



ENTRUSTED TO OUR CARE: ADULTS WITH SPECIAL NEEDS, CHILDREN, AND
YOUTH ABUSE PREVENTION POLICY of the
WEST MICHIGAN CONFERENCE of the UNITED METHODIST CHURCH

PREAMBLE

Through baptism we renounce the spiritual forces of wickedness and reject the evil powers of this world. We will surround all God's children with a community of love and forgiveness that they may grow in their trust of God. The faith community lays the foundation for them to grow to be true disciples who walk in the way that leads to life. The occurrence of abuse or neglect within the household of God breaks this covenant. Sadly, abuse remains a reality in today's society both outside and within the church. The West Michigan Conference accepts its biblical and moral responsibility to address this issue. Therefore, this policy is intended to provide for the safety and health of adults with special needs, children and youth during conference-related functions, events or activities. Abuse and neglect cannot be tolerated or allowed to continue. Our adults with special needs, children and youth must be protected. Too often a victim continues to be abused and/or a perpetrator continues the offensive behavior because it goes unreported. The perpetrator is unlikely to report his/her conduct, and adults with special needs, children or youth often do not report it because of fear or a variety of other reasons. Therefore, it is everyone's moral obligation to report all known and suspected cases of abuse or neglect. The reporting of abuse or neglect must be handled delicately and appropriately while protecting the rights of confidentiality and privacy of all the involved parties.

This document hereafter shall be referred to as the Abuse Prevention Policy or, simply, this Policy.

The goals of this Policy include:

1. Protecting our adults with special needs, children and youth from abuse and neglect.
2. Protecting our care providers from false accusations of abuse; and
3. Protecting the vitality of our ministries.

To reach these goals, the Conference has adopted and implemented this Policy. This Policy is intended to supplement and not replace the continuing need of our Conference to minister to the spiritual and emotional needs of both victims and perpetrators of abuse.

All camp ministry functions, events and activities shall be in compliance with this Policy and the State of Michigan Department of Human Services Camp Licensing Rules and Regulations for Children and Adult Foster Care Camps.

[The definitions of terms used in this Policy may be found at the end of this document.]

Section I: Care Provider SELECTION

A. MINIMUM REQUIREMENTS

1. All persons working directly with adults with special needs, children and/or youth shall before the function, event or activity,
 - a. Be 16 years of age
 - b. complete a Care Provider Application
 - c. Provide written references
 - d. Submit written permission and pertinent information for a criminal record check to be pursued with local, county, state and/or federal law enforcement agencies. All applications and related documents shall be held confidential and kept by the event director. Persons will be allowed to work at a given event only with a clear background/crime report, and with the approval of the event director and/or the sponsoring agency's chairperson. A clear report does not guarantee the privilege to work at a function, event or activity.
2. All potential care providers will complete the Care Provider Application prior to the function, event or activity. Training will be provided by the Abuse Prevention Team or its designee. [See Section II: Care Provider Training and Education.]

B. POLICY STATEMENT

The West Michigan Conference of the United Methodist Church is responsible for doing all it can to make every conference-related function, event or activity a nurturing environment and safe from potential harm. The West Michigan Conference embraces its calling to provide functions, activities and events which are spiritually and developmentally appropriate and free from abuse. Careful screening is one step to prevent abuse. Screening calls for a careful review of all information (through interviews, written information, personal contacts, and reference checks) in search of persons who can provide a safe and nurturing environment with adequate supervision. All applicants shall satisfactorily complete the screening process required in this Policy before being permitted to work with or provide any services involving any adults with special needs, children or youth. Anyone who does not satisfactorily complete the required screening process shall NOT be permitted to work with or provide any services involving any adults with special needs, children or youth.

C. SCREENING DOCUMENTS

1. Application: The applicant must complete and sign an Application for Care Provider Certification using a form approved by the Abuse Prevention Team. The application shall include an affidavit.
2. Reference Check: The event director or designee shall confirm references regarding the suitability of the applicant to work with adults with special needs, children and youth.
3. Background Check: No less than one background check shall be pursued for each applicant. The background checks may come from one of the agencies listed below. The processing of the application, references and criminal background checks shall be the responsibility of the event director. The applicant shall not be held responsible for the financial cost of such checks. A criminal record check of the applicant shall be obtained from the appropriate law enforcement agencies located in any state in which the applicant has resided for a period of at least one year within the last 15 years while being at least 18 years of age. These law enforcement agencies may include and are

not limited to the Michigan State Police, Michigan State Bureau of Investigation, Michigan Division of Motor Vehicles, the State of Michigan Department of Human Services, and/or the Federal Bureau of Investigation.

4. Six-Month Rule: The applicant shall be a member of and/or participant in a ministry setting for a period of at least six months prior to application.
5. Personal Interview: The applicant must be personally interviewed by the event director or designee.
6. Approval: The applicant must satisfactorily complete the screening process.
7. Consent by Parent or Guardian: When provided for in this Policy the care provider shall have the written consent of the parent or guardian for each adult with special needs, child or youth for whom he/she will be providing care services. This consent shall be on a form approved by the Abuse Prevention Team.
8. Other: The applicant shall submit to any other legal screening requested by the event director or designee.

D. QUALIFICATIONS

1. No one shall be permitted to serve as a care provider who, in the belief of the leader, sponsoring agency or the event director or designee, may represent a potential threat of committing abuse or violating any of this Policy.
2. No one shall serve as a care provider if she/he is known to have been previously convicted of, or pled guilty or no contest to, any crime arising out of any act or conduct involving sexual abuse, or any act or conduct which is of a sexual, molesting, seductive, or criminally deviant nature, whether or not such conduct involved a child. This includes, but is not limited to, crimes involving pedophilic behavior (molestation of a pre-adolescent child), incest, rape, assaults involving adults with special needs, children or youth, murder, kidnapping, pornography, and the physical abuse of an adult with special needs, child or youth. This qualifying rule shall be applicable no matter how long ago the crime occurred.
3. No one shall serve as a care provider who has had a verdict rendered against him or her in any civil action arising out of any personal act or conduct related to sexual abuse of an adult with special needs, child or youth. This qualifying rule shall apply no matter how long ago the civil verdict was rendered.
4. No one shall serve as a care provider who has acknowledged or admitted that she/he has participated as a perpetrator in any previous act of sexual abuse of an adult with special needs, child or youth. This qualifying rule shall apply no matter how long ago or whether a civil or criminal verdict was rendered.

E. SCREENING PROCEDURES

1. The event director or designee shall be responsible for receiving, reviewing, confirming and processing all applications and related documents.
2. The event director or designee shall document the results of all interviews and reference checks of applicants.
3. After all the screening documents and information have been obtained, the event director or designee shall make a determination as to whether the applicant is qualified to serve as a care provider. This determination shall be able to appeal to the sponsoring agency who shall give written notification to the applicant of its decision in a timely manner.

4. All documents and records obtained from applicants not approved to serve as a care provider shall be returned to the applicant. All related documents not received directly from that applicant shall be destroyed.
5. The event director shall submit to the Abuse Prevention Team the names Of applicants who did not satisfactorily complete the screening process. The list shall include the dates of the screening process, the name of the group sponsoring the related function, event or activity, and the name of the person who conducted the screening. Upon request, the Abuse Prevention Team will confirm if the name of a particular potential care giver appears on this list. This list shall not be distributed.
6. As the status of a care provider changes, she/he must satisfactorily complete any additional screening requirements that may be appropriate as provided about under "Screening Requirements".
7. Any care provider who fails to meet any of the qualifications of this Policy may at any time have her or his certification revoked by the Abuse Prevention Team.
8. An applicant may request that his or her screening be handled exclusively and confidentially by the West Michigan Conference connectional staff person assigned to the ministries of the sponsoring agency. In such cases, all the duties and responsibilities in the screening process assigned to the event director or designee may be performed by the staff person. The staff person shall give written notification to the event director or designee of the applicant's final status in the screening process.

F. CONFIDENTIALITY

1. Except as otherwise provided herein, all documents and information obtained on all care providers shall remain confidential.
2. No Consent by Parent or Guardian, or any file containing such Consents shall be confidential. All such Consents and files shall be a public record, accessible to anyone in the Conference.
3. Notwithstanding the above, all documents and information obtained during the screening process may be disclosed when it is reasonably necessary in the context of any criminal or civil litigation involving the care provider or the Conference. In addition, a care provider's records, documents, files, and information may be disclosed with the written consent, or at the written direction or request of that care provider.

Section II: Care Provider TRAINING AND EDUCATION

- A. The Abuse Prevention Team shall be responsible for training care providers for certification.
- B. The Abuse Prevention Team shall be responsible for training those responsible for implementing this Policy.
- C. Care providers shall complete Abuse Prevention training and education for Certification.
- D. The Abuse Prevention training and education for Certification shall be designed to create and raise awareness of and sensitivity to the issues of abuse. The Abuse Prevention Certification shall include knowledge, understanding, familiarity, and agreement to implement the Abuse Prevention Policy of the Conference. This training and education shall include how to

avoid incidents and the appearance of abuse as portions of the strategy to prevent false accusations.

- E. The Abuse Prevention Certification training and education shall be provided regularly. Abuse Prevention Certification shall be valid for three years.
- F. The Abuse Prevention Team shall be responsible for maintaining a current list of all certified care providers. This list may reflect any restrictions or limitations on the services to be provided by each care provider, i.e., only for senior high youth, junior high youth, or nursery. This list shall be a public record and accessible to anyone in the Conference.

Section III: Care Provider SUPERVISION

A. GENERAL STATEMENT

Proper supervision of certified care providers is necessary to avoid creating the opportunity for both actual abuse and false accusations of abuse to occur. Proper supervision includes providing care providers with Abuse Prevention Certification. Supervision during the care providers' performance of their responsibilities shall give special attention to high-risk settings such as nurseries, restrooms, and overnights.

B. GENERAL RULES AND PROCEDURES

1. Adequate Staffing
 - a. All Conference-related functions, activities, and events involving adults with special needs, children and youth shall be staffed to meet the standards of this Policy. The portion of the function, activity, or event which involves care providers as defined in this Policy shall be canceled when staffing required by this Policy is not provided.
 - b. Providing staffing shall be the responsibility of the event director of the Conference-related function, activity, or event.
 - c. Certified care providers shall supervise participants as outlined in this Policy.
 - d. Certified care providers shall assist and support each other in implementing this Policy. This includes reminders to avoid conduct that may give the appearance of inappropriate behavior.
2. Two Certified Care Providers Rule
 - a. At least two (2) certified care providers, one of which must be an adult, shall be present at each Conference-related function, activity, or event involving adults with special needs, children or youth.
 - b. The two certified care providers rule in the preceding paragraph maybe waived in the following situations:
 - 1) The certified care provider is an adult and there are at least three (3) children over 12 years of age present;
 - 2) Cabin or tent sleeping during a function, event or activity in which there is only one adult care provider and there are at least three (3) adults with special needs, children or youth present;
 - 3) One (1) certified care provider remains while the other certified care provider temporarily leaves the area or room for a medical, family, or other reasonable

necessity, i.e., escorting an adult with special needs, child or youth to the restroom;

- 4) One (1) adult certified care provider remains when the other certified care provider has to leave for an unexpected medical, family, or other reasonable necessity;
 - 5) A certified care provider is taking an adult with special needs, child or youth to or from a Conference-related function, activity, or event;
 - 6) A certified care provider temporarily remains with an adult with special needs, child, or youth while waiting for others to arrive at, or while the adult with special needs, child, or youth is waiting to leave, a Conference-related function, activity, or event; or
 - 7) One (1) adult certified care provider is acceptable when a parent or guardian for each of participating adult with special needs, child or youth signs a Consent of Parent or Guardian, using a form approved by the Abuse Prevention Team.
3. An identification procedure shall be used so that each adult with special needs, child or youth is released only to a properly identified and pre-authorized person.

C. ADDITIONAL NURSERY PROCEDURES

No one other than those receiving care in the nursery, their parents or guardians, approved certified care providers, and the adults with special needs, children, or youth of the servicing certified care providers shall remain in the nursery.

D. ADDITIONAL OVERNIGHT PROCEDURES

1. Only in exceptional circumstances with Abuse Prevention Team advance approval and a signed "Affidavit of Non-Certified Care Provider" in advance of the conference-related function, activity or event may an adult without West Michigan Conference care provider certification be present on any overnight with adults with special needs, children or youth.
2. No males shall sleep in the same sleeping areas as an unrelated female adult with special needs, child or youth.
3. No females shall sleep in the same sleeping area as an unrelated male adult with special needs, child or youth.

Section IV: POLICY FOR REPORTING SUSPECTED ABUSE OR NEGLECT INVOLVING ADULTS WITH SPECIAL NEEDS OR CHILDREN OR YOUTH

A. PERSONS REQUIRED TO REPORT

1. All care providers and Conference employees who have reasonable cause to suspect abuse or neglect of an adult with special needs, child or youth shall report all known and suspected cases of abuse or neglect which (1) occur on the Conference premises, (2) occur at a Conference-related function, activity or event, or (3) are disclosed during a Conference-related function, activity or event. All other persons may report known and suspected cases of abuse or neglect in accordance with this Policy and the laws of the State of Michigan.

2. If any adult with special needs, child or youth arrives at a Conference-related event with signs of abuse or neglect, the event director shall immediately implement this Policy's reporting procedures.
3. The reporting requirements in this Policy are the minimum requirements. This Policy does not preclude anyone from reporting a known or suspected case of abuse or neglect to others for the protection of an adult with special, child or youth. Unless such protection requires otherwise, however, confidentiality of the information reported or received shall be respected to protect the rights and interest of the victim, the alleged perpetrator and their families.
4. Under Michigan law anyone reporting in good faith a known or suspected case of abuse or neglect to the Children's Protective Services or the Adult Protective Services is immune from civil or criminal liability which might otherwise be incurred thereby.

B. REPORTING PROCEDURES

1. The care provider shall immediately report the known or suspected abuse or neglect to the event director.
2. If suspected or alleged perpetrator is on premises he or she is to be isolated from the program and have no contact with adults with special needs, children or youth.
3. Within 24 hours, the event director shall telephone an oral report to the Children's Protective Services or Adult Protective Services in the county of the function, activity or event. This oral report shall be made in conjunction with the person having made the observations or received the disclosure. The following information will probably be required in the oral report.
 - a. Name, age and gender of the alleged victim and other family members.
 - b. Address, phone number and/or directions to the alleged victim's home.
 - c. Parents' place(s) of employment.
 - d. Description of the suspected abuse.
 - e. Current condition of the alleged victim.
4. Within 72 hours, the event director, with the person initiating the report, shall submit a completed State of Michigan "Report of Known or Suspected Child Abuse or Neglect" to Children's Protective Services or its equivalent to Adult Protective Services in accordance with the directions given at the time of the oral report.
5. The event director and the entire staff of the Conference-related function, event, activity or program shall cooperate with Children's Protective Services or Adult Protective Services in its subsequent investigations.
6. Following contact with local Children's Protective Services or Adult Protective Services the event director shall inform:
 - a. The chairperson of the group sponsoring the Conference-related function, activity or event.
 - b. The Conference staff person assigned to the ministries of the sponsoring group. The staff person shall inform the Conference Director, the Bishop and the District Superintendent of the sponsoring District.
 - c. The facility director, manager or host church clergy person.
7. Notification of a parent or legal guardian of the alleged victim of abuse or neglect which occurred prior to the Conference-related function, activity or event shall be determined by Children's Protective Services or Adult Protective Services. When it is determined

that a parent or legal guardian shall be notified, the event director shall call the parent or legal guardian informing her/him of what has been observed, and what steps have been taken in response to those observations. Unless otherwise instructed by Children's Protective Services or Adult Protective Services, the event director shall follow the parent's or legal guardian's wishes regarding the continued participation of the involved adult with special needs, child or youth.

8. As much as possible, the event director and all others shall keep matters of the known or suspected abuse or neglect completely confidential. The incident is not to be discussed with persons other than those involved in the reporting.

C. REPORTING WHEN THE ALLEGED PERPETRATOR IS THE CARE PROVIDER OR CONFERENCE EMPLOYEE

When the event director becomes aware of or receives a report of alleged abuse or neglect by a care provider or Conference employee, or the care provider is the known or suspected perpetrator, the event director or the person who received the disclosure or the one witnessing the abuse or neglect shall report the abuse or neglect:

1. If suspected or alleged perpetrator is on premises he or she is to be isolated from the program and have no contact with adults with special needs, children or youth.
2. Within 24 hours to Children's Protective Services or Adult Protective Services by oral report.
3. To the chairperson of the sponsoring group of the function, event, activity program.
4. To the Conference staff person assigned to the ministries of the sponsoring group. The staff person shall inform the Conference Director and the Bishop. For functions, events, activities or programs sponsored by a West Michigan District group, the corresponding District Superintendent.
5. To the facility director, manager or host church clergy person.
6. Within 72 hours, by a completed State of Michigan "Report of Known or Suspected Child Abuse or Neglect" to Children's Protective Services or its equivalent to Adult Protective Services in accordance with the directions given at the time of the oral report.

D. REPORTING WHEN THE ALLEGED PERPETRATOR IS THE EVENT DIRECTOR

When anyone at a Conference-related function, activity or event becomes aware of or receives a report of alleged abuse or neglect by the event director, she/he shall:

1. If suspected or alleged perpetrator is on premises he or she is to be isolated from the program and have no contact with adults with special needs, children or youth.
2. Within 24 hours make an oral report to Children's Protective Services.
3. The chairperson of the sponsoring group shall inform:
 - a. The Conference staff person responsible for the ministries of the sponsoring group. The staff person shall inform the Conference Director and the Bishop. For functions, events, activities or programs sponsored by a West Michigan District group, the staff person shall inform the corresponding District Superintendent.
 - b. The facility director or host church clergy person.
4. Within 72 hours, the chairperson of the sponsoring group, with the person initiating the report, shall submit a completed State of Michigan "Report of Known or Suspected Child Abuse or Neglect" to Children's Protective Services or its equivalent to Adult Protective Services in accordance with the directions given at the time of the oral report.

- E. REPORTING WHEN THE ALLEGED PERPETRATOR IS A MICHIGAN AREA CLERGYPERSON OR DIACONAL MINISTER**
1. If suspected or alleged perpetrator is on premises he or she is to be isolated from the program and have no contact with adults with special needs, children or youth.
 2. The event director shall:
 - a. Within 24 hours, make an oral report to Children's Protective Services or Adult Protective Services.
 - b. Inform the Conference staff person assigned to the ministries of the sponsoring group. The staff person shall inform the Conference Director and the Bishop. For functions, events, activities or programs sponsored by a West Michigan District group, the staff person shall inform the corresponding District Superintendent. This District Superintendent shall inform the respective supervising District Superintendent.
 - c. Inform the facility director, manager or host church clergy person.
 - d. Within 72 hours, the event director, with the person initiating the report, shall submit a completed State of Michigan "Report of Known or Suspected Child Abuse or Neglect" to Children's Protective Services or its equivalent to Adult Protective Services in accordance with the directions given at the time of the oral report.
 3. The Michigan Area Clergy Sexual Misconduct Policy shall be implemented for Michigan Area clergy persons or diaconal ministers. For cases involving United Methodist clergy from outside the Michigan Area the respective supervising bishop shall be informed. For cases involving non-United Methodist clergy, the respective supervising judicatory authority shall be informed.
- F. REPORTING WHEN THE ALLEGED PERPETRATOR IS ANOTHER ADULT WITH SPECIAL NEEDS, CHILD OR YOUTH**
1. If suspected or alleged perpetrator is on premises he or she is to be isolated from the program and have no contact with adults with special needs, children or youth.
 2. When the event director becomes aware of or receives a report of alleged abuse or neglect by another adult with special needs, child or youth, she/he shall, within 24 hours, make an oral report to the local law enforcement agency and follow that agency's instructions.
 3. The event director shall inform:
 - a. The Conference staff person assigned to the ministries of the sponsoring group. The staff person shall inform the Conference Director, the Bishop and the corresponding District Superintendent for functions, activities or events sponsored by a West Michigan District.
 - b. The facility director or manager.
 - c. The parents or guardians of both parties unless instructed otherwise by the local enforcement agency.
- G. REPORTING ALL OTHER SUSPECTED CASES OF ABUSE OR NEGLECT**
- In all other cases of suspected abuse or neglect, the event director and the Conference staff person assigned to the ministries of the sponsoring group shall be immediately notified, and the reporting procedures referenced above shall be implemented.

Section V: FOLLOW-UP PROCEDURES AFTER REPORTS OF KNOWN OR SUSPECTED ABUSE OR NEGLECT

A. GENERAL GOALS AND OBJECTIVES

After reporting procedures have been implemented, the following goals and objectives as prioritized below shall be addressed:

1. Protection for the alleged victim and other adults with special needs, children and youth from any continued exposure to abuse or neglect.
2. Care for the spiritual, emotional and physical well-being of the alleged victim and the alleged perpetrator.
3. Respect and preservation of the legal right of both the alleged victim and the alleged perpetrator.
4. Safeguarding the privacy of all parties involved.
5. Care for the spiritual and emotional well-being of the Conference.
6. Protection of the legal and financial interests of the Conference.

B. INVESTIGATION

1. Conference employees and volunteers shall not conduct any investigation of reports or accusations of abuse or neglect.
2. Following the guidance of an attorney representing the Conference, the Conference shall cooperate in any proper investigations by the Children's Protective Services, Adult Protective Services, law enforcement agency, liability insurer and the parties involved.

C. RESPONSE PROCEDURES

When the alleged abuse or neglect involves (1) a Conference or district employee as the alleged perpetrator, (2) an abuse occurring on Conference property, or (3) an adult with special needs, child or youth participating in any Conference-related function, activity, event or program, the following procedures shall be observed: [For alleged abuse or neglect involving Michigan Area United Methodist clergy persons or diaconal ministers see item 8 in this section.]

1. The status of the accused care provider (if applicable) shall be immediately suspended, and he or she shall not be permitted to continue providing any services for adults with special needs, children or youth in any Conference-related function, activity, event or program. Certification may be re-instated only after satisfactory completion of the screening qualifications set forth in this Policy.
2. The Bishop or designee shall appoint a contact person to handle, oversee and/or represent the Conference in all communications with the Children's Protective Services, Adult Protective Services, law enforcement agencies, attorneys and investigators.
3. The Bishop or designee shall give written notice to the liability insurance carrier for the Conference.
4. If the alleged perpetrator is an employee of the Conference, the Conference Personnel Committee may discharge or place the employee on a leave of absence pending the completion of any investigations by the Children's Protective Services, Adult Protective Services, any responding law enforcement agencies and/or the completion on any legal proceedings. A leave of absence may be with or without pay, at the discretion of the Conference Personnel Committee. The employee may be reinstated after a leave of

absence or discharge, only in approved by the Abuse Prevention Team following satisfactory completion of the screening qualifications set forth in this Policy.

5. The Bishop or designee shall be the spokesperson solely authorized to respond to the media and general public. The designee may or may not be the same person appointed in item 2 of this section.
6. When appropriate the Bishop shall inform the Conference of the situation and how the Conference is responding to it.
7. Everyone involved in the response shall document his/her activities and all communications regarding the suspected abuse or neglect.
8. When the alleged perpetrator is a Michigan Area United Methodist clergy person, the Michigan Area Clergy Sexual Misconduct Policy shall be implemented.

D. RESPONSE TO THE VICTIM(S) AND THE ACCUSED

1. Pastoral care shall be extended to the victim, the accused and their families.
2. The Conference shall continue to express and share its Christian care, love and support for both the victim and the accused, as well as their families. It will be a difficult time for all parties involved and may be when they need the love and support of their Conference family the most. Although the practice of abuse, neglect or the making of false accusations are not to be condoned, we will continue to acknowledge that God's grace is available to all. All persons are valued as human beings in God's image.

Section VI: REVISIONS

- A. This Policy shall be reviewed annually by the Abuse Prevention Team.
- B. The Abuse Prevention Team may temporarily adjust this Policy between sessions of Annual Conference as needed in consultation with the Conference Director or designated Conference staff person. Annual Conference approval is necessary to make these revisions permanent.
 1. Proposed revisions shall be submitted in writing to the members of the Abuse Prevention Team at least 15 days prior to the consideration of said proposed changes by the Abuse Prevention Team.
 2. Revisions shall be effective 120 days after Abuse Prevention Team action unless otherwise specified by the Abuse Prevention Team action.
 3. All Conference-related groups shall be informed of the revision(s) within 30 days of the decision giving them 90 days notice.

Section VII: IMPLEMENTATION

This policy shall be effective June 1, 2000 for all Conference-related functions, events or activities.

DEFINITIONS

For this Policy, the following definitions will apply:

"Abuse" means harm or threatened harm to the health or welfare of an adult with special needs, child or youth by any person responsible for the health or welfare of an adult with special needs, child or youth that occurs through non-accidental physical or mental injury; sexual abuse, sexual exploitation, or maltreatment [State of Michigan Compiled Laws Act No. 238, Public Acts of 1975, Sections

722.622.2(c)]; sexual harassment, sexual contact, sexual molestation, disseminating, exhibiting or displaying sexually explicit material.

"Abuse Prevention Certification" refers to the training and education of Abuse Prevention Certified care providers.

"Abuse Prevention Team" means all persons, individually and collectively, who are appointed by the Conference to serve on a committee or task force for the purpose of training care providers and those responsible for implementing this Policy.

"Adult" means a person at least 18 years of age.

"Adult Protective Services" refers to the Adults Protective Services Division of the Family Independence Agency in the State of Michigan which guards the safety and welfare of persons in Michigan over the age of 18 years.

"Adult with Special Needs" refers to persons over 18 years of age who are mentally or physically impaired (e.g., mental illness or disability) or incapacitated (e.g., drugged or unconscious).

"Applicant" means a person who is applying to be approved as a care provider.

"Appropriate" means conduct that one could reasonably assume would be acceptable and permissible by the child's parent or guardian.

"Child" or "Children" or "Youth" refers to a person less than 18 years of age [State of Michigan Compiled Laws Act No. 238, Public Acts of 1975, Sections 722.622.2 (b)].

"Care Provider" means anyone (including employees, volunteers, lay and clergy) charged with supervising adults with special needs, children and youth during a Conference-related function, event or activity. A certified care provider has completed the Abuse Prevention Certification.

"Child Neglect" means harm or threatened harm to the health or welfare of an adult with special needs, child or youth by a parent, legal guardian or any other person responsible for the health or welfare of an adult with special needs, child or youth that occurs through either of the following:

- a. negligent treatment, including the failure to provide adequate food, clothing, shelter, health care and protection from abuse; or
- b. placing an adult with special needs, child or youth at an unreasonable risk to the health or welfare of an adult with special needs, child or youth by failure of the parent, legal guardian or any other person responsible for the health or welfare of an adult with special needs, child or youth to intervene to eliminate that risk when that person is able to do so, and has, or should have, knowledge of the risk. [State of Michigan Compiled Laws Act No. 238, Public Acts of 1975, Sections 722.622.2. (d)].

"Child Protective Services" refers to the Children's Protective Services Division of the Department of Health and Human Resources in the State of Michigan which guards the safety and welfare of children in Michigan under the age of 18 years.

"Church" means the local congregation.

"Conference" means the West Michigan Conference of The United Methodist Church.

"Conference-related" means any function, event or activity sponsored by, planned and/or implemented by persons representing the Conference, any of its districts or other connectional body beyond the local congregation and within the Conference. This definition includes all camp ministry functions, events and activities.

"District Superintendent" means the acting District Superintendent of the respective District of the West Michigan Conference of The United Methodist Church or his/her designee.

"Employee" means any individual receiving a wage, salary or other compensation from the West Michigan Conference for services rendered beyond and not necessarily related to the specific Conference-related function, event or activity, including all full-time and part-time employees.

"Event Director" refers to the person over seeing all personnel and programming at a Conference-related function, event or activity.

"Event site" means the location of a Conference-related function, event or activity. This does not exclusively apply to a United Methodist facility.

"Leader" means anyone directly responsible for supervising and overseeing the specific Conference-related function, event or activity.

"Parent or Guardian" means any parents, step-parent, foster parent, grandparent, or appointed guardian who has the general responsibility for the health, education or welfare of an adult with special needs, child or youth.

"Sexual Abuse" means engaging in any sexual contact or sexual penetration with a child, the sexual exploitation of an adult with special needs, child or youth, the harassment of an adult with special needs, child or youth, the sexual molestation of an adult with special needs, child or youth, and/or disseminating, exhibiting or displaying sexually explicit material to an adult with special needs, child or youth regardless of whether such conduct is with or without the knowledge or consent of the adult with special needs, child or youth [State of Michigan Compiled Laws Act No. 238, Public Acts of 1975, Sections 722.622.2 (k)]. In general, sexual abuse of an adult with special needs, child or youth includes any form of sexual conduct in which a victim is being used for the sexual stimulation of the perpetrator. It may be violent or nonviolent. It includes sexual behaviors involving touching, such as fondling, as well as oral, genital and anal penetration, intercourse and rape. It also includes sexual behavior that does not involve touching, such as sexually suggestive comments, obscene phone calls, exhibitionism, displaying pornographic materials and allowing adult with special needs, children or youth to witness sexual activity. It includes any conduct that involves adults with special needs, children or youth in sexual behaviors for which they are not personally, socially, emotionally or developmentally ready.

"Sexual Contact" means the intentional touching of the intimate parts or the clothing covering the immediate area of the intimate parts of a child, youth or adult with special needs.

"Sexual Exploitation" means allowing, permitting or encouraging and adult with special needs, child or youth to engage in prostitution or in the photographing, filming, creating electronic or computer generated images or any other form of depicting an adult with special needs, child or youth engaged in actual or suggestive sexual conduct. [State of Michigan Compiled Laws Act No. 238, Public Acts of 1975, Sections 722.622.2 (l)].

"Sexual Harassment" means any unwanted sexual advance or demand, either verbal or physical, which is perceived by the recipient as demeaning, intimidating or coercive. [See The Book of Resolutions of The United Methodist Church 1996, p. 482].

"Sexual Penetration" means sexual intercourse or any other intrusion, however slight, of any part of one's body, or of any object, into any intimate part of the body of an adult with special needs, child or youth.

"Sexually Explicit Material" means any printed, electronic or computer generated matter, picture, sculpture or sound recording which can reasonably be construed as being produced for the purpose of stimulating sexual excitement, arousal or gratification.

"Shall, Should, and May" were carefully chosen terms used in this Policy, given recognition to their different meanings. "Shall" is to be considered mandatory, "may" is to be considered permissive, and "should" is to be considered a term of strong encouragement.

"Volunteer" means any person receiving no salary, wages or other compensation for providing any services, care, guidance, assistance or supervision for any adult with special needs, child or youth in a Conference-related function, event or activity.

"Youth" [See "child"].