

STATEMENT ON CHILD ABUSE

1. Excerpt from David K. Bernard, Spiritual Leadership in the Twenty-First Century (Word Aflame Press, 2015). Video instruction from this book is part of the required training for General License with the United Pentecostal Church International (UPCI). General License is the level of ministerial credentials for pastors and is required prior to ordination. Word Aflame Press is owned by the UPCI. The author is the general superintendent of the UPCI.

Negligent Hiring. One form of negligence is failure to properly screen employees and volunteers, especially those who work with minors. The church should have procedures such as the following: use a written application that asks for previous employer and church, check the references and record the result, conduct a background check, and require local church membership for a specified time.

Negligent Supervision. The church is also responsible to train and supervise workers, especially those who work with minors, including the following steps: (a) Establish policies and ensure that workers know them. (b) Establish procedures and verify that workers follow them. (c) Provide training as needed. Resources are available online and by video from insurance agents. (d) Ensure adequate supervision by trained leaders. (e) Log and review any injuries, illnesses, or other unusual occurrences. The primary goal is to prevent harm from occurring. If there is some type of accusation, a secondary goal is to demonstrate that it's probably false because of the church's due diligence. If some type of harm does occur, the goal is to demonstrate that the church isn't at fault. However, when a church adopts a policy it must make sure to follow that policy. If it doesn't, it will be judged for failing to do what it knew was right. As an example of a policy, a church should adopt the two-worker rule. Namely, no worker should be alone with a child at any time; two responsible workers should always be present. This rule greatly reduces the potential for abuse, protects against false accusations, and demonstrates that the church is using reasonable care.

Child Abuse is a particularly sensitive area. Of course, the church should do its utmost to protect children. Failing to protect children can cause lasting harm to them as well as adverse publicity and great legal liability. Generally, ministers don't have a right to privileged communications when child abuse is involved. Many states require ministers, teachers, counselors, or the general public to report cases of suspected or confessed child abuse. There can be both criminal and civil liability for failure to do so. Of course, there is an even greater ethical obligation to prevent ongoing and future harm, which generally means the abuser must be held accountable by proper authorities. Church leaders should know the law of their state, including what to report and to whom they should report. In sensitive situations, one way to fulfill this obligation could be to make an anonymous report in the presence of a reliable witness. Church policy should instruct workers to report problems to their superior, who will in turn ensure the fulfillment of legal and ethical obligations. The church must treat all allegations seriously and not dismiss them out of hand. The church should also show compassion and offer assistance to victims and their families, perhaps arranging for professional counseling. The worst thing it can do is to ignore, blame, or attack the victim. Most families of victims don't want to punish the church, but they want to be heard, believed, and valued. They want assistance, accountability, justice, and prevention of future occurrences. If the church ignores their legitimate concerns, it can push them into an adversarial legal position to the great detriment of the church.

2. *Excerpt from The Pentecostal Minister, edited by J. L. Hall and David K. Bernard (Word Aflame Press, 1991). This book is part of the required ministerial reading to obtain General License with the UPCI.*

Negligent Hiring. A church can be liable for failure to exercise reasonable care in selecting employees or volunteer workers, particularly child-care workers. Here are steps a church can take to employ qualified workers and to protect itself from liability: (1) fill positions with people who have been church members for at least six months; (2) employ people who have prior work experience; (3) use screening forms when appropriate; (4) make reference checks; (5) ask for photograph identification if needed; (6) not use someone who has been abusive in the past, even if the problem occurred before conversion; and (7) follow the recommendations under “Child Abuse.”

Negligent Supervision. A church can be liable for failure to supervise its activities properly, particularly when children and youth are involved. It especially needs to supervise nurseries, restrooms, and outings. For outings, the church should (1) provide adequate supervisory personnel, (2) obtain parental consent, (3) obtain medical references and consent, and (4) follow the Red Cross guidelines for risky activities.

Child Abuse. Every state has a reporting law for actual or suspected child abuse. Failure to report child abuse can result in both civil and criminal liability. In other words, someone who fails to report child abuse may be subject to criminal penalties and also subject to a civil suit for harm to the abused person. To ensure that its staff members who work with children or youth comply with the law, a church should (1) advise them of the provisions of the state law; (2) train them in symptoms of child abuse; (3) establish a policy of reporting suspected cases to the pastor; and (4) as a matter of counseling policy, reserve the right to report child abuse. To help prevent child abuse by one of its workers, as well as child abuse on its premises or during one of its sponsored activities, a church should follow the recommendations under “Negligent Hiring” and “Negligent Supervision.” If child abuse does occur, the church should provide immediate, compassionate assistance, including expert counseling, to the abused child and his or her family. If a minister receives information that leads him to believe a child may be the victim of abuse, he should consult a local attorney to discuss his obligations and options. He may also wish to discuss the evidence anonymously with the appropriate state agency to determine if a report should be made.