participant;**
- **Sexual advances or sexual activity of any kind between any adult and a child, youth or person with disabilities;**

- **Allowing sexual advances or sexual activity of any kind between youth;**
- **Infliction of physically abusive behavior or bodily injury to a child, youth, or person with disabilities;**
- **Physical neglect of a child, children, youth or persons with disabilities, including failure to provide adequate supervision;**
- **Causing mental or emotional injury to a child, youth or person with disabilities;**
- **Possessing obscene or pornographic materials**
- **Possessing, consuming or being under the influence of alcohol or illegal drugs;**
- **Possessing guns or other weapons.**

Electronic Communication Code of Conduct

Any person subject to this policy using the resources of electronic communication and social media to interact with youth or leaders shall comply with this Electronic Communication Code of Conduct:

- **Adult leaders are discouraged from establishing direct social media connections with youth or children, although we realize there are times when for pastoral care concerns social media may be the best platform. There must be great care taken by the adult to avoid inappropriate discussions and adhere to boundaries set forth elsewhere in this policy.**
- **If there is social media contact, comments that are, or could be, construed by any observer to be harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating shall never be posted to or about any participant or adult advisor or staff member. All inappropriate sexually oriented conversations or discussions about sexual activities are prohibited, as well as any posting of inappropriate pictures (for example, sexually suggestive, exploitive, or voyeuristic) or making inappropriate comments on pictures.**

- **Ordinarily, It is inappropriate for volunteers to privately message a youth; any such messages should include two adults. With regard to pastoral matters, if a private message is needed, another adult shall be informed of the communications.**
- **Private messages between adults at presbytery events and children or youth are subject to review by the General Presbyter or the Associate for Educational Ministry or Bluestone Program Director upon request.**
- **These rules apply to all social media platforms including but not limited to Facebook, Snapchat, Instagram, text messaging, facetime, and others.**
- **If a person fails a background check at any point, or violates this policy, they shall immediately disconnect themselves from all social media and email and text connections with youth that were established through Presbytery activities or events.**
- **If an adult whether paid staff or volunteer or pastor moves out of the Presbytery, they shall immediately disconnect themselves from all social media and email and text connections with children or youth that were established through Presbytery activities or events.**

Reporting Suspected Abuse

In order to maintain an environment free of destructive acts toward all children, youth, and persons with disabilities, the staff, employees, teachers, parents and volunteers of the Presbytery must be aware of their individual responsibility to report any questionable circumstance, observation, act, omission, or situation thought to be abusive in accordance with this policy, including that which is reported by children or youth which has occurred outside of presbytery activities. All questions or concerns of any suspected abusive behavior or harassment shall be directed to the Designated Person or in extenuating circumstances, the General Presbyter of the Presbytery of West Virginia. West Virginia law requires the prompt reporting of suspected abuse to the Department of Health and Human Services (DHHR), and, in the event of sexual abuse to the State Police

and any law-enforcement agency having jurisdiction, and the designated person. (See Appendix F)

In the event anyone personally witnesses, suspects or is made aware of an alleged violation of this policy they should follow these steps to insure the security and protection of all persons involved:

A. Responsibilities of the Person who suspects or witnesses an incident

- Assure the safety of the alleged victim. Do not leave the alleged victim alone.
- Report the incident immediately to the Designated Person or, in extenuating circumstances, the General Presbyter.
- Complete an Incident Report immediately.
- Contact the law-mandated authorities to report the incident.
- Maintain the confidentiality of the accused, the accuser and the victim.

B. Responsibilities of the Designated Person

- Assure the safety of the alleged victim.
- Assure that an Incident Report is completed immediately.
- Contact the law-mandated authorities to report the incident.
- Report the incident to the person legally responsible for the victim.
- If possible, remove the alleged violator from direct contact with children, youth and adults with disabilities.
- With Incident Report in hand, contact the General Presbyter. Proceed at the direction of the General Presbyter.
- Maintain the confidentiality of the accused, the accuser and the victim.

C. Responsibilities of the General Presbyter

Upon notification by the Designated Person, the General Presbyter, shall act in accordance with the procedures detailed in the "Committee on Ministry: Implementing Procedure for Presbytery of West Virginia Sexual Misconduct Policy." (Appendix H)

D. Communications

Other than required reporting to authorities as stated above, all Presbytery staff and volunteers working with children and youth should be instructed that any other communications about any incidents come only from the General Presbyter of the Presbytery. No Presbytery staff or workers with children and youth shall make comments.

Consequences of Alleged Violation

Any person accused of committing a Prohibited Act (**see page 8**), whether an employee or volunteer, will be suspended immediately from participation in all children/youth activities and children/youth programs of the Presbytery. Such suspension shall continue during any investigation by the Presbytery, law enforcement or child protection agencies. Such removal does not assume guilt but makes the top priority the protection of those who are most vulnerable. Pastoral care for the accused must also be provided.

Any person, who after formal due process, has been found guilty of abuse shall ordinarily be prohibited from future participation in all children and youth activities and programs of the Presbytery. If the person, who after formal due process has been found guilty of abuse, is an employee of the presbytery, the Administration Committee shall be informed of the finding. If the person, who after formal due process has been found guilty of abuse, is an employee of Bluestone Conference Center, the Bluestone Director in consultation with the General Presbyter and the Chair of the Bluestone Committee shall decide regarding that person's employment .

As required by West Virginia law, (Appendix F) all reports of abuse will be forwarded to the appropriate child protection and law enforcement authorities. Such reporting must be accomplished in addition to complying with this Policy.

Failure to report a Prohibited Act to the designated person in a timely manner shall be considered a procedural violation of this Policy. This violation may be grounds for termination of employment, or for suspension or dismissal from participation in all children and youth activities and programs of the Presbytery.

IMPLICATIONS FOR SPECIFIC PROGRAMS

A. Bluestone Camps

1. Screening and selection of staff

- All staff members (employed and volunteer) must complete Information Form (Appendix A).
- A criminal record check will be performed by the Presbytery.
- All staff responsible for driving will be subject to a driving record check.

2. Supervision by and of staff See appropriate pages of this policy above regarding the “Two Adult Rule.” See page 4 of this policy.

3. Staff training - Each year, all summer staff will receive training during the designated time for staff training, which occurs prior to the beginning of summer camp.

4. Reporting allegations

All Bluestone staff must know the procedure for reporting alleged violations of this policy and the requirements of state and local laws regarding the reporting of child abuse. The Designated Person in such cases shall ordinarily be the Director of Bluestone, or the Director’s designee, or in extenuating circumstances the General Presbyter.

5. Response to Allegations

In the event an incident is reported, the Designated Person will notify the General Presbyter as noted above.

B. Presbytery meetings:

1. Screening and selection of child care workers:

- The screening and selection process of childcare workers will be handled by the host church which is providing the childcare. Childcare provided at presbytery meetings shall be in accordance with the Presbytery's guidelines regarding a Policy for the Protection of Children, Youth and Persons with Disabilities.
- Ordinarily the Presbytery will not allow a Presbytery event involving care or activities for children and youth to be held at a church unless the host church has a Child Protection Policy in place.
- The host church should use the Acknowledgment Form (Appendix G) to verify the screening of its workers.
- Presbytery Staff, will see that policy information is distributed to the host church(es) and will see that the suitability of caregivers is verified.

2. Supervision by and of childcare workers

- The host church that is providing the childcare workers will handle supervision of workers.
- The "Two Adult Rule" will be standard procedure. See page 4 of this policy.

3. Reporting and responding to allegations

- Anyone aware of a violation of this policy should follow the procedure for reporting alleged violations. The Designated Person for such events shall ordinarily be the Stated Clerk of the Presbytery or, in extenuating circumstances, the General Presbyter.

C. Other Events such as Festival of Faith and youth retreats.

1. Screening and selection of leaders

- All leaders must complete an Information Form (Appendix A) which provides personal and confidential information necessary to perform background and reference checks on each individual.
- A criminal record check will be performed by the committee of the Presbytery in charge of the event.
- All adults responsible for driving will be subject to a driving record check. This includes Youth Council adults as they often drive youth members to retreats and meetings.
- If these adults have been through a screening process at their own church, they must present verification of that fact using an Acknowledgement Form (Appendix G).
- The Presbytery committee planning the event is responsible for seeing that the policies are implemented.

Training - Ordinarily adult participants/leaders will be expected, in advance of the event, to have read this policy, to have watched the training video that can be found at www.wvpresbytery.org, and completed the “Acknowledgement of Receipt” form. In addition, all adults at these events will be provided a time of training prior to or at the beginning of the event. Training will include a review of this policy.

2. Supervision by and of leaders

The “Two Adult Rule” will be standard procedure with children and youth. See [page](#) of this policy.

3. Reporting allegations

All leaders working with children, youth and persons with disabilities at Presbytery sponsored events must know the incident reporting procedure and the requirements of state and local laws regarding the reporting of child abuse. The Designated Person at such events shall ordinarily be the Associate for Educational Ministry or, in extenuating circumstances, the General Presbyter.

4. Response to allegations

In the event an incident is reported, the Designated Person will notify the General Presbyter.

MONITORING OF POLICY

The Nurture Committee will establish a Safe Child Oversight Team to review these policies and their implementation in all the programs and activities of the Presbytery every three to five years or as needed. Members of the Safe Child Oversight Team shall include the Associate for Educational Ministry for the Presbytery of WV and the Director of Bluestone, the Nurture Committee Chair (who will convene the team) and may include a member of the Administration Committee, a physician, an attorney, an educator, and others within the Presbytery, to a total of not more than eight members.

APPENDIX A

PRESBYTERY OF WEST VIRGINIA INFORMATION FORM FOR WORKERS WITH CHILDREN, YOUTH AND PERSONS WITH DISABILITIES

1. Name (last, first, middle, maiden name) _____

If you have ever used another name, please indicate the name and the time period(s) used: _____

Current Address: _____

How long have you lived at this address: _____

How long have you lived in West Virginia: _____

Gender: M ___ F ___ Birth date: _____

Home Phone: _____

Place of Employment: _____

Work Phone: _____

2. *(skip number 2 if your position does not include driving)*

Drivers License Number: _____

Have you ever had your driver's license suspended or restricted for any reason? _____ If yes, please describe the dates and reasons for each such occurrence on the back.

3. Please answer the following questions:

Name of church in which you participate _____

How long have you been regularly participating _____

Are you a member? _____ Date you became a member? _____

4. Have you served as a volunteer at any church in the past ten years? If so, please state the name and address of the church, the pastor of the church, the time period(s) of your volunteer work and describe generally the nature of your volunteer work:

5. Have you served as a volunteer for any civic organization in the past ten years? If so, please state the name and address of that organization, the person overseeing the volunteer work the time period(s) of your volunteer work and describe generally the nature of your volunteer work. Please indicate which organizations involved working with children and youth.

6. Have you ever been arrested, charged, indicted or convicted for any criminal offense (misdemeanor or felony) other than a traffic violation? _____ (If yes, please explain on the back.)
7. Have you ever been subject to any disciplinary action, complaint or allegations that you violated any employer's or any organization's policy concerning sexual misconduct? _____ (If yes, please explain on the back.)
8. References: Please list the names, addresses, occupations, and telephone numbers of three people who are not related to you who are familiar with your character and abilities. References will be contacted.

<u>Name</u>	<u>Address</u>	<u>Occupation</u>	<u>Work Phone</u>	<u>Home Phone</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

12. I understand and agree that:
- a. All Information that I have provided may be verified. I agree to release from liability any person or organization that provides information concerning me, including these persons I have listed as references. I understand and agree that any information received will not be disclosed to me, and I hereby waive any right I may have to inspect any information provided about me by any person or organization identified by me on this form.
 - b. By signing this form, I certify and affirm that the information I have given is true, complete, and correct in all respects.
 - c. I have read, understood and agree to abide by the Statement of Policies and Procedures for the Protection of Children, Youth and Persons with Disabilities of the Presbytery of West Virginia.
 - d. [Only applicable to persons eighteen years of age and older] I have completed the release of information form.

Signature: _____ Date: _____

Parent or Guardian's Signature: _____ Date: _____
(If under age eighteen)

This form is confidential and will be kept in a locked file.

APPENDIX B

Background Check Consent Form

Applicant should complete all relevant information sign and date the form.

Applicant's Full Name (Printed): _____

Other Names Used: _____ Phone: _____ Gender: _____

Social Security Number: _____ Date of Birth: ____/____/____

*NOTE: The above information is required for identification purposes only, and is in no manner used as qualifications for employment, internship, or service as a volunteer. Presbytery of West Virginia abides by all applicable state and federal employment laws.

ADDRESSES (for the past 10 Years)

Present Address _____

City _____ County _____ State _____ Zip _____ Country _____

How Long at Present Address? _____

Former Address _____

City _____ County _____ State _____ Zip _____ Country _____

How Long at Former Address? _____

Former Address _____

City _____ County _____ State _____ Zip _____ Country _____

How Long at Former Address? _____

Please list all states and counties of residence since turning age 18: _____

(Please circle any of the following states in which you have lived: CA, CO, DE, LA, MA, SD, VT, WV, WY)

MOTOR VEHICLE RECORDS

Names as it appears on License: _____

Driver's License Number: _____ State of License: _____

I, _____, hereby authorize Presbytery of West Virginia, and/or their agents to make an independent investigation of my background, references, character, past employment, education, credit history, adult criminal or police records, and motor vehicle records including those maintained by both public and private organizations and all public records for the purpose of confirming the information contained on my Application and/or obtaining other information which may be material to my qualifications for service now and, if applicable, during the tenure of my employment or service with Presbytery of West Virginia.

I release Presbytery of West Virginia and their agents and any person or entity which provides information pursuant to this authorization from any and all liabilities, claims, or law suits in regards to the information obtained from any and all of the above referenced sources used. The name above is my true and complete legal name and all information provided above is true and correct to the best of my knowledge:

Signature of Applicant _____

Date _____

APPENDIX C

TELEPHONE REFERENCE CHECK

Identify yourself

Tell the person that (applicant's name) gave you permission to call for a personal reference and that you will keep the conversation confidential.

Explain what the applicant will be doing for the (church's name) and the age and sex of the children or youth with whom the volunteer will be working.

.....

NAME OF APPLICANT _____

NAME OF PERSON (AND POSITION IN THE PRESBYTERY) CALLING FOR
REFERENCE _____

NAME OF REFERENCE _____

TITLE/OCCUPATION _____

PHONE NUMBER _____

DATE CALLED _____

How long have you known (applicant's name) and in what capacity?

Have you observed (applicant's name) interacting with children/youth/persons with disabilities and in what kind of environment?

Please describe this interaction.

Is there any other information you can tell me about (applicant's name)?

Would you let (applicant's name) take care of your children or persons with disabilities?

APPENDIX D

INCIDENT REPORT FORM

Reason for report _____

Date of incident _____ Time _____

Name of Reporter _____ Title _____

Name(s) of Child(ren) _____ Age(s) _____

Quote the child's first words verbatim: _____

Briefly describe child's/youth's behavior/appearance. _____

Briefly describe what happened _____

What action did you take?: _____

Has the incident been resolved?: ____yes ____no Explain: _____

Were there any witnesses?

Names: _____

Signatures (If possible): _____

Report submitted to: _____

Appendix E

Waiver of Two-Adult Rule for Transportation

**(NOTE – THIS NEEDS TO BE SIGNED BY A PARENT
AND WITNESSED by an UNRELATED ADULT not on the trip)**

The Child Youth Protection Policy the Presbytery of West Virginia requires that two adults be present at all activities involving children, youth and persons with disabilities. There are specific exceptions to this policy including “when prior permission has been given by a parent/guardian concerning transportation.”

There may be circumstances in providing transportation to and from presbytery events in which only one adult is present in a vehicle. This completed form will enable us to facilitate transportation needs as we also seek to keep your youth safe.

I hereby give my permission for my child,

_____, to be alone with

_____ (please insert
names of particular adults or staff) in appropriate ways and settings for
transportation purposes.

Signed

Witness

Date

APPENDIX F

West Virginia Child Abuse Reporting Law

West's Annotated Code of West Virginia
Chapter 49. Child Welfare
Article 2. State Responsibilities for Children
Part VIII. Reports of Children Suspected of Abuse

W. Va. Code, § 49-2-801
Formerly cited as WV ST § 49-6A-1

§ 49-2-801. Purpose

Effective: May 17, 2015
Currentness

It is the purpose of this article through the complete reporting of child abuse and neglect:

- (1) To protect the best interests of the child;
- (2) To offer protective services in order to prevent any further harm to the child or any other children living in the home;
- (3) To stabilize the home environment, to preserve family life whenever possible;
- (4) To promote adult responsibility for protecting children; and
- (5) To encourage cooperation among the states to prevent future incidents of child abuse and neglect and in dealing with the problems of child abuse and neglect.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015.

W. Va. Code, § 49-2-801, WV ST § 49-2-801

Current with legislation of the 2021 First Special Session. Some statute sections may be more current, see credits for details.

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West's Annotated Code of West Virginia
Chapter 49. Child Welfare
Article 2. State Responsibilities for Children
Part VIII. Reports of Children Suspected of Abuse

W. Va. Code, § 49-2-802
Formerly cited as WV ST § 49-6A-9

§ 49-2-802. Establishment of child protective services; general duties and powers;
administrative procedure; immunity from civil liability; cooperation of other state agencies

Effective: June 4, 2018
Currentness

(a) The department shall establish or designate in every county a local child protective services office to perform the duties and functions set forth in this article.

(b) The local child protective services office shall investigate all reports of child abuse or neglect. Under no circumstances may investigating personnel be relatives of the accused, the child or the families involved. In accordance with the local plan for child protective services, it shall provide protective services to prevent further abuse or neglect of children and provide for or arrange for and coordinate and monitor the provision of those services necessary to ensure the safety of children. The local child protective services office shall be organized to maximize the continuity of responsibility, care, and service of individual workers for individual children and families. Under no circumstances may the secretary or his or her designee promulgate rules or establish any policy which restricts the scope or types of alleged abuse or neglect of minor children which are to be investigated or the provision of appropriate and available services.

(c) Each local child protective services office shall:

(1) Receive or arrange for the receipt of all reports of children known or suspected to be abused or neglected on a 24-hour, seven-day-a-week basis and cross-file all reports under the names of the children, the family, and any person substantiated as being an abuser or neglecter by investigation of the Department of Health and Human Resources, with use of cross-filing of the person's name limited to the internal use of the department: *Provided*, That local child protective services offices shall disclose the names of alleged abusers pursuant to § 49-2-802(c)(4) of this code;

(2) Provide or arrange for emergency children's services to be available at all times;

(3) Upon notification of suspected child abuse or neglect, commence or cause to be commenced a thorough investigation of the report and the child's environment. As a part of this response, within 14 days there shall be a face-to-face interview with the child or children and the development of a protection plan, if necessary, for the safety or health of the child, which may involve law-enforcement officers or the court;

(4) Make efforts as soon as practicable to determine the military status of parents whose children are subject to abuse or neglect allegations. If the office determines that a parent or guardian is in the military, the department shall notify a Department of

Defense family advocacy program that there is an allegation of abuse and neglect that is screened in and open for investigation that relates to that military parent or guardian;

(5) Respond immediately to all allegations of imminent danger to the physical well-being of the child or of serious physical abuse. As a part of this response, within 72 hours there shall be a face-to-face interview with the child or children and the development of a protection plan, which may involve law-enforcement officers or the court; and

(6) In addition to any other requirements imposed by this section, when any matter regarding child custody is pending, the circuit court or family court may refer allegations of child abuse and neglect to the local child protective services office for investigation of the allegations as defined by this chapter and require the local child protective services office to submit a written report of the investigation to the referring circuit court or family court within the time frames set forth by the circuit court or family court.

(d) In those cases in which the local child protective services office determines that the best interests of the child require court action, the local child protective services office shall initiate the appropriate legal proceeding.

(e) The local child protective services office shall be responsible for providing, directing, or coordinating the appropriate and timely delivery of services to any child suspected or known to be abused or neglected, including services to the child's family and those responsible for the child's care.

(f) To carry out the purposes of this article, all departments, boards, bureaus, and other agencies of the state or any of its political subdivisions and all agencies providing services under the local child protective services plan shall, upon request, provide to the local child protective services office any assistance and information as will enable it to fulfill its responsibilities.

(g)(1) In order to obtain information regarding the location of a child who is the subject of an allegation of abuse or neglect, the Secretary of the Department of Health and Human Resources may serve, by certified mail or personal service, an administrative subpoena on any corporation, partnership, business, or organization for the production of information leading to determining the location of the child.

(2) In case of disobedience to the subpoena, in compelling the production of documents, the secretary may invoke the aid of:

(A) The circuit court with jurisdiction over the served party if the person served is a resident; or

(B) The circuit court of the county in which the local child protective services office conducting the investigation is located if the person served is a nonresident.

(3) A circuit court shall not enforce an administrative subpoena unless it finds that:

(A) The investigation is one the Division of Child Protective Services is authorized to make and is being conducted pursuant to a legitimate purpose;

(B) The inquiry is relevant to that purpose;

(C) The inquiry is not too broad or indefinite;

(D) The information sought is not already in the possession of the Division of Child Protective Services; and

(E) Any administrative steps required by law have been followed.

(4) If circumstances arise where the secretary, or his or her designee, determines it necessary to compel an individual to provide information regarding the location of a child who is the subject of an allegation of abuse or neglect, the secretary, or his or her designee, may seek a subpoena from the circuit court with jurisdiction over the individual from whom the information is sought.

(h) No child protective services caseworker may be held personally liable for any professional decision or action taken pursuant to that decision in the performance of his or her official duties as set forth in this section or agency rules promulgated thereupon. However, nothing in this subsection protects any child protective services worker from any liability arising from the operation of a motor vehicle or for any loss caused by gross negligence, willful and wanton misconduct, or intentional misconduct.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015; Acts 2018, c. 33, eff. June 4, 2018.

W. Va. Code, § 49-2-802, WV ST § 49-2-802

Current with legislation of the 2021 First Special Session. Some statute sections may be more current, see credits for details.

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West's Annotated Code of West Virginia
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W. Va. Code, § 49-2-803
Formerly cited as WV ST § 49-6A-2

§ 49-2-803. Persons mandated to report suspected abuse and neglect; requirements

Effective: June 5, 2018
Currentness

(a) Any medical, dental, or mental health professional, Christian Science practitioner, religious healer, school teacher or other school personnel, social service worker, child care or foster care worker, emergency medical services personnel, peace officer or law-enforcement official, humane officer, member of the clergy, circuit court judge, family court judge, employee of the Division of Juvenile Services, magistrate, youth camp administrator or counselor, employee, coach or volunteer of an entity that provides organized activities for children, or commercial film or photographic print processor who has reasonable cause to suspect that a child is neglected or abused, including sexual abuse or sexual assault, or observes the child being subjected to conditions that are likely to result in abuse or neglect shall immediately, and not more than 24 hours after suspecting this abuse or neglect, report the circumstances to the Department of Health and Human Resources. In any case where the reporter believes that the child suffered serious physical abuse or sexual abuse or sexual assault, the reporter shall also immediately report to the State Police and any law-enforcement agency having jurisdiction to investigate the complaint. Any person required to report under this article who is a member of the staff or volunteer of a public or private institution, school, entity that provides organized activities for children, facility, or agency shall also immediately notify the person in charge of the institution, school, entity that provides organized activities for children, facility, or agency, or a designated agent thereof, who may supplement the report or cause an additional report to be made: *Provided*, That notifying a person in charge, supervisor, or superior does not exempt a person from his or her mandate to report suspected abuse or neglect.

(b) County boards of education and private school administrators shall provide all employees with a written statement setting forth the requirements contained in this section and shall obtain and preserve a signed acknowledgment from school employees that they have received and understand the reporting requirement.

(c) Nothing in this article is intended to prevent individuals from reporting suspected abuse or neglect on their own behalf. In addition to those persons and officials specifically required to report situations involving suspected abuse or neglect of children, any other person may make a report if that person has reasonable cause to suspect that a child has been abused or neglected in a home or institution or observes the child being subjected to conditions or circumstances that would reasonably result in abuse or neglect.

(d) The provisions of this section are not applicable to persons under the age of 18.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015; Acts 2015, c. 47, eff. June 12, 2015; Acts 2018, c. 36, eff. June 5, 2018.

§ 49-2-803. Persons mandated to report suspected abuse and..., WV ST § 49-2-803

W. Va. Code, § 49-2-803, WV ST § 49-2-803

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W. Va. Code, § 49-2-804
Formerly cited as WV ST § 49-6A-2a

§ 49-2-804. Notification of disposition of reports

Effective: May 17, 2015
Currentness

The Department of Health and Human Resources shall continue to develop, update and implement a procedure to notify any person mandated to report suspected child abuse and neglect pursuant to section eight hundred three of this article, of whether an investigation into the reported suspected abuse or neglect has been initiated and when the investigation is completed.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015.

W. Va. Code, § 49-2-804, WV ST § 49-2-804

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W. Va. Code, § 49-2-805
Formerly cited as WV ST § 49-6A-10

§ 49-2-805. Educational programs; requirements

Effective: May 17, 2015
Currentness

Subject to appropriation in the budget, the department shall conduct educational and training programs for persons required to report suspected abuse or neglect, and the general public, as well as implement evidence-based programs that reduce incidents of child maltreatment including sexual abuse. Training for persons require to report and the general public shall include:

- (1) Indicators of child abuse and neglect;
- (2) Tactics used by sexual abusers;
- (3) How and when to make a report; and
- (4) Protective factors that prevent abuse and neglect in order to promote adult responsibility for protecting children, encourage maximum reporting of child abuse and neglect, and to improve communication, cooperation and coordination among all agencies involved in the identification, prevention and treatment of the abuse and neglect of children.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015.

W. Va. Code, § 49-2-805, WV ST § 49-2-805

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W. Va. Code, § 49-2-806
Formerly cited as WV ST § 49-6A-2b

§ 49-2-806. Mandatory reporting of suspected animal cruelty by child protective service workers

Effective: May 17, 2015
Currentness

In the event a child protective service worker, in response to a report mandated by section eight hundred two and eight hundred three of this article, forms a reasonable suspicion that an animal is the victim of cruel or inhumane treatment, he or she shall report the suspicion and the basis therefor to the county humane officer provided under section one, article ten, chapter seven of this code within twenty-four hours of the response to the report.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015.

W. Va. Code, § 49-2-806, WV ST § 49-2-806

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W. Va. Code, § 49-2-807
Formerly cited as WV ST § 49-6A-3

§ 49-2-807. Mandatory reporting to medical examiner or coroner; postmortem investigation

Effective: May 17, 2015
Currentness

Any person or official who is required pursuant to section eight hundred three of this article to report cases of suspected child abuse or neglect and who has reasonable cause to suspect that a child has died as a result of child abuse or neglect, shall report that fact to the appropriate medical examiner or coroner. Upon the receipt of that report, the medical examiner or coroner shall cause an investigation to be made and report his or her findings to the police, the appropriate prosecuting attorney, the local child protective service agency and, if the institution making a report is a hospital, to the hospital.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015.

W. Va. Code, § 49-2-807, WV ST § 49-2-807

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W. Va. Code, § 49-2-808
Formerly cited as WV ST § 49-6A-4

§ 49-2-808. Photographs and X rays

Effective: May 17, 2015
Currentness

Any person required to report cases of children suspected of being abused and neglected may take or cause to be taken, at public expense, photographs of the areas of trauma visible on a child and, if medically indicated, cause to be performed radiological examinations of the child. Any photographs or X rays taken shall be sent to the appropriate child protective service as soon as possible.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015.

W. Va. Code, § 49-2-808, WV ST § 49-2-808

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W. Va. Code, § 49-2-809
Formerly cited as WV ST § 49-6A-5

§ 49-2-809. Reporting procedures

Effective: May 20, 2019
Currentness

(a) Reports of child abuse and neglect pursuant to this article shall be made immediately to the department of child protective services by a method established by the department: *Provided*, That if the method for reporting is web-based, the Department of Health and Human Resources shall maintain a system for addressing emergency situations that require immediate attention and shall be followed by a written report within 48 hours if so requested by the receiving agency. The state department shall establish and maintain a 24-hour, seven-day-a-week telephone number to receive calls reporting suspected or known child abuse or neglect.

(b) A copy of any report of serious physical abuse, sexual abuse, or assault shall be forwarded by the department to the appropriate law-enforcement agency, the prosecuting attorney, or the coroner or medical examiner's office. All reports under this article are confidential. Reports of known or suspected institutional child abuse or neglect shall be made and received as all other reports made pursuant to this article.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015; Acts 2019, c. 141, eff. May 20, 2019.

W. Va. Code, § 49-2-809, WV ST § 49-2-809

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W. Va. Code, § 49-2-810
Formerly cited as WV ST § 49-6A-6

§ 49-2-810. Immunity from liability

Effective: June 5, 2020
Currentness

Any person, official, or institution participating in good faith in any act permitted or required by this article is immune from any civil or criminal liability that otherwise might result by reason of those actions, including individuals making good faith reports of suspected or known instances of child abuse or neglect, or who otherwise provide information or assistance, including medical evaluations or consultations, in connection with a report, investigation or legal intervention pursuant to a good faith report of child abuse or neglect.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015; Acts 2020, c. 45, eff. June 5, 2020.

W. Va. Code, § 49-2-810, WV ST § 49-2-810

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W. Va. Code, § 49-2-811
Formerly cited as WV ST § 49-6A-7

§ 49-2-811. Abrogation of privileged communications; exception

Effective: May 17, 2015
Currentness

The privileged quality of communications between husband and wife and between any professional person and his or her patient or his or her client, except that between attorney and client, is hereby abrogated in situations involving suspected or known child abuse or neglect.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015.

W. Va. Code, § 49-2-811, WV ST § 49-2-811

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W. Va. Code, § 49-2-812
Formerly cited as WV ST § 49-6A-8

§ 49-2-812. Failure to report; penalty

Effective: June 12, 2015
Currentness

(a) Any person, official or institution required by this article to report a case involving a child known or suspected to be abused or neglected, or required by section eight hundred nine of this article to forward a copy of a report of serious injury, who knowingly fails to do so or knowingly prevents another person acting reasonably from doing so, is guilty of a misdemeanor and, upon conviction, shall be confined in jail not more than ninety days or fined not more than \$5,000, or both fined and confined.

(b) Any person, official or institution required by this article to report a case involving a child known or suspected to be sexually assaulted or sexually abused, or student known or suspected to have been a victim of any non-consensual sexual contact, sexual intercourse or sexual intrusion on school premises, who knowingly fails to do so or knowingly prevents another person acting reasonably from doing so, is guilty of a misdemeanor and, upon conviction thereof, shall be confined in jail not more than six months or fined not more than \$10,000, or both.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015; Acts 2015, c. 47, eff. June 12, 2015.

W. Va. Code, § 49-2-812, WV ST § 49-2-812

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W. Va. Code, § 49-2-813
Formerly cited as WV ST § 49-6A-11

§ 49-2-813. Statistical index; reports

Effective: May 17, 2015
Currentness

The Department of Health and Human Resources shall maintain a statewide child abuse and neglect statistical index of all substantiated allegations of child abuse or neglect cases to include information contained in the reports required under this article and any other information considered appropriate by the Secretary of the Department of Health and Human Resources. Nothing in the statistical data index maintained by the Department of Health and Human Resources may contain information of a specific nature that would identify individual cases or persons. Notwithstanding section two hundred one, article four of this chapter, the Department of Health and Human Resources shall provide copies of the statistical data maintained pursuant to this subsection to the State Police child abuse and neglect investigations unit to carry out its responsibilities to protect children from abuse and neglect.

Credits

Acts 2015, c. 46, eff. Feb. 16, 2015, operative May 17, 2015.

W. Va. Code, § 49-2-813, WV ST § 49-2-813

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W. Va. Code, § 49-2-814

§ 49-2-814. Task Force on Prevention of Sexual Abuse of Children

Effective: June 11, 2015

Currentness

- (a) This section may be referred to as “Erin Merryyn's Law”.
- (b) The Task Force on Prevention of Sexual Abuse of Children is established. The task force consists of the following members:
- (1) The Chair of the West Virginia Senate Committee on Health and Human Resources, or his or her designee;
 - (2) The Chair of the House of Delegates Committee on Health and Human Resources, or his or her designee;
 - (3) The Chair of the West Virginia Senate Committee on Education, or his or her designee;
 - (4) The Chair of the House of Delegates Committee on Education, or his or her designee;
 - (5) One citizen member appointed by the President of the Senate;
 - (6) One citizen member appointed by the Speaker of the House of Delegates;
 - (7) One citizen member, who is a survivor of child sexual abuse, appointed by the Governor;
 - (8) The President of the State Board of Education, or his or her designee;
 - (9) The State Superintendent of Schools, or his or her designee;
 - (10) The Secretary of the Department of Health and Human Resources, or his or her designee;
 - (11) The Director of the Prosecuting Attorney's Institute, or his or her designee;

- (12) One representative of each statewide professional teachers' organization, each selected by the leader of his or her respective organization;
 - (13) One representative of the statewide school service personnel organization, selected by the leader of the organization;
 - (14) One representative of the statewide school principals' organization, appointed by the leader of the organization;
 - (15) One representative of the statewide professional social workers' organization, appointed by the leader of the organization;
 - (16) One representative of a teacher preparation program of a regionally accredited institution of higher education in the state, appointed by the Chancellor of the Higher Education Policy Commission;
 - (17) The Chief Executive Officer of the Center for Professional Development, or his or her designee;
 - (18) The Director of Prevent Child Abuse West Virginia, or his or her designee;
 - (19) The Director of the West Virginia Child Advocacy Network, or his or her designee;
 - (20) The Director of the West Virginia Coalition Against Domestic Violence, or his or her designee;
 - (21) The Director of the West Virginia Foundation for Rape Information and Services, or his or her designee;
 - (22) The Administrative Director of the West Virginia Supreme Court of Appeals, or his or her designee;
 - (23) The Executive Director of the West Virginia Sheriffs' Association, or his or her designee;
 - (24) One representative of an organization representing law enforcement, appointed by the Superintendent of the West Virginia State Police; and
 - (25) One practicing school counselor appointed by the leader of the West Virginia School Counselors Association.
- (c) To the extent practicable, members of the task force shall be individuals actively involved in the fields of child abuse and neglect prevention and child welfare.
- (d) At the joint call of the House of Delegates and Senate Education Committee Chairs, the task force shall convene its first meeting and by majority vote of members present elect presiding officers. Subsequent meetings shall be at the call of the presiding officer.

(e) The task force shall make recommendations for decreasing incidence of sexual abuse of children in West Virginia. In making those recommendations, the task force shall:

- (1) Gather information regarding sexual abuse of children throughout the state;
- (2) Receive related reports and testimony from individuals, state and local agencies, community-based organizations, and other public and private organizations;
- (3) Create goals for state education policy that would prevent sexual abuse of children;
- (4) Create goals for other areas of state policy that would prevent sexual abuse of children; and
- (5) Submit a report with its recommendations to the Governor and the Legislature.

(f) The recommendations may include proposals for specific statutory changes and methods to foster cooperation among state agencies and between the state and local governments. The task force shall consult with employees of the Bureau for Children and Family Services, the Division of Justice and Community Services, the West Virginia State Police, the State Board of Education, and any other state agency or department as necessary to accomplish its responsibilities under this section.

(g) Task force members serve without compensation and do not receive expense reimbursement.

Credits

Acts 2015, c. 45, eff. June 11, 2015.

W. Va. Code, § 49-2-814, WV ST § 49-2-814

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APPENDIX G

ACKNOWLEDGEMENT OF POLICY FOR THE PROTECTION OF CHILDREN, YOUTH AND PERSONS WITH DISABILITIES

_____ (“Church”)

The undersigned representative of the Church hereby acknowledges that the Church maintains a written policy for the protection of children, youth and persons with disabilities. Furthermore, all of those individuals named at the bottom of this form are members of the Church and have been screened in accordance with said Policy including a criminal record check, and will be working with the Presbytery sponsored event. They have been, and currently are, authorized by the Church to work with the children, youth and persons with disabilities of the Church.

Signed this _____ day of _____, 20_____

Signature

Printed Name

Capacity with Church

Members authorized to work with Children and Youth of Church

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____

APPENDIX H

COMMITTEE ON MINISTRY IMPLEMENTING PROCEDURE FOR

PRESBYTERY OF WEST VIRGINIA SEXUAL MISCONDUCT POLICY

PROCEDURE

For the following procedures to be used, the accused must be a Minister of Word and Sacrament, Certified Christian Educator, Commissioned Lay Pastor, lay preacher trained and recommended by Presbytery, who serves within the Presbytery of West Virginia; an officer or employee of the Presbytery of West Virginia; a volunteer or lay person serving a congregation under its supervision, including anyone who serves on Presbytery committees, boards, councils and commissions, and other entities in support of Presbytery programs. In such a case, the presbytery declares its intention to deal clearly and fairly with the alleged sexual misconduct when experienced by any person while involved in any professional or volunteer relationship with the presbytery.

In order to fulfill this intention, the presbytery shall maintain a pool of persons for the creation of Response Teams. Each team shall be made up of at least three persons, and the team shall always have a majority of members who are of the same sex as the alleged victim.

Goals of Procedure:

- 1) listen to all parties
- 2) inform all parties of their options (including resources for consultation, counseling, mediation, as well as the steps and resources necessary to utilize the disciplinary procedures in the Book of Order)
- 3) provide mediation with the hope of reconciliation for the parties involved.

If disciplinary procedures are begun, the role of the response team is concluded. Continuing pastoral care will be provided by the Presbytery.

THE RESPONSE TEAM

Being careful to maintain appropriate gender balance, and representation by quadrants, the Committee on Ministry will appoint a pool of resource people to serve as potential members for Response Teams. The Committee on Ministry shall designate one member of this pool as the convener. The Committee on Ministry shall provide for appropriate training for all people appointed, with such training updated annually. These appointments shall be reviewed annually by the Committee on Ministry. It shall be the

responsibility of the Committee on Ministry to evaluate the work of all Response Teams that have been active during the year.

When a request is made to the Presbytery, the convener of the Response Team shall be notified. The convener shall then select individuals from the pool to form the required Response Team. This appointment shall be reported to the next Committee on Ministry meeting.

Each Response Team shall report to the chairperson of the Committee on Ministry when it has concluded its proceedings. Their conclusions and any recommendations for further action shall be reported to the next meeting of the Committee on Ministry, with this information made available to the General Presbyter.

TIME FACTORS

When a person notifies the General Presbyter or the Committee on Ministry Chair, of allegations of sexual misconduct, the convener shall be notified. The convener shall attempt to make immediate contact with the alleged victim. After contact with the alleged victim, the convener shall attempt to make contact with the accused. Ordinarily, from the time notification is made, no longer than ten (10) days shall elapse until the alleged victim and representatives of the Response Team shall hold an initial meeting. Following the meeting with the alleged victim, the Response Team shall meet with the accused.

From the date of the initial meeting of the Response Team and the alleged victim, no longer than thirty (30) days shall elapse until recommendations are made to the parties involved and a report filed with the Committee on Ministry regarding the allegation.

RECORDS

The only required records of each case shall include the names of the Response Team members; the name of the victim of an alleged incident; the name of the person accused; the date(s) of the incident(s); the date of all meetings with the alleged victim, the accused, and other parties to the incident; the date on which the final recommended disposition of the matter was made; the specifics of the final disposition; and any recommendations for further action. One copy of these records shall be kept in the permanent files of the Chair of the Committee on Ministry, and the Presbytery of West Virginia shall retain one copy in its office. Such records will be marked confidential and securely stored. The Response Team shall keep no separate records of this confidential material.

The person within Presbytery giving a reference is obligated to give truthful information regarding allegations, inquiries, and administrative or disciplinary action related to sexual misconduct. The response, however, must be limited to information that is a matter of record.

OTHER OPTIONS

At any point, a person alleging sexual misconduct may initiate disciplinary action as provided for in “The Rules of Discipline”, Chapter X, (D-10.0000 ff.). Likewise, at any point, the accused may request vindication as provided for in “The Rules of Discipline”, Chapter IX, (D-9.0000 ff.).

SCREENING PROCESS

Part of pre-employment screening shall include specific questions related to discovering previous complaints of sexual misconduct. The Committee on Ministry shall screen all persons seeking ministerial calls. The Personnel and Administration Committee shall be responsible for screening persons applying for presbytery staff positions. Each committee or unit of Presbytery is responsible for screening the volunteers it enlists. It shall be the Committee on Ministry’s responsibility to hold all entities of Presbytery responsible in the implementation of this policy.

The following questions are recommended to each entity:

- (1) Has a civil, criminal, or ecclesiastical complaint ever been filed against you alleging sexual misconduct? If so, indicate the date, nature, and place of these allegations, and the name, address, and phone number of your employer at the time.
- (2) Have you ever resigned or been terminated from a position for reasons relating to allegations of sexual misconduct? If so, indicate the date, nature, and place of these allegations, and the name, address, and phone number of your employer at the time.
- (3) Have you been required to obtain professional treatment, physical or psychological, for reasons related to sexual misconduct by you? If so, would you be willing to sign a release of information to an appropriate entity of Presbytery.

APPENDIX I RESOURCES

Print Resources

Advisory Committee on Social Witness Policy of the General Assembly Council. "Resolution on Allegations of Child Sexual Abuse Against Educators with Study Guide." 2005. Presbyterian Church (USA).

Basham, Beth and Sara Lisherness, editors. *Striking Terror No More: The Church Responds to Domestic Violence, Second Edition*. 2006. Bridge Resources.

Capps, Donald. *The Child's Song: The Religious Abuse of Children*. 1995. Westminster John Knox Press.

Hedges-Goettl, Len, *Sexual Abuse: Pastoral Responses*, Abingdon Press, 2004.

Heggen, Carolyn H. *Sexual Abuse in Christian Homes and Churches*. 2006. Wipf and Stock Publishers.

Holcomb, Justin, S and Lindsey A. Holcomb. *God Made All of Me: A Book to Help Children Protect Their Bodies*. 2015. New Growth Press.

King, Kimberly and Zack King. *I Said No! A Kid-to-kid Guide to Keeping Private Parts*, 4th edition. 2020. Boulden Publishing

Kutz-Mellem, Sharon, Editor. *Different Members, One Body: Welcoming the Diversity of Abilities in God's Family*. 1999. Witherspoon Press.

McClintock, Karen A. *Preventing Sexual Abuse in Congregations: A Resource for Leaders*. 2004. Alban Institute.

Melton, Joy Thornburg and Michelle L. Foster. *Safe Sanctuaries in a Virtual World*. 2014. Discipleship Resources.

_____. *Safe Sanctuaries for Ministers: Reducing the Risk of Abuse in the Church*. 2009. Discipleship Resources.

_____. *Safe Sanctuaries – Older Adults: The Church Responds to Abuse, Neglect, and Exploitation of Older Adults*. 2012. Discipleship Resources.

_____. *Safe Sanctuaries: Reducing the Risks of Abuse in the Church for Children and Youth*. 2008. Discipleship Resources.

Parker, Mary, ed., *Safe Place: Guidelines for Creating an Abuse-Free Environment* Christian Publications, Inc. 2002.

Project Child. *Understanding Child Abuse: An Adult Education Series in Religious Setting*. 2003. The Child Abuse Prevention Coalition of the Lehigh Valley.

Rowett, G. Wade Jr. *Adolescents in Crisis: A Guide for Parents, Teachers, Ministers, and Counselors*, West Minister John Knox Press, 2001

Wright, N.T. *His Name is Joel: Searching for God in a Son's Disability*. 1999. Bridge Resources.

Videos

Abuse at Camp. Church Mutual Insurance.

https://www.churchmutual.com/dsp/dsp_srVideo.cfm?id=47

Bless Our Children: Preventing Sexual Abuse. Center for the Prevention of Sexual and Domestic Violence. faithtrustinstitute.org.

Online Resources

<https://www.presbyterianmission.org/legal-resources/creating-safe-ministries/?fbclid=IwAR16w3GQZrQnQoju5bhqaEpZFDTZtvXVcZvjKijw8ZEQlCONDvmhGUvGR5A> – a variety of resources on around prevention, rebuilding trust, resources, creating policies, definitions, emergency planning.

Insurance Board resources, including

<https://www.insuranceboard.org/online-learning/> - a variety of live and recorded webinars on multiple topics related to child protection policies and issues.

<https://www.insuranceboard.org/safety-central/safeconduct-abuse-prevention/> - resources for developing a policy, screening, training, assessing.

Darkness to Light. <https://www.d2l.org/education/> steps to protect children and training.