

A Safe Place

Child/Youth Protection Program
Christ United Methodist Church
Sugar Land, Texas

Please complete forms A and B and return to Youth Ministry.

PART 1- POLICY

Christ United Methodist Church of Sugar Land, Texas, and its affiliates, (hereafter referred to as the "Organization"), hereby establishes this policy. The primary purpose of this policy is to put into place every reasonable precaution to ensure the safety, well being, and spiritual health of our children and youth, of their parents and of the adults/youth who interact with children and youth. The secondary purpose of this policy is to protect our workers from potential allegations of abuse, and to limit the extent of our church's legal risk.

It is the policy of the Organization to provide for our children/youth facilities and activities, which are safe and free from the risk of child abuse and neglect. To accomplish these goals, the Organization hereby establishes policies and procedures that dictate the requirements for child/youth workers and their conduct. The Organization will not tolerate any occurrences of child abuse or neglect and, upon knowledge of such, will and are required to report violators to legal authorities.

I. Applicability

This policy shall apply to all activities involving children/youth, which are sponsored and/or supervised by Christ United Methodist Church and affiliates. All workers assigned to such activities by the Organization shall comply with and conduct themselves according to this Policy and any related policies and procedures. Any worker failing to comply with or conduct themselves according to this Policy and any related policies and procedures shall be subject to disciplinary action, which may include dismissal from employment and/or work with any child/youth.

II. Definitions

- A. Child (ren)/Youth – As used in this Policy, children/youth shall be defined as: Child—birth through 5th grade; Youth—6th through 12th grade. These children/youth are further defined as those who are engaged in a program or activity sponsored and/or supervised by the Organization.
- B. Worker – As used in this policy, worker shall include any person, regardless of age, who performs full-time, or occasional work in the Organization and has contact with children/youth. This includes paid and volunteer work.
- C. Abuse and/or Neglect (as defined by the Texas Family Code)-

"Abuse" includes the following acts or omissions by a person:

1. Mental or emotional injury to a child that results in an observable and material impairment in the child growth, development, or psychological functioning;
2. 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 in the child's growth, development, or psychological functioning;
3. 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 risk of harm;
4. 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;
5. Sexual conduct harmful to a child's mental, emotional, or physical welfare;
6. Failure to make a reasonable effort to prevent sexual conduct harmful to a child;
7. Compelling or encouraging the child to engage in sexual conduct as defined by Section 43.25, Penal Code, or

8. Causing, permitting, encouraging, engaging, engaging in, or allowing the photographing, filming, or depicting 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 Section 43.21, Penal Code, or pornographic.

“Neglect” includes:

1. The leaving of a child in a situation where the child would be exposed to a substantial risk of physical or mental harm, without arranging for necessary care for the child, and the demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the child;
2. The following acts or omissions by a person:
 - a. Placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child’s level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child;
 - b. Failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child;
 - c. Failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused, or
 - d. Placing a child in or failing to remove the child from a situation in which the child would be exposed to a substantial risk of sexual conduct harmful to the child; or
 - e. The failure by the person responsible for a child’s care, custody, or welfare to permit the child to return to the child’s home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away.

D. Occasional Worker- A volunteer worker who serves only a few hours every year on an as needed basis.

E. Inappropriate behavior is defined as any behavior that falls below standards that are widely held in the church community. Established standards are grounded in the ethical and moral teachings of the church and reflect the values and priorities of the church.

III. Authority

These Policies and Procedures will be implemented and maintained under supervision of the church’s Ministry Area Director. Amendments to these Policies and Procedures may be made from time to time, as necessary, by the ministry team responsible for the Child/Youth Protection Program.

IV. Open Door Policy

Parents are welcomed and encouraged to visit and participate in any activities of children/youth programs by the Organization.

V. No Tolerance Items

The following are unacceptable and will not be allowed at any activity or program sponsored by the Organization involving children and/or youth:

1. Alcohol
2. Tobacco
3. Illegal Drugs
4. Firearms or other weapons
5. Foul or offensive language

PART 2 – GENERAL CHILD/YOUTH PROTECTION PROCEDURES

I. Selection and Qualification of Workers

- A. Submission of Application – Each full – or part-time staff member and/or worker, as defined in Part 1, Section II, will be required to complete an employment/volunteer application. The employment/volunteer application will be completed according to the instructions on the application and returned to the designated Ministry Area Director.
- B. Screening – Each person completing an application for child/youth work shall be subject to all or part of the following screening; reference checks, criminal records, motor vehicle records, social security number verification, and a personal interview. All screening will be documented and retained with worker’s application in a secure, confidential file.
- C. Qualifications
 1. All volunteer workers who are new attendees of Christ United Methodist Church of less than six months shall be required to complete the registration process prior to working with children/youth and will be required to complete the training session within six months.
 2. All workers are required to attend a Child/Youth Protection Program training session and sign a statement that they will abide by the Child/Youth Protection Policies and Procedures.
 3. Any worker who is a has had an experience with an abusive situation is requested to meet with the appropriate Ministry Area Director prior to working with the children/youth to consult regarding appropriate ministry placement.
 4. All workers will complete Sections A, B and C above prior to working with children/youth. A person may work before completing the training session (as addressed in C.2), but no more than 6 months. They must then attend the session before continuing with children’s/youth work.
 5. No worker under the age of 18 shall be placed in a position of responsibility or supervision over children/youth. Adult supervision will be required at all times for all such workers.
- D. Prohibited Workers – No person who has been convicted of, placed on regular or deferred adjudicated probation, received pre-trial diversion, pled guilty, or nolo contendere to any offense involving sexual contact or physical abuse with a child/youth may work with any child/youth.

II. Rules of Behavior

- A. Team Approach – Workers must observe the “two adult” rule. Whenever practicable, a minimum of two adults shall be present during any child (ren)’s youth activity. At least one of these adults must be a “registered” volunteer. A “registered” volunteer has completed all qualifications as required in Part 2,1,A., B., and C. of these Policies and Procedures. In all instances an “open door” policy will be observed. The only exceptions to the “two adult” rule will be as follows:
 - Registered Youth under supervision of Registered Adult
 - Pastoral counseling session of church staff
 - Fine Arts Academy private lessons
 - With parental permission per paragraph B, below
 - An approved procedure referenced by these Policies and Procedures
- B. Parental Permission
 1. Ministry Area Directors are to obtain a signed parent permission form prior to children/youth spending time either alone or in an unsupervised situation with a “registered” worker.

2. Activities involving transportation provided by the church, or activities off the church property will require a signed parent permission form to be returned to the Ministry Area Director prior to the activity.
- C. Overnight or Off Church Property Activities – All overnight or off property activities require the prior permission of the Ministry Area Director, as appropriate.
 - D. Supervision – All children’s/youth activities will include adequate adult supervision (see Team Approach, Paragraph A) from no less than 15 minutes prior to schedule start until all children/youth are in custody of their parents (or as prior arranged by their parents with a parent permission form).
 - E. Corporal punishment of any kind is never appropriate.
 - F. Physical affection shall be used appropriately.
 - G. Staff and Ministry Area Directors of the Organization, as appropriate, will supervise ongoing programs and may make unannounced visits into classrooms or other program sites.
 - H. Reporting – Any inappropriate conduct or relationship between a worker and a member of any children’s/youth group must be reported to the appropriate Ministry Area Director immediately and addressed according to the procedures in the Child/Youth Protection Program Policies and Procedures.

III. Worker Training

- A. In order to become registered, a worker must complete a Child/Youth Protection Program training session.
- B. The training session will include, but not be limited to, the following:
 - Child Youth Protection Policies and procedures, which include Texas’ legal definition of child abuse and neglect from the Texas Family Code and written information describing Texas laws regarding the reporting of suspected child abuse and/or neglect.
 - Safety Awareness and Accident Prevention
 - Appropriate Discipline Techniques
 - Identification of Child Abuse and Neglect
- C. Upon completion, each worker will sign a statement that they will abide by the Child/Youth Protection Program Policies and Procedures and that they have received and read the information described in Sections B.1 and B.2 above.

IV. Other Policies and Procedures

The following policies and procedures are hereby incorporated into this Child/Youth Protection Program:

- A. Nursery/Toddler Protection Procedures
- B. Transportation Procedures for Organization Related Children’s/ Youth Activities
- C. Procedures for Children’s/Youth Overnight Activities
- D. Worker Reporting and Response Procedures

E. Screening, Reporting and Response Procedures

1. All background screening will be done by an outside source specializing in such confidential screening. Staff of CUMC will not be doing the background checks. Should an application and screening result in identification of criminal history as described in “Section D. Prohibited Workers”, ONLY the Confidential Secretary will be notified of the screening results.
2. Upon identification of criminal history the Confidential Secretary will notify the Senior Pastor or designate who will in turn meet with the applicant to discuss the findings in relation to the applicant’s desire to work with Children and/or Youth.
3. All issues requiring discussion with Senior Pastor or designate will be treated with confidentiality. The applicant will be extended the care and ministry of the church in determining appropriate placement for service.
4. All screening results will be maintained in a locked, confidential file, accessible only by the Confidential Secretary.

F. The Texas Family Code

PART 3 – NURSERY / TODDLER PROTECTION PROCEDURES

These procedures cover the activities in the nursery and toddler areas of the Organization. These procedures are considered part of the Child/Youth Protection Program Policies and Procedures.

I. Drop Off and Pick Up

- A. All parents or custodians leaving children in the nursery shall follow these procedures to assure proper claiming of children.
- B. The parent/custodian shall write their full name and child's full name, parent's location and any special instructions on the daily roster.
- C. Upon delivery to the nursery, each parent/custodian shall be given an identifying tag to match that of the child.
- D. The tag shall be placed on the child's clothing and the parent/custodian will take the corresponding tag to use for later picking up the child.
- E. Upon pick-up, the parent/custodian will present the corresponding tag to worker who will deliver the child with the child's personal items to the parent/custodian. The nursery worker will verify the corresponding tags. No one may claim a child from the nursery or toddler areas without a tag. If the tag is lost, a picture ID may be required to match the sign-in on the daily roster.
- F. Pagers will be given to all new visitors and other parents, as needed.

II. Personal Items

- A. The parent/custodian shall label all personal items for the child, including diaper bags, blankets, clothing, and pacifiers, with the child's first and last name. Permanent, water-proof labels are preferred.
- B. It is recommended that no personal toys or valuable items be left at the nursery. The nursery does not assume responsibility for any personal items left in the nursery.

III. Restrictions

- A. Only trained, assigned workers will be allowed in the nursery or toddler areas. No other individuals are allowed in the nursery or toddler areas without an identified need and the approval of the nursery Director.
- B. No worker may remove a child from the nursery or toddler areas.

IV. Staffing

- A. The nursery and toddler areas will follow the Team Approach, as identified in the Child/Youth Protection Program Policies and Procedures.
- B. All nursery and toddler area workers shall be subject to the requirements of the Child/Youth Protection Program Policies and Procedures.
- C. Restroom procedures:

1. When a child is going to be left in the nursery or toddler area for only a short time, parents/custodians should be encouraged to ensure the child has a fresh diaper or take the child to the restroom prior to check-in.
2. Only adult workers may accompany a child to the restroom and, then, only after notifying the other adult worker.
3. It is recognized by the Organization that there are substantially more female workers than male workers. Because of the large number of female workers versus male workers, it will be necessary for female workers to take male and female children to the restroom. A male worker should not take a female child to the restroom.

**PART 4 – TRANSPORTATION PROCEDURES
FOR ORGANIZATION RELATED CHILDREN’S/YOUTH ACTIVITIES**

The following procedures are for providing transportation for children/youth to and from activities sponsored and/or supervised by Christ United Methodist Church and affiliates. These procedures relate to transportation provided by the Organization, parents of participating children/youth, and child/youth workers to activities off the church property. These procedures are considered part of the Child/Youth Protection Program Policies and Procedures.

I. Vehicle Requirements

- A. These vehicle requirements pertain to vehicles owned by the Organization, those provided by parents of participating children/youth, those provided by child/youth workers and any external commercial vehicle provided for transportation of the children/youth.
- B. All vehicles shall be in good running order and possess a current Texas license plate, a safety inspection sticker and passenger restraints.
- C. All vehicles will have insurance coverage as required by Texas law.
- D. All vehicles will be multi-passenger. No motorcycles, scooters, or mopeds will be allowed. No vehicle will be allowed to carry more than the passenger capacity as specified by the vehicle manufacturer.

II. Qualification of Drivers

- A. All drivers will be workers (as qualified by the Child/Youth Protection Program Policies and Procedures), parents of participating children/youth and/or licensed commercial drivers. All drivers will be preapproved by the Ministry Area Director.
- B. All drivers will have a current valid Texas drivers license with the classification for the vehicle driven and be at least 25 years of age.
- C. All drivers who are workers will be subject to periodic checks (approximately every six months) of their motor vehicle record.

III. General Rules

- A. Passenger restraints (seat belts) must be used by all drivers and passengers at all times in a moving vehicle. (Except: school buses without available restraints.)
- B. Unless otherwise approved by the Ministry Area Director and the parents so informed, all transportation subject to these procedures will begin and terminate at the church property.
- C. All drivers will obey all traffic laws. Failure to do so may disqualify them for driving for Organization related activities.
- D. Signed Parent Permission Forms will be obtained from each child/youth prior to being allowed in the vehicle. If the child/youth does not have a completed permission form, he/she will not be permitted to participate in the transportation arranged by the Organization. The permission forms are to be collected and checked by the group leader prior to leaving the church property. Upon return to the church or school, the forms will be provided to the appropriate Ministry Area Director.

- E. No driver is to transport any child/youth alone. If possible, the Team Approach, as defined in the Policy, is to be used. If that is not possible, more than one child/youth will be required in the vehicle.

PART 5 – PROCEDURES FOR CHILDREN’S/YOUTH OVERNIGHT ACTIVITIES

These procedures cover youth activities, which require an overnight stay and are sponsored and/or supervised by Christ United Methodist Church and affiliates. These procedures are considered part of the Child/Youth Protection Program Policies and Procedures.

I. Applicability

These procedures cover any activity sponsored and/or supervised by the Organization which require an overnight stay. This includes, but is not limited to, camping, lock-ins, hotels/motels, and overnight stay in a personal dwelling.

II. Approvals

- A. A signed Parent Permission form will be required of each child/youth prior to the activity. These will be collected and approved by the group leader prior to the activity. Following the activity, the forms will be provided to the appropriate Ministry Area Director.
- B. Any overnight activity requires the prior approval of the appropriate Ministry Area Director

III. Rule of Conduct

- A. All persons are to abide by the Child/Youth Protection Program Policies and Procedures, including the Team Approach for supervision.
- B. None of the children/youth will be allowed away from the designated overnight area without prior permission of the group leader and the parents’ signed permission.
- C. No child/youth is to be left alone in a room except the restroom.
- D. No couple of the opposite sex to be left unsupervised.
- E. No members of the opposite sex will be allowed to sleep in the same room, except during a lock-in.

PART 6 – WORKER REPORTING AND RESPONSE PROCEDURES

I. Applicability

These procedures are to be followed in the event a worker suspects or has the knowledge that a child/youth has been abused or neglected by anyone (see Part 1, Section II. C. and D and Part 2, Section II. H.),

II. Reporting

- A. A worker who suspects that child abuse or neglect has occurred will follow all local, state and federal laws pertaining to suspected abuse/neglect (Sec.261. 101; Sec. 261.102; Sec 261.103; Sec 261.104).
- B. In addition, a worker who suspects that child abuse or neglect as occurred will promptly report the incident or suspicions **in writing** to the appropriate Ministry Area Director.
- C. Any inappropriate behavior with a child/youth, even though it may not be considered true abuse or neglect, is to be promptly reported **in writing** to the appropriate Ministry Area Director.
- D. The appropriate Ministry Area Director will promptly report the incident **in writing** to the Senior Minister. If an action is determined to be inappropriate and the determination is made that they should no longer work with children/youth, then other appropriate staff members will be notified.
- E. If there is cause to believe that child abuse or neglect has occurred, such cause will be promptly investigated by the Ministry Area Director and the Senior Minister. Such investigation will be documented and summarized **in written form**. The Ministry Area Director will then arrange for timely and appropriate reporting to Children’s Protective Services and/or to local state law enforcement agencies.
- F. From the time the worker learns of the possible child abuse or neglect to the time the Ministry Area Director contacts Children’s Protective Services should not exceed 48 hours.
- G. The worker will keep all information pertaining to the abuse/neglect incident **confidential**, communicating about the incident with **no one** except the Ministry Area Director, the Senior Minister and/or the church attorney.
- H. Should child abuse or neglect allegations occur, workers will:
 - 1. Respond to each allegation in a serious manner.
 - 2. Treat each allegation with confidentiality and respect for the privacy of all involved persons;
 - 3. Cooperate fully with civil authorities;
 - 4. Extend genuine care to all victims of child abuse and/or neglect.

III. Response

In the case of an actual allegation of child/youth abuse or neglect, these guidelines should be followed.

- A. The Ministry Area Director is to make certain that all efforts at handling the incident are documented in writing, including dates and times.

- B. The Ministry Area Director is to immediately report the incident to the church's Senior Minister, Review Committee, church attorney and any other designated staff. The church should not try to handle this without professional outside assistance.
- C. The Review Committee is to then contact the proper civil authorities following the guidance of the church's insurance company and attorney. The church should not attempt an in-depth investigation. This should be left to professionals who are familiar with these cases.
- D. The Ministry Area Director or Senior Minister should then notify the parents of the child/youth. He/she should lovingly and carefully reach out to the victim and the victim's family, extending all pastoral resources that are available. He/she should never respond in a negative or nonsupportive manner to the alleged victim.
- E. Do not confront the accused until the safety of the child/youth is secured. Treat the accused with dignity and support. If the accused is a church worker, that person should be relieved temporarily of his or her duties until the investigation is finished.
- F. Use the text of a 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.
- G. The only people who should communicate with the media are the Senior Minister or Designate and the church attorney.

PART 7
THE TEXAS FAMILYCODE – CHILD ABUSE AND NEGLECT

TITLE 5 - THE PARENT – CHILD RELATIONSHIP AND THE SUIT AFFECTING THE PARENT – CHILD RELATIONSHIP

Subtitle E – Protection of the Child

Chapter 261 – Investigations of Report of Child Abuse or Neglect

Subchapter A – General Provisions

Sec.261-001. Definitions.

In this chapter:

- (1) “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 in 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 risk of harm;
 - (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;
 - (F) failure to make a reasonable effort to prevent sexual conduct harmful to a child;
 - (G) compelling or encouraging the child to engage in **sexual conduct** as defined by Section 43.25 (see page 7), Penal Code; or
 - (H) causing, permitting, encouraging, engaging in, or allowing the photographing, filming, or depicting 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 Section 43.21 (see page 7), Penal Code, or pornographic.
- (2) “Department” means the Department of Protective and Regulatory Services.
- (3) “Designated agency” means the agency designated by the court as responsible for the protection of children.
- (4) “Neglect” includes:
 - (A) the leaving of a child in a situation where the child would be exposed to a substantial risk of physical or mental harm, without arranging for necessary care for the child, and the

demonstration of an intent not to return by a parent, guardian, or managing or possessory conservator of the child.

- (B) the following acts or omissions by a person:
- (i) placing a child in or failing to remove a child from a situation that a reasonable person would realize requires judgment or actions beyond the child's level of maturity, physical condition, or mental abilities and that results in bodily injury or a substantial risk of immediate harm to the child;
 - (ii) failing to seek, obtain, or follow through with medical care for a child, with the failure resulting in or presenting a substantial risk of death, disfigurement, or bodily injury or with the failure resulting in an observable and material impairment to the growth, development, or functioning of the child;
 - (iii) the failure to provide a child with food, clothing, or shelter necessary to sustain the life or health of the child, excluding failure caused primarily by financial inability unless relief services had been offered and refused; or
 - (iv) placing a child in or failing to remove the child from a situation in which the child would be exposed to a substantial risk of sexual conduct harmful to the child; or
 - (v) the failure by the person responsible for a child's care, custody, or welfare to permit the child to return to the child's home without arranging for the necessary care for the child after the child has been absent from the home for any reason, including having been in residential placement or having run away.

(5) "Person responsible for a child's care, custody, or welfare" means a person who traditionally is responsible for a child's care, custody, or welfare, including:

- (A) a parent, guardian, managing or possessory conservator, or foster parent of the child;
- (B) a member of the child's family or household as defined by Chapter 71 (see page 7);
- (C) a person with whom the child's parent cohabits;
- (D) school personnel or a volunteer at the child's school; or
- (E) personnel or a volunteer at a public or private child-care facility that provides services for the child or at a public or private residential institution or facility where the child resides

(6) "Report" means a report that alleged or suspected abuse or neglect of a child has occurred or may occur.

Added by Acts 1995, 74th Leg., ch. 20, Sec. 1, eff. April 20, 1995. Amended by Acts 1995, 74th Leg., ch. 751, Sec. 86, eff. Sept. 1, 1995.

Subchapter B – Report of Abuse or Neglect; Immunities

Sec. 261.101. Persons Required to Report; Time to Report.

- (a) A person having cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect by any person shall immediately make a report as provided by this subchapter.
- (b) If a professional has cause to believe that a child has been or may be abused or neglected, the professional shall make a report no later than the 48th hour after the hour the professional first suspects that the child has been or may be abused or neglected. A professional may not delegate to or rely on another person or make the report. In this subsection, "professional" means an individual who is licensed or certified by the state or who is an employee of a facility licensed, certified, or operated by the state and who, in the normal course of official duties or duties for

which a license or certification is required, has direct contact with children. The term includes teachers, nurses, doctors, and day-care employees.

- (c) The requirement to report under this section applies without exception to an individual whose personal communications may otherwise be privileged, including an attorney, a member of the clergy, a medical practitioner, a social worker, and a mental health professional.
- (d) The identity of an individual making a report under this chapter is confidential and may be disclosed only on the order of a court or to a law enforcement officer for the purposes of conducting a criminal investigation of the report.

Sec. 261.102 Matters to be Reported

A report should reflect the reporter's belief that a child has been or may be abused or may be abused or neglected or has died of abuse or neglect.

Added by Acts 1995, 74th Leg., ch. 20, Sec. 1, eff. April 20, 1995. Amended by Acts 1995, 74th Leg., ch. 751, Sec 88, eff. Sept, 1, 1995.

Sec. 261. 103. Reports Made to Appropriate Agency.

A report shall be made to:

- (1) any local or state law enforcement agency;
- (2) the department if the alleged or suspected abuse involves a person responsible for the care, custody, or welfare of the child;
- (3) the state agency that operates, licenses, certifies, or registers the facility in which the alleged abuse or neglect occurred; or
- (4) the agency designated by the court to be responsible for the protection of children.

Add by Acts 1995, 74th Leg., ch. 20, Sec. 1, eff. April 20, 1995. Amended by Acts 1995, 74th Leg., ch.. 751, Sec. 89, eff. Sept. 1, 1995

Sec. 261. 104. Contents of Report.

The person making a report shall identify, if known:

- (1) the name and address of the child;
- (2) the name and address of the person responsible for the care, custody, or welfare of the child; and
- (3) any other pertinent information concerning the alleged or suspected abuse or neglect.

Added by Acts 1995, 74th Leg., ch. 20, Sec. 1, eff. April 20, 1995. Amended by Acts 1995, 74th Leg., ch 751, Sec. 90, eff. Sept. 1, 1995.

Sec. 261.106 Immunities.

- (a) A person acting in good faith who reports or assists in the investigation of a report of alleged child abuse or neglect or who testifies or otherwise participates in a judicial proceeding arising from a report, petition, or investigation of alleged child abuse or neglect is immune from civil or criminal liability that might otherwise be incurred or imposed.

- (b) Immunity from civil and criminal liability extends to an authorized volunteer of the department or a law enforcement officer who participates at the request of the department in an investigation of alleged or suspected abuse or neglect or in an action arising from an investigation if the person was acting in good faith and in the scope of the person's responsibilities.
- (c) A person who reports the person's own abuse or neglect of a child or who acts in bad faith or with malicious purpose in reporting alleged child abuse or neglect is not immune from civil or criminal liability.

Added by Acts 1995, 74th Leg., ch. 20, Sec. 1, eff. April 20, 1995. Amended by Acts 1995, 74th Leg., ch. 751, Sec. 91, eff. Sept. 1, 1995.

Sec. 261.107. False Report: Penalty.

A person commits an offense if the person knowingly or intentionally makes a report as provided in this chapter that the person knows is false or lacks factual foundation. An offense under this subsection is a class B misdemeanor.

Added by Acts 1995, 74th Leg., ch. 20, Sec. 1, eff. April 20, 1995. Amended by Acts 1995, 74th Leg., ch. 751, Sec. 92, eff. Sept. 1, 1995.

Sec. 261.109. Failure to Report: Penalty.

- (a) A person commits an offense if the person has cause to believe that a child's physical or mental health or welfare has been or may be adversely affected by abuse or neglect and knowingly fails to report as provided in this chapter.
- (b) An offense under this section is a Class B misdemeanor.

Added by Acts 1995, 74th Leg., ch. 20, Sec. 1, eff. April 20, 1995.

DEFINITIONS

Texas Penal Code – Sections 43.21, and 43.25

Sec. 43.21. Definitions.

- (a) in this subchapter:
 - (1) “**Obscene**” means material or a performance that:
 - (A) the average person, applying contemporary community standards, would find that taken as a whole appeals to the prurient interest in sex;
 - (B) depicts or describes:
 - (i) patently offensive representations or descriptions of ultimate sexual intercourse, sodomy, and sexual bestiality; or
 - (ii) patently offensive representations or descriptions of masturbation, excretory functions, sadism, masochism, lewd exhibition of the genitals, the male or female genitals in a state of sexual stimulation or arousal, covered male genitals in a discernibly turgid state or a device designed and marketed as useful primarily for stimulation of the human genital organs; and
 - (C) taken as a whole, lacks serious literary, artistic, political, and scientific value.

Sec.43.25 Sexual Performance by a Child.

- (2) “**Sexual conduct**” means actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, sado-masochistic abuse, or lewd exhibition of the genitals.

Texas Family Code- Chapter 71

Sec. 71.01. Definitions.

- (3) “**Family**” includes individuals related by consanguinity or affinity, as determined under Sections 573.022 and 573.024, Government Code, individuals who are former spouses of each other, individuals who are the biological parents of the same child, without regard to marriage, and a foster child and foster parent, whether or not those individuals reside together.

*Child/Youth Protection Program for
Christ United Methodist Church of
Sugar Land, TX*

This is to confirm that I have received and read a copy of the Policies and Procedures Manual for the Child/Youth Protection Program of Christ United Methodist Church of Sugar Land, TX. Included in these Policies and Procedures is a legal definition of child abuse and neglect from the Texas Family Code and written information describing the Texas Laws regarding the reporting of suspected child abuse and/or neglect.

Worker Name (please print): _____

Worker Signature _____

Date: _____

Please Complete Other Side