

C A M E L L I A
BAPTIST  CHURCH

CHILD SAFETY & SECURITY POLICY

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Section One: Introduction

The purpose of this handbook is to provide policies and procedures for Camellia Baptist Church (CBC) Children and Student Ministry leaders, volunteers, and parents/guardians. This document is subject to change over time from the request of our Children & Student leadership, Pastors, and the approval by the Policy and Procedures Committee and the Church. Any changes will be clearly communicated to all involved.

Section Two: Volunteer Application & Guidelines

Volunteer Application Process

Because we love children and because child safety is a paramount concern, we require all volunteers working with children to complete the following volunteer application steps prior to serving:

- Be a member in good standing of Camellia Baptist Church (CBC). Because volunteers communicate biblical truth to our little ones, because they represent CBC, and because CBC is liable for the actions of volunteers while serving, we require that our volunteers take the important step of obedience into church membership.
- New volunteers should fill out a CBC Volunteer Information Form.
- Consent to a Background Check. After completing the info sheet, you will be given a Background Check Consent Form to complete. Disqualifying offenses for serving in any way with children and students will be based on the eligibility guidelines provided by the state of Alabama for working in a childcare setting (Appendix A), as well as the discretion of the Children and Student leadership and Pastoral Leadership of CBC.
- Schedule a face-to-face meeting with your the Children's Director or Student Minister. This is just a brief time to share what it means to serve Jesus through Children's and/or Student Ministry and to answer any questions you may have.
- Complete any training requested by the Director.
- Read this policy thoroughly, and let your director know if you have any questions.

Children & Student Leadership and the Pastors reserve the right to remove any volunteer from serving within CBC Children and Student Ministries at any time for any reason.

Volunteer Training

Training is an important, and effective part of fulfilling your responsibility as a volunteer. You can expect the following types of training:

- New Volunteer Training: New volunteers will attend one informational meeting with the Children's Director or Student Minister regarding his/her specific age group.
- Ongoing Training: Volunteers will be expected to attend all-ministry team training sessions.
- Need-Based Training: Occasionally, we may provide training sessions to address specific needs and/or topics of interest for volunteers.

Scheduling & Attendance

The Director will communicate with you about their plan for scheduling. This may be through mail outs, phone calls, texts, or an online/email system. They will send out the schedule at regular intervals. We request that volunteers diligently do the following:

- Please let the Director know you will be out during a given month PRIOR to the schedule coming out if possible.
- If your name is on the schedule, and you will not be able to attend, please make every effort to switch assignments with another volunteer and notify the Director of the change. Simply not showing up is NOT an option.
- If the Director asks you to confirm your attendance, please do so as soon as you receive your scheduled work time. Remember that accepting a work time means that you have made a commitment to your church to serve. Please honor your commitments.
- We certainly understand that life can be unpredictable. In the event of a last-minute illness or emergency, please inform the Director as soon as possible.
- Please inform the Director when you have swapped your scheduled work time with another volunteer.
- If/When you are no longer able to serve on the team, please notify the Director at least three weeks in advance.

Arrival & Departure

Volunteer Arrival Procedures (the 4-P's):

- **Punctuality:** Please arrive on time. Volunteers should arrive a minimum of 15 minutes prior to the time for which they are scheduled or as otherwise instructed by their director. Punctuality is imperative because your tardiness has a domino effect, placing undue stress on staff and fellow volunteers. This also contributes to an unsafe environment for children and families. Please understand that your role is vital and that others are negatively affected by your absence.
- **Prayer:** Please prioritize prayer prior to the gathering for which you are scheduled (this is one of the many reasons for arriving 15 minutes prior to your scheduled time is so important.) Also, remember that Sundays are your chance to recharge and worship. Please attend Sunday School if you are scheduled to serve during Worship, and Worship if you are scheduled to serve during Sunday School.
- **Preparation:** Please familiarize yourself with the materials provided for the lesson during the week ahead and review the lesson before the children arrive.
- **Presentation:** We must always remember that the parents/guardians we serve are entrusting their children to us. This is no small thing, and that relationship hinges on trust. Accordingly, please do your part to present our church as a safe and hospitable place.

Volunteer Departure Procedures

- Safety: Under no circumstances are you to release a child without following the current check in/check out procedure. This should be true for everyone, including your closest friends.
- Stick Around: All volunteers must remain in their ministry area until the last child has been picked up or until relieved by another volunteer.
- Sanitize: Prior to departure, ensure that all tables are wiped clean and toys and supplies are put away neatly in their proper places.

General Notes

- All volunteers must know and understand the applicable policies and procedures within this handbook. Strict adherence is a must.
- Personal belongings must remain off the floor and out of the reach of children.
- Please leave phones on silent, and limit phone usage to emergencies. If there is a special circumstance, please inform your director.
- Before serving a snack, remember to check for allergies. Snacks containing peanuts should never be served to children at church.
- If a child is completely inconsolable, ill or injured, has a severe disciplinary problem, or a child is a danger to himself/herself or other children, please contact the Children's Director. He or she will help you contact the parents/guardians. He or she will be your point of contact for any immediate issues or concerns.

Prohibitions

Staff members and volunteers are prohibited from the possession or use of alcohol, tobacco, e-cigarettes, pain medication that impairs reaction time, and/or any illegal drugs while volunteering with CBC Children's or Student Ministries. Use of these substances is prohibited on all church property at all times, including parking lots.

Student (Grade 7-12) Volunteers

- Camellia Baptist Student Ministry (CBSM) students may volunteer only for specific responsibilities: Children's Church helper or Vacation Bible School helper.
- Students must be no less than 4 grade levels ahead of the children whom they are serving.
- Students will always serve with an adult volunteer in an assisting role. Students will not teach or take the lead role in any setting.
- Student volunteers may not serve with children at any time that conflicts with Student Ministry activities or in any way that regularly prevents them from attending worship.
- Student volunteers must complete and return a Student Volunteer Application Form and complete training prior to serving.

Section Three: Parent/Guardian Responsibilities

Parents/Guardians, for the safety and well-being of your children, please adhere to the policies and procedures outlined in this handbook.

General Requests:

- Please label all of your child's belongings (diaper bags, cups, bottles, pacifiers, etc.) If you need a label, please let us know!
- Please provide extra diapers, pull-ups, change of clothes, etc.
- We encourage you to leave all toys at home so as not to lose them or cause other children to be upset.
- Parents/Guardians are encouraged to take their potty-trained children to the restroom prior to checking them in to their classrooms.
- If you expect your child to struggle with separation anxiety, please arrive early to give them a chance to separate in a happy way.
- Our first point of contact will be to text or call you. Please keep your cell phone number up to date, and keep your phone nearby on vibrate during the service.
- Due to allergy concerns, please do not allow your child to bring outside food/drinks with him/her, with the exception of bottles and sippy cups for nursery and toddler class.
- Because devices can be a distraction and disruption and because families have varying restrictions for their children regarding devices and content, we request that children not bring devices (i.e., phones, tablets, etc.) to church. If it is necessary for your child to have a device, the child must keep the device put away. The teacher reserves the right to confiscate your child's device and return it to you at check out.

Check-In/Check-Out

Follow current check in/check-out procedures.

Child Illness & Symptoms

Children must be symptom free from the following illnesses without medication for 24 hours before entering the classroom:

- Fever of 100 or higher
- Vomiting or diarrhea
- Conjunctivitis (pink eye or other eye infection)
- Rash
- Nasal drainage that is green or yellow
- Sore throat
- Open sores
- Excessive coughing
- Lice

If a child develops any of these symptoms while in class, you will be contacted to pick up your child. In addition, a volunteer will contact you in the event that: (1) your child is completely inconsolable, (2) your child is ill or injured, (3) your child has a severe disciplinary problem, or (4) your child is a danger to himself/herself or other children.

NOTE: CBC volunteers are not trained to administer medicine. If your child needs to take medicine for any reason not listed above, please notify their teachers of this when you drop them off in their room. The break between Sunday School and Worship is an ideal time for parents/guardians to come and administer medicine.

Section Four: Volunteer Procedures

Rooms

Security happens at the door of the room. This important fact must be kept in mind. Please abide by the following guidelines regarding security and safety in your room. All children's classroom doors must have a window in order to make the classroom visible from the outside. Windows on doors should remain unobstructed by decorations or curtains.

- No child or adult who has not been checked in according to current check-in/check-out procedures may enter a room during service. This includes volunteers and parents/guardians. Adults may only briefly enter the room to pick up their child. Please close the door behind you when you enter and after you when you exit.
- All names of the present children in a room should be marked on the roster. See check-in/check-out policy.
- A child should not leave a room until they are picked up for any reason other than:
 - A restroom trip (see Restroom Policy)
 - A group trip (i.e., outside play time as a group)
 - An emergency
 - To help console the child at the Director's discretion.

- Parents/Guardians should always pick up children from the room from which they dropped them off.
- The attendance roster should always accurately show who is currently present in the room.
 - Rosters may be transferred from one volunteer to another between Sunday School and Corporate Worship.

Injury & First Aid

Volunteers are permitted to administer Band-Aids, ice packs, Epi-Pens, and CPR. If there is an injury in the classroom, a volunteer should immediately tell the Director (the classroom volunteers must remain in the classroom). All injuries must be reported because some seemingly trivial injuries can turn out to be serious.

Restroom Policy

Volunteers shall provide assistance to a child using the restroom only if the child is three years old or younger or has special needs requiring extra assistance. Only female volunteers are allowed to provide this assistance. No man may assist a child in the restroom.

If a volunteer is aiding a child age 3 or younger in the restroom, please adhere to the following guidelines:

- Keep the bathroom door slightly open at all times.
- 1 child at a time in the restroom.
- Volunteer must be female.

If a volunteer is escorting a child older than age three to the restroom, please adhere to the following guidelines:

- 1 child at a time in the restroom.
- If the child needs assistance, prop the door open and enter the restroom.
- Do not enter the stall with a child over age 3 without another worker present.

Following a trip to the restroom, volunteers must wash their own hands as well as the hands of the child (at a sink or with hand sanitizer).

Diapering Children

- Only female volunteers may change diapers.
- As a courtesy to parents/guardians, all diapers should be checked and changed if necessary before children are checked out.
- Ensure the changing pad is cleaned.
- Disposable gloves may be worn and thrown away after each diaper change.
- Remove the baby's diaper, fold it, and place it in the trash can or in the child's cloth diaper bag, if provided by parent/guardian (if needed, please ask for a cloth diaper tutorial).
- Use the child's disposable cleaning wipes (or the nursery's wipes, if not provided by parent/guardian) to gently cleanse folds and creases of diapered areas.
- Do not apply lotion or powder unless instructed to do so by parent/guardian.
- Volunteers must wash their own hands (at a sink or with hand sanitizer) after changing a diaper. The changing pad must also be sanitized with antibacterial wipes or spray.
- Volunteers shall always be within arm's reach while a child is on the changing table. Prepare ahead of time so that all supplies are within reach. Never leave a child alone on the table, even if just for a moment.
- Take out the trash at the end of the day.

Cleaning

- At the end of your service, clean toys with disinfectant spray/wipes.
- Spray and wipe down exposed areas of play equipment, tables, chairs, etc.
- Return all toys and items to their proper places before leaving the room.
- Please make sure all electronic items have been powered OFF, including but not limited to stereos & swings.
- Soiled cloth items and Boppy covers should be removed immediately for laundering before the next gathering. Please place soiled items in a tied plastic trash bag. Leave bag in laundry room to be washed.
- All trash should be emptied at the end of every day. It is not necessary to empty the trash in between two gatherings on the same day, unless the trash contains dirty diapers.

Section Five: What Parents/Guardians Can Expect

Classrooms & Promotion

We strive to maintain a healthy child to teacher ratio. There should not be less than two adult volunteers in a room. There will always be at least one female present in each room.

We have age-appropriate spaces and lessons for children of all ages. While classes may be added or removed based on need, parents/guardians will always be notified prior to a classroom change.

We want to work with you as we promote your children through grade levels. For grade school aged children, promotion will happen at the beginning of the school year.

Promotion from bed babies to the toddler room will happen based on your child's mobility. Promotion from the toddler room to the next Sunday School class will be based on development and potty training. You will be notified the week prior to these transitions.

Curriculum

Babies and Toddlers: Babies and toddlers do not have a "curriculum" but they do receive love, care, and prayer. At every opportunity, we will sing songs, read Bible stories and share the love of Jesus with your children while they are in our care.

Preschool and up: Each Sunday, our team of volunteers teaches the Bible in an age-appropriate way, focused on how the Scriptures reveal the person and work of Jesus Christ. Our curriculum also equips parents/guardians to train their children in the gospel through take-home supplemental activities. The questions are tailored to the different age groups based on your child's class. Our ultimate goal is to see families talking about Jesus daily and living on mission together within the context of the entire CBC Family.

Classroom Management

Classroom Rules:

- Obey the teacher
- Listen
- Respect others
- Take care of our classroom

Proactive Steps for Helping Children in the Classroom:

- Communicate the classroom rules at the beginning of every class.
- Make eye contact when speaking to a child.
- Acknowledge the child doing well and encourage them. Use positive reinforcement!
- Have children repeat what you have asked them to do.
- Try to redirect the child if they are doing something they shouldn't be doing.

Preventative Actions:

- Create a loving, caring, atmosphere.
- Establish and communicate realistic expectations for children.
- Focus on positive actions.
- Be fair and consistent with children.

Definition of Discipline:

Although discipline and punishment are often used interchangeably, the concepts are different. Simply put, discipline means “to teach.” For example, a teacher tells a child, “You hurt Lisa when you hit her. We do not hit our friends. We use our hands for playing, helping, and working. Good friends talk out their problems.” This type of dialogue not only teaches a child how not to act, but also teaches them how to act.

Discipline Steps:

- Discipline should always be given in love, not anger.
- Verbal warning: If possible, whisper and get close to the child in order not to draw attention from others and onto the inappropriate behavior.
- Separate the child from the behavior. It is important to realize that it is what the child is doing that is unacceptable and not the child. Remind them of the rules, then present them with acceptable choices. For example, “You may go play with the blocks or look at the books.”
- When appropriate, use humor (“Let’s clean up this mess with our monster sponge!”) or remind them of natural consequences (“Eating play-dough might give you a tummy ache.”).
- Alert the Director if the behavior is aggressive or alarming.

Types of Punishment Not Allowed:

- Corporal punishment, including shaking, hitting, pinching, biting back or other measures that produce physical pain.
 - Any form of emotional abuse, including rejecting, terrorizing, ignoring, corrupting a child, or abusive and profane language.
 - Isolation out of view of caregiver (leaving a child alone or putting them “in the corner”).
 - Threats of physical punishment or withdrawal of food, rest, or bathroom opportunities.
 - Telling parents/guardians to punish their children at home for misbehavior at church.
- NOTE: If a child’s behavior is consistently a problem, please inform the Director.

Child Wellness:

Teachers are not to administer any medication to the children. If your child requires medication during the service times, please let the teacher know what time you will return to medicate your child. If the medication will be required long term, and administering it yourself causes the child separation distress, please schedule a time to speak to the Director to see if any other arrangements can be made. Exceptions to this policy will be subject to Staff/Director consent.

If a minor injury occurs, volunteers will complete an injury report form for documentation and to make parents/guardians aware.

Gospel-Centered Discipline/Teaching

Positive Framing & Reinforcement

- Praise the positive and reward good behavior. Children often learn by modeling behavior, so try, for example, “I love the way Sarah is sitting quietly with her hands in her lap. Great job!” The other children will follow quickly in hopes of being praised the same way. Praising kids rewards good behavior and reinforces that behavior for the entire class.
- Explain the rules of the class every week. Children do well when they know what is expected of them.
- Be assertive: Say what you mean and do what you say. Children need to know what consequences will follow disobedience. When children know the consequences ahead of time, they will likely receive them with less arguing and complaining. Order the class around what you have said you are going to do. You are the teacher. Be firm in giving instructions and following through, but never yell at a child. Speak on their level. Look at them in the eye and make sure they are listening to what you say. If appropriate, have them repeat back what you just said. Do not discipline a child from across the room: go to the child and pull them aside. Do not let kids tell you what to do. You are in control.
- Make things fun! Instead of going into things like clean up time with a negative approach, such as, “I’m so sorry, but we have to put toys away now,” try addressing it with a positive spin: “Okay kids, I have a mission for you: do you think we can have all of these toys put away in two minutes?” Singing the clean-up song is always a hit, and a great way to encourage a clean-up routine. Don’t offer too many activity choices for kids.

- Talk to a child who is crying. Engage an upset child with something of interest. Talk to them in a way that distracts them from thinking about their parents and avoid saying that Mommy/Daddy is coming. If absolutely necessary, you can remind them that Mommy and Daddy will come back soon, but do not make that the point of your conversation. For children who are likely to cry, ask their parents how best to soothe them.
- Apply the gospel when you are disciplining a child. Focus on God's love for the child and your love for the child. Be specific as you explain that you want him/her to follow directions, be kind to friends, participate, etc. Talk to the child about how it pleases the Lord when we obey Him. Remember that discipline should always be given in love, not in anger.
- Anticipate and plan for new or difficult times. Transition times are frequently difficult for children. Things like a new sibling, a move, or health issues can often bring about behavior changes within a child. Similarly, long waits are difficult for children. It's beneficial to have extra things planned for extended services so the children will not become restless.

Reconciliation

If a problem occurs between two or more children, ask both parties the following questions in order to find out the children's perspective on the situation and to help children learn to reconcile:

- What happened?
- How did you feel when that happened?
- What did you do?
- Why did you do that?
- What was the result?

Then, ask the offender to apologize to the offended:

- Help the child to understand why the other is upset. "I'm sorry for..."
- "This was wrong because..."
- Focus on what to do rather than what not to do. "In the future, I will..."
- "Will you forgive me?" This is unnecessary for accidents, but it's good protocol.

Volunteer Self-Evaluation

As a volunteer, pay attention to how you feel:

- If you are stressed, children will sense that. Try to focus on the present moment and the children in front of you rather than outside stresses and circumstances.
- We only have a short time with these children each Sunday and Wednesday to give them our all and teach them about the depth of God's love for them, which we can demonstrate through our actions and our undivided attention.
- Take a moment away if necessary (but always within the bounds of our policies regarding two volunteers to a room, etc.).

- If you are struggling with a child, pass him or her off to another volunteer. You are never alone in the classroom, so let those around you help you through difficult moments.
- Arrive prepared, in heart and mind. Arriving on time enables you to have time to prepare.

Section Six: Safety & Security

Visibility & Security

For the sake of safety and accountability, it's of utmost importance that all interactions between children and volunteers take place in a location where other adults can observe. At no time shall a child and volunteer be alone together in a closed room with no visibility to outsiders. There should never be one-on-one with an adult and child or student.

Most areas where children and volunteers are present on CBC property are equipped with video surveillance equipment. Volunteers acknowledge that they are being recorded for safety and security purposes. This is for the protection not only of the child, but also of the volunteer.

All children's classroom doors must have a window in order to make the classroom visible from the outside. Windows on doors should remain unobstructed by decorations or curtains.

Response Team

CBC has a dedicated team Security Team who monitors the buildings and works to secure all entry points during services, which guards against strangers entering into the space. Please do not unlock or prop open doors at any time.

Volunteer/Child Protection

CBC intends to ensure the health, safety, and well-being of both children and volunteers. As a precaution, and to ensure strict accountability from one adult to another, volunteers must follow these rules:

Two Volunteer Policy

At least two volunteers shall remain together with children at all times, one of which must be female. Males will always serve alongside at least one female. If a volunteer needs to leave a group of children, the Director or a runner must be notified in order to uphold this two -volunteer policy.

Feeding Children

- Always be aware of the children's allergies.
- Babies should only be fed what the parent/guardian has provided for that specific child. Do not share food between babies.
- Every child's hands must be washed/sanitized prior to eating a snack.

- A light snack is provided for children in the toddler and preschool rooms. It usually consists of popcorn, fruit, goldfish, animal crackers, cheerio's and/or pretzels. Water is the only drink provided for the children.
- Children may have snacks and drinks only when seated. It is suggested for allergy and sanitation reasons, to seat children when eating and drinking.

Physical Contact

CBC is committed to protecting children, and we also recognize that appropriate touch is part of a positive, nurturing environment. The following guidelines are to be carefully followed by volunteers.

Accompanied by good judgment, the following are appropriate ways to touch children:

- an arm around the shoulder
- walking hand in hand
- carrying small children piggy-back
- short congratulatory or greeting hugs
- a brief, assuring pat on the back or shoulder
- handshakes, high-fives, and fist bumps

The following is a non-exhaustive list. Volunteers shall NEVER:

- touch a child in anger or disgust
- touch a child in any manner that may be construed as sexually suggestive
- touch a child's private parts (with the exception of proper diaper or bathroom procedures)

Physical contact in any form should be above reproach. The personal behavior of staff members and volunteers must foster trust at all times. Do not force physical contact, touch, or affection on a reluctant child. A child's preference not to be touched should generally be respected.

Policy Against Child Abuse

CBC maintains a strict zero-tolerance policy against child abuse and neglect. Child abuse and neglect includes physical or mental injury, sexual abuse, negligent treatment, or maltreatment. Sexual abuse is defined as the use, persuasion, or coercion of any child to engage in any sexually explicit conduct (or any simulation of such conduct) for the purpose of producing any visual depiction of such conduct or rape, molestation, prostitution, or incest with children. It is against the law and against CBC policy for any volunteer or employed staff, male or female, to physically, sexually, or mentally abuse or neglect any child.

If for any reason you suspect that a child may be being abused in any way at home, please discretely alert the Director or the Pastor.

Reporting

Volunteers and staff are under obligation to immediately report:

- Adults that are intentionally spending one on one time with children in secluded spaces. Any person making such a report shall keep the information strictly confidential.
- Incidents of abuse, any occurrence in which any person:
 - Has threatened to inflict or has inflicted physical injury upon a child or volunteer, other than by accidental means, or is reasonably suspected to have done so.
 - Commits or allows to be committed any sexual offense against a child or volunteer or is reasonably suspected to have done so.
 - With respect to a child or volunteer, makes any kind of sexual advance, or makes a request for sexual favors, engages in sexually motivated physical contact, or is reasonably suspected to have done so.
 - Exposes a child or volunteer to verbal, visual, or physical conduct of a sexual nature, or is reasonably suspected to have done so.
- Any imminent threat. In all cases where an imminent threat of continued or actual abuse exists, witnesses shall immediately take steps to ensure the safety of the alleged victim. After the safety of the alleged victim has been secured, witnesses shall follow the steps outlined below.

Responding to a Report:

Upon witnessing or receiving a report of abuse, witnesses will immediately take steps to ensure the safety of the alleged victim. After the safety of the alleged victim has been secured, witnesses shall:

- Immediately contact the Children's or Student Director or any Pastor who will then contact the parents/guardians of the alleged victim to inform them of the incident and report to the authorities if necessary.
- Take all reasonable steps necessary to ensure that the alleged wrongdoer has no contact with the alleged victim pending investigation.
- Take all steps necessary to ensure that the alleged wrongdoer is barred from further work with children at CBC pending the investigation.

Emergency Procedures

In case of an emergency, do the following:

Medical Concerns:

Immediately report any medical needs or concerns to the nearest Security Team member, Director, or Staff member. At your discretion, call 911 in the case of extreme emergency. The volunteer should remain calm and divert the attention of the other children. The victim should be kept quiet and still. Do not attempt to move a severely injured person unless in imminent danger.

Hazardous Weather:

In the event of dangerous weather, volunteers should remain calm and await further instructions. Further instructions will be given by a Staff member, Security Team member or other proper authority.

Fire:

The safety of all children and volunteers is the first priority in any fire. It is not the responsibility of the volunteer to put out the fire unless judgment to do so is unquestionable and presents no possible danger to anyone present. In the event the alarms go off, volunteers need to calmly proceed with children to the nearest exit based on the fire evacuation plan posted in the classroom. Please bring the class roster to account for children if safe to do so. Once safely out of the building, go to one of three designated areas based on the evacuation plan. These are near the dumpster, the grassy area in front of church office, and back grassy area.

Missing Child:

Time is critical if a child is reported missing. Volunteers should contact a Security Team member, Director, Pastor, or staff member as soon as possible with the following information:

- Name, age, race, and sex
- Hair color and color of clothing
- Room where child was checked-in

Evacuation:

In the event of an evacuation: The children will be led by their classroom volunteers through the exit door. Do not use the elevator. Volunteers will lead children to the drive through awning at the entrance of the Student Center. They will form a group circle in order to be counted and report to the Director. As you evacuate your class, if at all possible, take the clipboard with your attendance roster with you. This allows a definitive safe headcount once everyone is outside.

This document was adapted, with permission, based on the Policies & Procedures Handbook of Arlington Baptist Church in Pascagoula, MS.

This document is a work in progress and will be revised as needed to fit our ministry needs at Camellia Baptist Church.

APPENDIX A

Background Check Disqualification Criteria

An unsuitability determination must be made for ALL APPLICANTS (i.e., for employment, volunteer work, approval, or licensure) that have conviction(s) (i.e., a determination of guilt as the result of a plea, including a plea of nolo contendere, or a trial) for any of the following crimes:

1. Murder, manslaughter, or criminally negligent homicide.
2. A sex crime. The term “sex crime” includes the following:
 - a. Enticing a child to enter a vehicle, room, house, office, or any other place for immoral purposes, as proscribed by Section 13A-6-69;
 - b. Incest, when the offender is an adult and the victim is a minor, as proscribed by Section 13A-13-3.
 - c. Kidnapping of a minor, except by a parent, in the first or second degree, as proscribed by Section 13A-6-43 or Section 13A-6-44;
 - d. Promoting prostitution in the first or second degree, as proscribed by Section 13A-12-111 or Section 13A-12-112;
 - e. Rape in the first or second degree, as proscribed by Section 13A-6-61 or Section 13A-6-62;
 - f. Sexual misconduct, as proscribed by Section 13A-6-65;
 - g. Sexual torture, as proscribed by Section 13A-6-65.1;
 - h. Sexual abuse in the first or second degree, as proscribed by Section 13A-6-66 or Section 13A-6-67;
 - i. Sodomy in the first or second degree, as proscribed by Section 13A-6-63 or Section 13A-6-64;
 - j. Soliciting a child by computer for the purposes of committing a sexual act and transmitting obscene material to a child by computer as proscribed by Sections 13A-6-110 and 13A-6-111;
 - k. Violation of the Alabama Child Pornography Act, as proscribed by Section 13A-12-191, 13A-12-192, 13A-12-196, or 13A-12-197;
 - l. Any solicitation, attempt, or conspiracy to commit any of the offenses listed in paragraphs a. to k., inclusive;
 - m**. A crime listed in the Community Notification Act, Chapter 20 of Title 15; or
 - n. Conviction for a violation or attempted violation of an offense committed outside the State of Alabama or under federal law is a sex crime or any other crime if the offense would be a crime in Alabama.

**On July 1, 2011, the New Community Notification Act (2011-640) was enacted and changes the definition of “sex crime” under the CH analysis. The list is expansive. Therefore, please forward inquiries concerning sex crimes to the Office of Criminal History Checks. The new definition of a “sex crime” includes:

- (1)** Rape in the first degree, as provided by Section 13A-6-61, Code of Alabama 1975.
- (2)** Rape in the second degree, as provided by Section 13A-6-62, Code of Alabama 1975.
- (3)** Sodomy in the first degree, as provided by Section 13A-6-63, Code of Alabama 1975.
- (4)** Sodomy in the second degree, as provided by Section 13A-6-64, Code of Alabama 1975.
- (5)** Sexual misconduct, as provided by Section 13A-6-65, Code of Alabama 1975, provided that on a first conviction or adjudication the sex offender is only subject to registration and verification pursuant to this act. On a second or subsequent conviction or adjudication, if the second or subsequent conviction or adjudication does not arise out of the same set of facts and circumstances as the first conviction or adjudication, the sex offender shall comply with all requirements of this act. The sentencing court may exempt from this act a juvenile sex offender adjudicated delinquent of sexual misconduct.
- (6)** Sexual torture, as provided by Section 13A-6-65.1, Code of Alabama 1975.
- (7)** Sexual abuse in the first degree, as provided by Section 13A-6-66, Code of Alabama 1975
- (8)** Sexual abuse in the second degree, as provided by Section 13A-6-67, Code of Alabama 1975.
- (9)** Indecent exposure, as provided by Section 13A-6-68, Code of Alabama 1975, provided that on a first conviction or adjudication the sex offender is only subject to registration and verification pursuant to this act. On a second or subsequent conviction or adjudication, if the second or subsequent conviction or adjudication does not arise out of the same set of facts and circumstances as the first conviction or adjudication, the sex offender shall comply with all requirements of this act. The sentencing court may exempt from this act a juvenile sex offender adjudicated delinquent of indecent exposure.
- (10)** Enticing a child to enter a vehicle, room, house, office, or other place for immoral purposes, as provided by Section 13A-6-69, Code of Alabama 1975.
- (11)** Sexual abuse of a child less than 12 years old, as provided by Section 13A-6-69.1, Code of Alabama 1975.
- (12)** Promoting prostitution in the first degree, as provided by Section 13A-12-111, Code of Alabama 1975.
- (13)** Promoting prostitution in the second degree, as provided by Section 13A-12-112, Code of Alabama 1975.
- (14)** Violation of the Alabama Child Pornography Act, as provided by Sections 13A-12-191, 13A-12-192, 13A-12-196, or 13A-12-197, Code of Alabama 1975.
- (15)** Unlawful imprisonment in the first degree, as provided by Section 13A-6-41, Code of Alabama 1975, if the victim of the offense is a minor.
- (16)** Unlawful imprisonment in the second degree, as provided by Section 13A-6-42, Code of Alabama 1975, if the victim of the offense is a minor.
- (17)** Kidnapping in the first degree, as provided by subdivision (4) of subsection (a) of Section 13A-6-43, Code of Alabama 1975, if the intent of the abduction is to violate or abuse the victim sexually.

- (18)** Kidnapping of a minor, except by a parent, guardian, or custodian, as provided by Section 13A–6–43 or 13A–6–44, Code of Alabama 1975.
- (19)** Incest, as provided by Section 13A–13–3, Code of Alabama 1975.
- (20)** Transmitting obscene material to a child by computer, as provided by Section 13A–6–111, Code of Alabama 1975.
- (21)** School employee engaging in a sex act or deviant sexual intercourse with a student, as provided by Section 13A–6–81, Code of Alabama 1975.
- (22)** School employee having sexual contact with a student, as provided by Section 13A–6–82, Code of Alabama 1975.
- (23)** Facilitating solicitation of unlawful sexual conduct with a child, as provided by Section 13A–6–121, Code of Alabama 1975.
- (24)** Electronic solicitation of a child, as provided by Section 13A–6–122, Code of Alabama 1975.
- (25)** Facilitating the on-line solicitation of a child, as provided by Section 13A–6–123, Code of Alabama 1975.
- (26)** Traveling to meet a child for an unlawful sex act, as provided by Section 13A–6–124, Code of Alabama 1975.
- (27)** Facilitating the travel of a child for an unlawful sex act, as provided by Section 13A–6–125, Code of Alabama 1975.
- (28)** Human trafficking in the first degree, as provided by Section 13A–6–152, Code of Alabama 1975, provided that the offense involves sexual servitude.
- (29)** Human trafficking in the second degree, as provided by Section 13A–6–153, Code of Alabama 1975, provided that the offense involves sexual servitude.
- (30)** Custodial sexual misconduct, as provided by Section 14–11–31, Code of Alabama 1975.
- (31)** Any offense which is the same as or equivalent to any offense set forth above as the same existed and was defined under the laws of this state existing at the time of such conviction, specifically including, but not limited to, crime against nature, as provided by Section 13–1–110; rape, as provided by Sections 13–1–130 and 13–1–131; carnal knowledge of a woman or girl, as provided by Sections 13–1–132 through 13–1–135, or attempting to do so, as provided by Section 13–1–136; indecent molestation of children, as defined and provided by Section 13–1–113; indecent exposure, as provided by Section 13–1–111; incest, as provided by Section 13–8–3; offenses relative to obscene prints and literature, as provided by Sections 13–7–160 through 13–7–175, inclusive; employing, harboring, procuring or using a girl over 10 and under 18 years of age for the purpose of prostitution or sexual intercourse, as provided by Section 13–7–1; seduction, as defined and provided by Section 13–1–112; a male person peeping into a room occupied by a female, as provided by Section 13–6–6; assault with intent to ravish, as provided by Section 13–1–46; and soliciting a child by computer, as provided by Section 13A–6–110, Code of Alabama 1975.
- (32)** Any solicitation, attempt, or conspiracy to commit any of the offenses listed in subdivisions (1) to (31).

(33) Any crime committed in Alabama or any other state, the District of Columbia, any United States territory, or a federal, military, Indian, or foreign country jurisdiction which, if it had been committed in this state under the current provisions of law, would constitute an offense listed in subdivisions (1) to (32).

(34) Any offense specified by Title I of the federal Adam Walsh Child Protection and Safety Act of 2006 (Pub. L. 109–248, the Sex Offender Registration and Notification Act (SORNA)).

(35) Any crime committed in another state, the District of Columbia, any United States territory, or a federal, military, Indian, or foreign country jurisdiction if that jurisdiction also requires that anyone convicted of that crime register as a sex offender in that jurisdiction.

(36) Any offender determined in any jurisdiction to be a sex offender shall be considered a sex offender in this state.

(37) The foregoing notwithstanding, any crime committed in any jurisdiction which, irrespective of the specific description or statutory elements thereof, is in any way characterized or known as rape, carnal knowledge, sodomy, sexual assault, sexual battery, criminal sexual conduct, criminal sexual contact, sexual abuse, continuous sexual abuse, sexual torture, solicitation of a child, enticing or luring a child, child pornography, lewd and lascivious conduct, taking indecent liberties with a child, molestation of a child, criminal sexual misconduct, or video voyeurism.

(38) Any crime not listed in this section wherein the underlying felony is an element of the offense and listed in subdivisions (1) to (37).

(39) Any other offense not provided for in this section wherein there is a finding of sexual motivation as provided by Section 6.

1. A crime that involves the physical or mental injury or maltreatment of a child, the elderly, or an individual with disabilities.

2. A crime committed against a child.

3. A crime involving the sale or distribution of a controlled substance.

4. Robbery.

5. A crime or offense committed in another state or under federal law which would constitute any of the above crimes in this state.

6. The Department of Human Resources may set other disqualifying convictions by rule under the Administrative Procedure Act, Section 41-22-1, et seq., for Department of Human Resources licensed child or adult care facilities.

7. Conviction for a crime listed in the federal Adoption and Safe Families Act as prohibiting a person from being a foster parent or adoptive parent shall be deemed to make the convicted person unsuitable for employment, volunteer work, approval, or licensure as a foster parent or adoptive parent.

A conviction for a crime listed in the Adoption and Safe Families Act, 42 U.S.C.

§671(a)(20)(A), shall disqualify a person from being approved or continuing to be approved as a foster parent or adoptive parent and a convicted person shall be deemed unsuitable for employment, volunteer work, approval, or licensure as a foster parent or adoptive parent if a criminal history check record reveals the following:

- (i) ... a felony conviction for child abuse or neglect, for spousal abuse, for a crime against children (including child pornography), or for a crime involving violence, including rape, sexual assault, or homicide, but not including other physical assault or battery, if a State finds that a court of competent jurisdiction has determined that the felony was committed at any time, such final approval shall not be granted; and

(ii) ... a felony conviction for physical assault, battery, or a drug-related offense, if a State finds that a court of competent jurisdiction has determined that the felony was committed within the past 5 years, such final approval shall not be granted; DHR Administrative Code 660-5-46-.03 defines a “crime involving violence” as “crimes of murder, manslaughter, kidnapping, aggravated assault, forcible sex offenses, robbery, arson, extortion, extortionate extension of credit, and burglary of a dwelling. Other offenses are included as “crimes involving violence” if (A) the offense has as element the use, attempted use or threatened use of physical force against the person of another, or (B) the conduct set forth (i.e., expressly charged) in the count of which the defendant was convicted involved use of explosives (including any explosive material or destructive device) or, by its nature, presented a serious potential risk of physical injury to another. “Crime involving violence” also includes the offenses of aiding and abetting, conspiring, and attempting to commit such offenses.”

VIOLENT OFFENSE (as defined in Section 12-25-32).

a. For the purposes of this article, a violent offense includes each of the following offenses, or any substantially similar offense to those listed in this subdivision created after June 20, 2003:

1. Capital murder pursuant to Sections 13A-6-2 and 13A-5-40.
2. Murder pursuant to Section 13A-6-2.
3. Manslaughter pursuant to Section 13A-6-3.
4. Criminally negligent homicide pursuant to Section 13A-6-4.
5. Assault I pursuant to Section 13A-6-20.
6. Assault II pursuant to Section 13A-6-21.
7. Compelling street gang membership pursuant to Section 13A-6-26.
8. Kidnapping I pursuant to Section 13A-6-43.
9. Kidnapping II pursuant to Section 13A-6-44.
10. Rape I pursuant to Section 13A-6-61.
11. Rape II pursuant to Section 13A-6-62.
12. Sodomy I pursuant to Section 13A-6-63.
13. Sodomy II pursuant to Section 13A-6-64.
14. Sexual torture pursuant to Section 13A-6-65.l.
15. Sexual abuse I pursuant to Section 13A-6-66.
16. Enticing a child to enter a vehicle for immoral purposes pursuant to Section 13A-6-69.
17. Stalking pursuant to Section 13A-6-90.
18. Aggravated stalking pursuant to Section 13A-6-91.
19. Soliciting a child by computer pursuant to Section 13A-6-110.
20. Domestic violence I pursuant to Section 13A-6-130.
21. Domestic violence II pursuant to Section 13A-6-131.
22. Burglary I pursuant to Section 13A-7-5.
23. Burglary II pursuant to Section 13A-7-6.
24. Burglary III pursuant to subdivision (1) or subdivision (2) of subsection (a) of Section 13A7-7.
25. Arson I pursuant to Section 13A-7-41.
26. Criminal possession of explosives pursuant to Section 13A-7-44.
27. Extortion I pursuant to Section 13A-8-14.
28. Robbery I pursuant to Section 13A-8-41.
29. Robbery II pursuant to Section 13A-8-42.
30. Robbery III pursuant to Section 13A-8-43.
31. Pharmacy robbery pursuant to Section 13A-8-51.
32. Terrorist threats pursuant to Section 13A-10-15.
33. Escape I pursuant to Section 13A-10-31.

34. Promoting prison contraband I pursuant to Section 13A-10-36, involving a deadly weapon or dangerous instrument.
35. Intimidating a witness pursuant to Section 13A-10-123.
36. Intimidating a juror pursuant to Section 13A-10-127.
37. Treason pursuant to Section 13A-11-2.
38. Discharging a weapon into an occupied building, dwelling, automobile, etc., pursuant to Section 13A-11-61.
39. Promoting prostitution I pursuant to Section 13A-12-111.
40. Production of obscene matter involving a minor pursuant to Section 13A-12-197.
41. Trafficking pursuant to Section 13A-12-231.
42. Child abuse pursuant to Section 26-15-3.
43. Elder abuse pursuant to Section 38-9-7.
44. Terrorism pursuant to Section 13A-10-152.
45. Hindering prosecution for terrorism pursuant to Section 13A-10-154.
46. Domestic violence III pursuant to subsection (d) of Section 13A-6-132.
47. Domestic violence by strangulation or suffocation pursuant to Section 13A-6-138.
48. Human trafficking I pursuant to Section 13A-6-152.
49. Human trafficking II pursuant to Section 13A-6-153.
50. Hindering prosecution in the first degree pursuant to Section 13A-10-43.
51. Any substantially similar offense for which an Alabama offender has been convicted under prior Alabama law or the law of any other state, the District of Columbia, the United States, or any of the territories of the United States.

b. The basis for defining these offenses as violent is that each offense meets at least one of the following criteria:

1. Has as an element, the use, attempted use, or threatened use of a deadly weapon or dangerous instrument or physical force against the person of another.
2. Involves a substantial risk of physical injury against the person of another.
3. Is a nonconsensual sex offense.
4. Is particularly reprehensible.

c. Any attempt, conspiracy, or solicitation to commit a violent offense shall be considered a violent offense for the purposes of this article.

d. Any criminal offense which meets the criteria provided in paragraph b. enacted after 2003. (Act 2003-354, p. 948, §3; Act 2009-742, p. 2220, §1; Act 2012-473, p. 1304, §1; Act 2014-346, p. 1289, §1(b)(3); Act 2015-185, §1. In addition to the foregoing, the Department is subject to the requirements of the Child Care and Development Block Grant Act (“CCDBG”) or Public Law (Pub.L.) 113-186. Section 7 of the Act requires a state that receives funds to conduct criminal background checks on child care staff members, including prospective child care staff members, of child care providers that are (1) licensed, regulated, or registered or (2) that receive CCDF funds and carry out services. Relatives that care for other relatives only are excluded from undergoing the background check. Specifically, 42 U.S.C.A. § 9858f of the CCDBG requires ALDHR to conduct background checks of prospective and current child care staff members of certain child care providers. 42 U.S.C.A. § 9858f requires that ALDHR conduct a criminal background check for a child care staff member that includes all of the following:

- (1) a search of the State criminal and sex offender registry or repository in the State where the child care staff member resides, and each State where such staff member resided during the preceding 5 years
- (2) a search of State-based child abuse and neglect registries and databases in the State where the child care staff member resides, and each State where such staff member resided during the preceding 5 years

(3) a search of the National Crime Information Center
(4) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System
(5) a search of the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.) A child care staff member shall be ineligible for employment by a child care provider that is receiving assistance under this subchapter if such individual—

(A) refuses to consent to the criminal background check described in subsection (b);

(B) knowingly makes a materially false statement in connection with such criminal background check;

(C) is registered, or is required to be registered, on a State sex offender registry or repository or the National Sex Offender Registry established under the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16901 et seq.);¹ or

(D) has been convicted of a felony consisting of—

(i) murder, as described in section 1111 of title 18;

(ii) child abuse or neglect;

(iii) a crime against children, including child pornography;

(iv) spousal abuse;

(v) a crime involving rape or sexual assault;

(vi) kidnapping;

(vii) arson;

(viii) physical assault or battery; or

(ix) subject to subsection (e)(4), a drug-related offense committed during the preceding 5 years; or

(E) has been convicted of a violent misdemeanor committed as an adult against a child, including the following crimes: child abuse, child endangerment, sexual assault, or of a misdemeanor involving child pornography.

The CCDBG, located at 42 U.S.C.A. § 9858f(d)(2) and 42 U.S.C.A. § 9858f(d)(3) requires that the criminal background checks for prospective child care staff and current child care staff members must be conducted “no less than once during each 5-year period following the first submission on or after November 19, 2014” and “no less than once during each 5-year period following the first submission before November 19, 2014”, respectively.