

**CHILD ABUSE PREVENTION POLICY AND
PROCEDURE MANUAL FOR EMMANUEL BAPTIST CHURCH
Terrell, TX.**

I. PURPOSE

- A. To establish the procedures for EMMANUEL BAPTIST CHURCH to provide a caring, safe and secure environment for children and youth in all phases of church life.
- B. To protect church staff and volunteer ministers from potential allegations of abuse.
- C. Limit the extent of our church's legal risk and liability due to abuse.

II. BIBLICAL FOUNDATION

EMMANUEL BAPTIST CHURCH seeks to express God's love of children and provide for their personal wholeness. This caring community seeks to prevent child abuse of any form to our children and youth and to minister to victims of abuse and their families. The Bible is foundational to our understanding upon which all policies, procedures, and ministries must stand.

And whoever shall receive one such little child in my name receives me. But whoever shall offend one of these little ones which believe in me, it will be better for him that a millstone be hanged about his neck, and that he be drowned in the depth of the sea. Woe to the world because of offences! For it must be that offences come; but woe to that man by whom the offence comes! Matthew 18:5-7

Keep watch over yourselves and all the flock of which the Holy Spirit has made you overseers.

Acts 20:28

Our goal in response to these Biblical mandates is to maintain a safe, secure, and loving place where children may grow: a place where caregivers, teachers, and leaders (both paid and volunteer) minister appropriately to their needs.

III. CHILD ABUSE PREVENTION POLICY

EMMANUEL BAPTIST CHURCH DESIRES TO BE A SAFE PLACE FOR ALL CHILDREN AND ADULTS WHO ATTEND ANY ACTIVITY. Numerous cases of molestation and abuse in modern-day society give evidence of the increasing problem facing churches today. Seeking to ignore and avoid the issue is not the answer. Our intent is to take an active approach to reduce the risk of such an event occurring at our church.

Churches can inevitably provide an inviting environment for molesters due to the presence of children and youth, and a mindset that encourages people to become involved in ministry. No church is

immune from the potential for abuse. Therefore, we must acknowledge the risk and take prudent steps toward prevention of such cases.

A single incident of child molestation can devastate a family, divide a congregation, and terrorize a town. Outrage, bewilderment, anger and blame, questions about others who may have also been abused--the mission and Kingdom work of the church can become lost when pain and hurting such as this occurs. We must be a part of the thousands of other congregations that are taking positive steps to make their churches a safer place for children and youth.

EMMANUEL BAPTIST CHURCH will not tolerate child abuse or neglect. Your cooperation in this commitment not only reflects your concern about children's safety in this society, but also your willingness to take steps toward halting child abuse and its detrimental effects.

IV. DEFINITIONS

In this manual the following definitions apply:

- A. **Adult**—Any person age 18 or older.
- B. **Child or Youth**—Any person under the age of 18.
- C. **Child Abuse**—Child abuse refers to an act committed by a parent, caregiver or person in a position of trust (even though he/she may not care for the child on a daily basis) which is not accidental and which harms or threatens to harm a child's physical or mental health or welfare. The law typically uses the following definitions and explanations in determining whether abuse of a child has occurred.

Physical Abuse--A physical injury, threat of injury or creation of a real and significant danger of substantial risk of death, disfigurement or impairment of bodily functions. Such injury or threat of injury, regardless of intent, is inflicted or allowed to be inflicted by non-accidental means.

Physical Neglect—The failure to provide food, clothing, shelter, or supervision for a child if the child's health or safety is endangered. Physical neglect may include multiple occurrences or a one-time critical or severe event that results in a threat to health or safety, such as a toddler left alone. Other types of neglect include abandonment, inadequate supervision, inadequate clothing, inadequate shelter, inadequate personal hygiene, inadequate food, and malnutrition.

Sexual Abuse—Abuse that consists of sexual contact or interactions with a child, including physical contact (fondling, sexual intercourse) and nonphysical contact (exhibitionism, child prostitution, pornography, voyeurism).

Medical Neglect—Refusal or failure by caretaker to obtain and/or follow through with a complete regimen of medical; mental; or dental care for a condition, which if untreated, could result in illness or developmental delays.

Failure to Thrive—A syndrome of infancy or early childhood that is characterized by growth failure, signs of severe malnutrition, and variable degrees of developmental retardation. Children are considered to be in this category only when the syndrome is diagnosed by a physician and is caused by non-organic factors.

Mental Abuse/Neglect—A pattern of acts or omissions by the caretaker that result in harms to a child’s psychological or emotional health or development.

Educational Neglect—The child’s caretaker is directly responsible for the failure of the child to attend school or an approved alternative program of study.

Bizarre Discipline—Any action in which the caretaker uses eccentric, irrational, or grossly inappropriate procedures or devices to modify the child’s behavior.

- D. Compensated Worker**—Hourly, salaried, part-time or full-time employee who works with children or youth at any church-sponsored activity.
- E. Volunteer Worker**—Any non-compensated individual who works with children or youth at any church-sponsored activity.
- F. Caregiver**—Any compensated or volunteer worker.
- G. Mandated Reporter**—Any persons with the responsibility for the care of children is a mandated reporter. Texas law states that if a caregiver has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances that would reasonably result in abuse or neglect, that person shall immediately report or cause a report to be made to the Texas Child Protective Services Agency of Kaufman County.
- H. Corporal Punishment**—Any punishment applied to the body but not limited to slapping, spanking, pinching, pulling, or squeezing.

V. UNDERSTANDING CHILD ABUSE

A. The Effects of Child Sexual Abuse

Consequences of child sexual abuse can plague victims into adulthood. Outcome studies of adult survivors of child sexual abuse suggest the following effects: sexual dysfunction, eating disorders, substance abuse, promiscuity, disassociation from emotions, and possible perpetration of sexual abuse on others.

B. The Profile of a Child Molester

C. Some assume that molesters are “strangers wearing trench coats” or “dirty old men.” Such stereotypes are not only inaccurate, but they dangerously contribute to a false sense of security. No one profile fits the various perpetrators of abuse. Focusing on any one profile can result in overlooking a real molester who could well be an active adult or teen in the church. Consider:

- D.** Over 80% of the time, the abuser is someone known to the victim.
- E.** Most abuse takes place within the context of an ongoing relationship.
- F.** The offender is most often between the ages of 20 and 30 years old.
- G.** 20% of sex offenders begin their activity before the age of 18.

H. Child abusers often are married and have children.

I. Symptoms of Molestation

Physical signs may include:

- Lacerations and bruises
- Nightmares
- Irritation, pain or injury to the genital area
- Difficulty with urination
- Discomfort when sitting
- Torn or bloody underclothing
- Venereal disease

Behavioral signs may include:

- Anxiety when approaching church or nursery area
- Nervous or hostile behavior toward adults
- Sexual self-consciousness
- “Acting out” of sexual behavior
- Withdrawal from church activities and friends

Verbal signs may include the following statements:

- “I don’t like [a particular church worker].”
- “[A church worker] does things to me when we’re alone.”
- “I don’t like to be alone with [a church worker].”
- “[A church worker] fooled around with me.”

VI. THE CHURCH’S LEGAL VULNERABILITY

A. Why Churches are Susceptible

Churches have unique features that can make them susceptible to incidents of child molestation. Trust among members, lack of screening of those working and serving with young people, opportunity for unsupervised close personal contact with children, access to children and youth, and the need many churches have to get adequate help for children’s and youth programs can all contribute to this vulnerability.

B. The Legal Environment

The number of lawsuits brought against churches as a result of child abuse has risen substantially over the last decade. No one knows the full extent of this growing trend since many out-of-court settlements occur. Churches engaged in litigation can suffer devastating financial and spiritual consequences. Most lawsuits allege that the church was legally accountable either on the basis of negligent hiring or negligent supervision. While churches are not responsible for every injury or event that occurs on their premises or in the course of their activities, they generally are responsible only for those injuries that result from their negligence.

VII. BACKGROUND CHECK POLICY

Our desire and intent is that everyone who serves with children or youth on a regular basis will complete the background check process. Realizing that the nature of the church environment may necessitate enlistment of persons to support ministry needs with limited advance notice, we must also ensure that our abuse prevention program can accommodate this need while also maximizing protection to children and youth. With this in mind, we will utilize the following policies:

- A. Persons in all paid staff positions (ministerial, secretarial, etc.) will complete a background check as part of the selection and hiring process. The application for employment for paid workers will contain a release for checking background, including but not limited to a criminal background check.
- B. Background checks will be required for *all* church members who serve with children/youth on a regular basis, *regular being* defined as once a quarter or more. *These background checks will be performed annually at the beginning of the church year, i. e., September 1st, or whenever their service begins; then annually at the beginning of the church year.*
- C. Background checks will also be required for non-church members, as well as persons who have been members for less than 6 months, who will serve with children/youth on any basis. (This is intended to accommodate service needs in ministry-intensive programs, such as Vacation Bible School, Awana or Youth events.)
- D. Church members are *current and active* members for more than 6-months, and who serve with children/youth on less than a regular basis (less than once a quarter) do not have to complete a background check, provided they are not permitted to be in situations that would have them alone or isolated with children/youth. *This includes youth helpers (aged 14-18 years old) who serve as helpers working alongside and under the direct supervision of documented adult workers.* (This is intended to accommodate enlistment of additional ministry workers on short notice to help meet unanticipated needs.)
- E. Everyone serving in any ministry who might have opportunity to be in a small-group setting with children/youth, or be alone or isolated with children/youth, must complete a background check prior to serving in such a role, with the above noted exceptions.
- F. The EMMANUEL BAPTIST CHURCH Confidential Background Check Form (Appendix B) containing the authorization for a criminal records and background check must be completed by applicants for positions as noted above. Background checks will not be performed without completion of this authorization; however, persons will not be permitted to work/serve in positions involving children/youth without completion of the form authorizing the check, and completion of the actual check itself. (See item D. above for the lone possible exception to this.)
- The content of the background check will be maintained as confidential, known only to the senior level pastoral staff who will be involved in the decision of whether or not to involve the individual as a ministry worker with children/youth.
 - Any conviction for a sexual offense involving a minor will disqualify an applicant, as will convictions of incest, rape, assaults involving minors, murder, kidnapping, pornography, sodomy, or the physical abuse of a minor. Other criminal convictions will warrant a case-by-case review to investigate and understand the nature, circumstances, and occurrence in time.
- G. For cases where the applicant was charged with child abuse, molestation, or other serious crime—but was not convicted—further investigation will be warranted, such as seeking discussion and further information with the legal officials where the charges were brought.

VIII. MINISTRY WORKER AND VOLUNTEER TRAINING

- A. *All staff with supervisory responsibilities involving children and/or youth; workers, and volunteers involved in these ministries are to complete initial in-house training regarding abuse and reporting procedures, and a concise review of the Child Abuse Prevention Policy and Procedure Manual of Emmanuel Baptist Church in effect at the time. Those going through the training should have opportunities to voice their concerns and ask questions.*

Following the initial in-house training, certification of competency, and approved background check; renewal of certification requirements can be obtained by completing an online review of course materials, a in house exam prepared and evaluated by at least two members of the existing Child Protection Policy Committee of Emmanuel Baptist Church. This renewal will be available on the two-year anniversary of the ministry worker's most recent in-house training class. A passing grade of 85% is required: failure to achieve a passing grade of 85% will require re exam.

The church does not want to create an atmosphere of fear or suspicion, but proper training can help workers/volunteers see how reporting and personal reminders can be done honestly and discreetly without generating undue suspicion or anxiety and in accordance with existing Emmanuel Baptist Church policy.

B. TRAINING PROCESS

In order to be effective, our training process must be intentional, systematic, and sustained. Intentional instruction will seek to provide a clear sense of what we are trying to achieve. Systematic instruction will seek to target the entire congregation. Sustained instruction will seek to ensure that education is ongoing, as workers and leaders change often in church life. Training will occur at several levels:

- 1.) Leadership**—Ministry leadership will complete the most extensive training to help ensure understanding of the seriousness, potential liabilities, and importance of consistent control measures to safeguard children and youth. *For the purposes of this training those included are: a.) Staff personnel with supervisory responsibilities involving children and/or youth; b.) Deacons, as the leadership body of our church who are to lead by example as Jesus did; c.) Committee Chairs of the following standing committees and officers: Sunday School Director, Nursery; Children's Church; V. B. S.; Youth; Pre-Teen and Youth Camp Personnel; Awana Clubs; and Children's Choir. It will then be the responsibility of each Committee Chairperson to assure all members and workers are trained in the policy specifics relating to their particular ministry or activity.*
- 2.) Church Workers**—Regular and ministry-specific training for those involved with children and youth will be provided *by the ministry supervisor or committee chairperson as required in order to maintain focus and awareness on the importance of protecting children and youth within their specific area of ministry.* Worker training (for paid staff as well as volunteers) will include the following:

The definition of child abuse.
Sexual and physical abuse symptoms.
What constitutes inappropriate conduct.
Church policies that govern working with children and youth.
The criminal and civil consequences of misconduct.
Reporting procedures for observed or suspected misconduct.
The rationale behind screening procedures.

- 3.) The Congregation—Educational methods will include steps to help make congregational members aware of the problem of abuse in our society, and why our church has developed an abuse prevention plan.

IX. SUPERVISING CHURCH MINISTRY WORKERS

To help ensure adequate supervision of paid workers, staff and volunteer ministers with regard to protection of children and youth, our church will adhere to the following policy and procedure guidelines.

- A. Each group, class, or activity containing children or youth is to have at least two workers (if at all possible) who have completed the background and screening process. If not possible to have at least two workers in the room, an open door is needed. Youth volunteer workers, *defined as youth aged 14 to 18 years of age*, must serve with an adult who has completed the background check process *and training guidelines outlines outlined in Section VIII above*.
- B. Church staff, workers, and volunteer ministers are **not** to go out alone with a child/youth, or spend time with the child/youth in an unsupervised situation.
- C. Children and youth should have written parental permission for involvement in church sponsored programs or activities that will occur off premises.
- D. Any inappropriate conduct or relationships related to these guidelines between an overseer of children/youth and a member of the youth group or a child is to be confronted immediately and investigated. Prompt warnings are to be issued when appropriate, and the situation monitored very closely. The overseer's services are to be terminated immediately for continued violation of such warnings, or for a single violation of sufficient gravity. (Note: Any criminal violations are to be reported immediately. See Section XI, Reporting Procedures.)
- E. Potential criminal sanctions are to be discussed with youth and children's workers/volunteer ministers during training. Such persons must understand that the law views such misconduct very seriously and that inappropriate conduct with minors can lead to felony convictions and imprisonment, as well as substantial damage awards from civil suits.
- F. Doors on all classrooms and offices are to have windows provided to allow viewing of activity in the room from outside the room. Church staff should make random rounds of rooms to observe activities.
- G. Programs that involve children and youth should always include adequate supervisory personnel. Supervision should also be maintained before and after the event until all children are in the custody of their parents or legal guardians.
- H. Special attention must be given to overnight activities that involve children and youth. Therefore, all chaperons, sponsors, and/or overseers are to be cleared in advance with the proper church leaders, to include the Background Check in Section VII.
- I. Procedures are to be used that clearly identify children and their parent(s) or guardian(s). Children should only be released to a properly identified and preauthorized adult, not a youth-aged sibling.

X. CHURCH SPECIFICS

A. SIX MONTH RULE

Volunteer workers must have been members or regular attendees of EMMANUEL BAPTIST CHURCH and its ministries for at least six months prior to the time they begin serving with children and/or youth in church-sponsored activities. (Please note: Most ministry-related positions of service require church membership, only a few do not.) There is an exception to the six-month guideline. If a volunteer worker:

Has served in ministry with children or youth for at least six months in the church he or she attended prior to coming to EMMANUEL BAPTIST CHURCH; and

Can provide a reference from the staff person with whom they worked at that church, they may be considered for service prior to the six-months of regular attendance at EMMANUEL BAPTIST CHURCH.

In the case of AWANA Club Programs at EMMANUEL BAPTIST CHURCH, or joint events and activities in combination with other churches' volunteers, if the volunteer is a member in good standing in another local Bible-believing church and has a recommendation from the pastor or minister over that church.

B. TWO-ADULT RULE

Whenever possible, teachers *and leaders* will be assigned in teams of two or more per room for Church Nursery, *Children's and Youth* Sunday School Classes, *Children's Church*, *Children's Choir*, *Awana Classes*, and youth meetings. Concerted effort will be made to recruit sufficient members of volunteer teachers *and workers* to permit such team teaching. When this is not possible, the door to the room must be left ajar. Other church-sponsored groups of children or youth, whether they meet at the church or elsewhere, must have two or more adult sponsors present. When a church-sponsored children's or youth group has both male and female participants, both male and female adult sponsors must also be present.

C. CLASSROOM DISCIPLINE

All teachers and workers will use the following discipline measures. If a child is behaving inappropriately, the teacher or worker will tell the child specifically what he/she is doing that is not acceptable and state what the expected behavior is. If this is not effective, the child should be guided to another activity. If inappropriate behavior continues, the child should be separated from the other students. If disruptive behavior continues, the child may be taken to the *activity or ministry director* and left under the supervision of the *director in charge* until a parent or guardian can be summoned. No corporal discipline, verbal abuse or ridicule are to be used at any time.

D. OPEN CLASSROOMS

Classrooms or childcare rooms may be visited without prior notice by church staff, parents, or other volunteer church workers. *Responsible supervisory workers* may conduct brief observations of childcare and classrooms of children or youth during Sunday School and other meeting hours.

E. DRIVING POLICIES

The designated leader of the event must know each person designated to provide automobile or van transportation to or from church or church-related activities. The driver must:

1. Be at least 18 years old.

2. Have a valid Texas driver's license, qualified for the vehicle being operated.
3. Have no record of convictions for the past five years for drunken driving, driving under the influence, driving with a suspended or revoked license or reckless endangerment.
4. Have proof of insurance.
5. Never be alone in a vehicle with a child not his own.
6. Be accompanied by at least one other adult in the vehicle.

F. GIFTS

No staff, either paid or volunteer, are to give personal gifts to individual children or young people without the prior knowledge of the parent(s) or responsible leadership. Because gift giving can be a form of buying loyalty or silence, gift giving should be done on a group basis, or for special occasions only. Gifts may not be elaborate but should be modest and appropriate to the occasion.

G. OVERNIGHT TRIPS

Situations where staff members *or leaders* are taking children or young people out of the area for long periods of time or for overnight outings are to be carefully planned. Only known, proven staff *or volunteer leaders* will be permitted to sponsor/chaperone the trips. New staff or volunteers may be used as additional sponsors, but shall not be left alone with the children or young people in a situation where there is no other *certified adult* to observe. In no circumstance will one adult be allowed to take children or youth on an overnight outing.

H. OBSERVATION WINDOWS IN ALL CLASSROOM DOORS

Unobstructed windows are to be installed in all classroom or meeting room doors to allow visibility from the hallway into each room.

It is recognized that certain counseling and ministerial situations may preclude the presence of two adults and that the general guidelines for supervision of workers should not restrict situations where individual counsel and guidance is necessary. However, such counseling should only take place in a room where interior windows allow a clear view of the activities in the room.

XI. REPORTING PROCEDURES FOR CHURCH MINISTRY WORKERS

Following a reporting procedure is a critical component in an abuse prevention program. Child sexual abuse thrives when it goes unnoticed or unreported. Often, an abusive situation continues because of someone's failure to report it. All church workers need to know what constitutes an occasion for reporting, the reporting channels they should use, and their obligations to make the report.

A. Reporting Obligations

- 1) A person who has cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any persons must "immediately" report this to authorities. "Immediately" is generally accepted as being within 48 hours. Reasonable suspicion means that there is credible evidence or an inconsistent history in explaining a child or youth's suspected abuse. *A report based on reasonable suspicion does not require proof that abuse or neglect has actually occurred or that the reporter witnessed the incident in question. Reporting is not a determination that the child abuse or neglect has actually occurred; rather, it is a request for an assessment of the condition of a child or youth.*

- 2) The law makes **no exceptions** for who is required to report, including an individual whose personal communication may otherwise be privileged, such as clergy.
- 3) The identity of a person making a report to law enforcement authorities is confidential and may only be disclosed to a law enforcement officer for the purposes of conducting a criminal investigation of the report or by the Judge under certain circumstances.

- 4) Under Texas law, the person making the report is to identify, if known, the name and address of the child; the name and address of the person responsible for the care, custody and welfare of the child; and any other pertinent information concerning the alleged or suspected abuse or neglect.
- 5) Texas law also requires that the report be made to any local or state law enforcement agency or the agency designated by the court to be responsible for the protection of children. (For Kaufman County, this is the Texas Child Protective Services (CPS) office in Kaufman. Their direct telephone number is (972)932-2114. There is also a toll-free number for reporting purposes: 1-800-252-5400.

B. CHURCH REPORTING PROCEDURE

- Violations of the church policies and procedures discussed in this program are to be reported to the Senior Pastor within 48 hours. Reporting within this timeframe is also required to a legal authority as noted in item IX. A. 4) above. Possible indicators and symptoms of child sexual abuse displayed by a child must also be reported, as these may be warning signs of possible problems. If the allegation involves the Senior Pastor, then reporting should be to the Chairman of the Deacon Body, as well as the required legal authorities.

XII. RESPONDING TO ALLEGATIONS OF ABUSE

A. Preparation of a Response Plan

Realistically, no practical prevention strategy is 100 percent effective. To help avoid improper reactions, the following guidelines provide a plan for responding to sexual abuse allegations:

- 1) All allegations need to be taken seriously.
- 2) Situations must be handled forthrightly with due respect for people's privacy and confidentiality.
- 3) Immediate contact is to be established by church leadership with the insurance carrier and church legal counsel.
- 4) Full cooperation is to be given to civil authorities under the guidance of our attorney.
- 5) Adequate care is to be shown for the well-being of victims.
- 6) The victim is not to be held responsible in any way.

B. Response Plan

- 1) Adequate records of applications, references, screening forms, and similar type items are to be up-to-date and accessible.
- 2) The Senior Pastor will be the specific spokesman for the church. The pastor must be able to talk with the media and congregation regarding the matter in a discrete, informed, and diplomatic way.
- 3) A written position statement is to be prepared to help define and review thoughts and pertinent facts that are appropriate and need to be shared. This statement is to be used as the basis for public discussion of the issue. The prepared statement should make reference to our policies and procedures established to help safeguard children and youth. While this is a time for careful consideration in what is to be said, it is not a time for silence or “no comment” statements.
- 4) When confronted with allegations of abuse, don’t engage in denial, minimization, or blame. Stick with the facts, and the pre-prepared statements.
- 5) Always have our attorney present while answering any investigative questions from the police or social service agencies.
- 6) Don’t be accusatory. Avoid spelling out the details of an accusation in a public interview.
- 7) Work closely with the insurance carrier.

C. If an Allegation Occurs

- 1) Document all efforts involving handling of the situation.
- 2) Report the incident immediately to the insurance carrier and attorney. Do not try to handle the situation without professional outside assistance.
- 3) Contact the proper legal authorities following the guidance of the insurance carrier and attorney. Do not attempt an in-depth investigation. This should be left to professionals who are familiar with the case.
- 4) Notify the parents.
- 5) Do not confront the accused until the safety of the child or youth member is secured.
- 6) Do not prejudge the situation, but take the allegations seriously and reach out to the victim and the victim’s family. The care and safety of the victim is the first priority.
- 7) Treat the accused with dignity and support. If the accused is a church worker, that person should be temporarily relieved of his/her duties until the investigation is completed. If the person is a paid employee, a decision and arrangements will be made to either maintain or suspend their pay until the allegations have been cleared or are substantiated.
- 8) Use the text of the prepared public statement to answer the press and to convey news to the congregation. Be careful to safeguard the privacy and confidentiality of all involved.

**This Policy Submitted by Child Protection Policy Committee to Emmanuel Baptist Church
3/12/17**

Glenda Womack
Louis Cernoch, Jr., Chair
Billy Craven
Lonnie Moss
Perry Harwell
David Mahaffey
Rev. Billy Martin
Ricky Lee

This policy supersedes all previous “CHILD ABUSE PREVENTION POLICIES” .

APPENDIX A

DEFINITION OF “ABUSE” UNDER TEXAS FAMILY CODE 261.001(1)

Texas Family Code 261.001(1) states that “Abuse” includes the following acts or omissions by a person:

- (A) Mental or emotional injury to a child that results in an observable and material impairment in the child’s growth, development or psychological functioning;
- (B) Causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment of the child’s growth, development, or psychological functioning;
- (C) Physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline by a parent, guardian or managing or possessory conservator that does not expose the child to a substantial harm of risk;
- (D) Failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child;
- (E) Sexual conduct harmful to a child’s mental, emotional, or physical welfare, including conduct that constitutes the criminal offense of indecency with a child, sexual assault, or aggravated sexual assault, (each defined by the Texas Penal Code);
- (F) Failure to make reasonable effort to prevent sexual conduct harmful to a child;
- (G) Compelling or encouraging the child to engage in sexual conduct as defined by the Texas Penal Code 43.01;
- (H) Causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depiction of the child if the person knew or should have known that the resulting photograph, film, or depiction of the child is obscene as defined by Texas Penal Code 43.21, or pornographic;

- (I) The current use by a person or a controlled substance as defined by Chapter 481 of the Texas Health and Safety Code, in a manner or to an extent that the use results in physical, mental, or emotional injury to a child;
- (J) Causing, expressly permitting, or encouraging a child to use a controlled substance as defined by Chapter 481, Texas Health and Safety Code; or
- (K) Causing, permitting, encouraging, engaging in, or allowing a sexual performance by a child as defined by Texas Penal Code 43.25.

APPENDIX B

CONFIDENTIAL BACKGROUND CHECK FORM

This form is to be completed by all persons serving in children’s or youth ministry/program areas as defined in the Child Abuse Prevention Policy and Procedure Manual of Emmanuel Baptist Church. An updated form will be required annually in order to comply with our policy of conducting yearly background checks for those serving in children and youth areas. Identity-sensitive information and results from criminal and other background checks will remain confidential and known only to senior pastoral/staff leadership as they administer this program in order to help protect our children and youth.

PERSONAL DATA

Date _____

Name _____

First	Middle and/or Maiden	Last
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Full Date of Birth _____

Present Address: _____

City: _____ State: _____ Zip: _____

Home Phone: _____ Work or Cell Phone: _____

Have you ever been charged with, indicted for, convicted of, or pleaded guilty to a crime or an action prohibited by the Texas Family Code, or a similar code in any state?

_____ No _____ Yes (If Yes, please explain; attach separate page if necessary) _____

Have you ever been known by any other name(s)? (Including maiden name?): _____ No _____ Yes (If Yes, please list all other names) _____

CHURCH HISTORY AND PRIOR MINISTRY SERVICE WITH MINORS

Name of church of which you are a member: _____

Location/Address of church: _____

List (name and address) of other churches you have attended regularly during the past five years:

List all previous church work and non-church work involving babies, preschool, children, and/or youth (list name and address of each church, business, or organization, type of work performed and dates)

APPLICANT'S STATEMENT & WAIVER

The information contained in this application is correct to the best of my knowledge. I understand that Emmanuel Baptist Church desires to protect its members and therefore I give my permission for Church leadership to conduct criminal and sex offender background checks on me. I also authorize the Church to obtain additional information as may be warranted by references, employers, churches, or other organizations listed herein. I also authorize any references, churches, businesses, or other organizations listed in this application to give you any information, including opinions, that they may have regarding my character and fitness for working with babies, children, and/or youth.

In consideration of the receipt and evaluation of this form by the Church, I hereby release any individual, church, youth or children's organization, charity, employer, reference, or any other person or organization, including record custodians, both collectively and individually, from any and all liability for damages of whatever kind or nature which may at any time result to me, my heirs, or family, on account of compliance or any attempts to comply, with this authorization, excepting only the communication of knowingly false information. I waive any right that I may have to inspect any information provided about me by any person or organization identified by me in this application unless otherwise noted below.

I agree to be bound by the Bylaws and policies of Emmanuel Baptist Church, and to refrain from unscriptural conduct in the performance of my services on behalf of the church.

I further state that **I HAVE CAREFULLY READ THE FOREGOING RELEASE AND KNOW THE CONTENTS THEREOF AND I SIGN THIS RELEASE AS MY OWN FREE ACT.** This is a legally binding agreement which I have read and understand.

Applicant's Signature: _____ Date: _____

Printed Name Signed Above: _____

Witness: _____ Date: _____