



# Student Protection Policy

Immanuel Lutheran College

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*... we will tell the next generation the praiseworthy deeds of the Lord, his power, and the wonders he has done. -- Psalm 78:4*

*Be alert and of sober mind. Your enemy the devil prowls around like a roaring lion looking for someone to devour. -- 1 Peter 5:8*

## 1 Purpose

Immanuel Lutheran College and High School (ILC) exists for the express purpose of sharing the good news that the Son of God has come as True Man and True God in order to offer Himself as the perfect and complete sacrifice for the sins of every man, woman, and child ... past, present, and future. ILC recognizes, however, that sin is present everywhere and offers this policy as a means to help protect our students from abuse and our staff and volunteers from false allegations of abuse and to guide staff and volunteers in working with the students.

## 2 Responsibilities

ILC staff and volunteers who accept the responsibility of working with students at ILC agree to:

- Comply with this Student Protection Policy (SPP)
- Treat students with respect and dignity
- Attempt to prevent abuse, neglect, and exploitation from occurring to students
- Neither engage in nor condone acts of physical, emotional, or sexual abuse
- Report any inappropriate behaviors or possible policy violations

All parents and visitors to ILC are also expected to comply with this policy.

In the areas where this policy is more restrictive than God's law or Wisconsin law, those restrictions apply only while school is in session.

The ILC President will appoint the members of the ILC Student Protection and Safety Committee, which is responsible for overseeing the Student Protection Policy and coordinating training and awareness. The intention of the Student Protection Policy is to protect students at ILC in order to maintain a nurturing, teaching environment.

## 3 Precedence

While ILC makes every effort to ensure that our policies and procedures are complementary and avoid conflicts, there are situations in which conflicts arise. In any such cases when other policies are not in agreement with the SPP, the SPP will take precedence.

## 4 Important Concepts and Definitions

**Adult:** A person who has reached the age of 18. Under Wisconsin statute 48.02, a person being investigated or prosecuted for a crime that has reached the age of 17 is considered an adult.

**Bullying / Harassment:** Any form of harassment that one should reasonably expect would demean, threaten, or hurt (physically or emotionally). It can be physical, verbal, demonstrative, or electronic and can take place in person, over the phone, through an on-line communication, or by any other means that communicates harassment. It can be one-on-one or group based. Adults and children can be bullies.

**Bystander Intervention:** Any action to stop an activity that is a violation of this policy.

**Child:** A person below the age of 18.

**Child Emotional Abuse:** Acts toward a child that cause or have a substantial likelihood of causing harm to the child's physical, psychological, social, spiritual, or moral development. This could include physically restricting a child's movement, discrimination, belittling, denigrating,

ridiculing or humiliating, threatening or scaring, unrealistic expectations and demands, other non-physical forms of hostility and bullying or harassing.

**Child Neglect:** Deliberate act of depriving a child of food, clothing, shelter, medical care, education, or other necessities of life. Neglect also occurs when deliberately exposing a child to harmful substances or practices such as drugs, alcohol, or violence.

**Child Physical Abuse:** Non-accidental physical injury (ranging from minor bruises to severe fractures or death) through physical contact or mistreatment. Reckless behavior that causes an injury to a child.

**Child Sexual Abuse:** Any sexual activity between an adult and a child is abusive regardless of whether the adult or child is the initiator, whether the activity is forced or not, or whether the child understands and consents to the activity. Another child can commit child sexual abuse when there is no consent, when consent is not possible or one child has power over another child, and when the activity is intended to arouse or gratify the sexual desires of any of the children.

**Limited Access Agreement (LAA):** Written agreement between ILC and a designated person that states that person's permitted access to the ILC campus and activities related to students. Each proposed LAA must be approved by the Board of Regents.

**School in Session:** The period of time when the dormitories are open or in connection with school-sponsored activities/events when the dormitories are closed.

**Sexual Consent:** An agreement to participate in a sexual activity. According to Wisconsin law, no child under the age of 16 can give consent.

**Staff or Employee:** Anyone who works for ILC for salary, wages or other compensation, or anyone who is formally called to serve at ILC.

**Student:** An Immanuel Lutheran High School (ILHS) student unless otherwise specified.

**Volunteer:** Anyone who provides services that require interactions with ILHS students and receives no compensation in the form of salary or wages.

## 5 Employee and Volunteer Application and Screening

All prospective employees and volunteers must:

- Be informed that if the screening process yields information that the applicant has abused a child in any way or been convicted of a violent or sexual crime, that person will not be able to work or volunteer at ILC. If the information indicates the applicant has been accused of a violent or sexual crime or convicted of any other crime, a deeper background check will be conducted. ILC will err on the side of caution in determining who will be allowed to work with students.
- Complete an application
- Consent to a background check
- Read the Student Protection Policy and acknowledge understanding and compliance
- Disclose any criminal history or history of violent or abusive behavior
- Answer open-ended questions about that person's approach to child safety and things done in the past to ensure child safety

Those nominated for called positions need to consent to a background check. The background check will be completed on the called servant after the call has been issued, but before the call has been accepted. The call cannot be accepted until a satisfactory background check has been completed.

Background checks will be completed every four years.

## **6 Training**

The dean of students will document all training including who attended the training and retain that documentation for five years.

### **6.1 Employee**

All employees will be trained using Board of Regents approved training material when they are hired and annually thereafter on:

- Wisconsin Mandatory Reporting requirements
- Signs of child abuse
- The contents of the Student Protection Policy and the School Safety Policy

Employees designated by the dean of students attend outside conferences and workshops on the topic of child safety in a school setting.

### **6.2 Volunteer**

Volunteers will receive written training on the contents of the Student Protection Policy.

### **6.3 Student**

All students, including college and seminary, are trained on the contents of the Student Protection Policy and the requirements of God's law and Wisconsin law in the area of child abuse annually at the beginning of the school year or shortly after beginning classes if the student enrolls after the beginning of the school year.

## **7 Supervision Principles**

### **7.1 Observable and Interruptible**

The chief principle is that all activities involving adults and students should be observable and interruptible. There are many ways to adhere to this principle. Some examples are:

- More than one student is in the room
- More than one adult is in the room
- If meeting one-on-one with a student, the room door remains open. If the student requests the door be closed for privacy, then the door must either have a window or the room must be located on the ground-level floor and have outside windows that are not blocked and permit observation from outside the room.

Areas where students are meeting with adults should be well lit. All staff, volunteers, and students should err on the side of caution.

### **7.2 Visitors**

ILC employees or volunteers may approach any visitor on campus and ask that visitor to leave if the employee or volunteer believes the visitor may endanger the safety of the students. The police may be called to assist.

Potential visitors who have been convicted or accused (active investigation) of a sexual and/or violent crime must notify ILC Administration of the situation. Other adults or students associated with ILC who are aware of a known or accused sexual and/or violent offender are expected to notify ILC Administration of their presence. There will be no access to the ILC campus until ILC puts in place a Limited Access Agreement (LAA) with the convicted or accused sexual and/or violent offenders. The LAA will err towards safety of students and the campus. This can include close supervision while on the campus and refusal to allow the known offender to have access to the campus.

## **8 Permissions – Transportation and Other**

ILC uses a permissions system, which allows parents to make their wishes known to the school regarding transportation and school-sponsored overnight stays when the student is under ILC supervision (school in session for residents; school hours for non-residents). Specific permission from a student's parent or guardian must name all persons who may transport the student. No blanket permissions will be allowed. All students are permitted to use school-sponsored transportation unless a parent or guardian specifically prohibits that transportation. No student under age 16 may ride with other students (except for close relatives; e.g. brother/sister, cousin, etc.) unless a minimum of two other people are in the car.

Transportation permissions are explained in the summer mailing and the student handbook.

Overnight stays for school-sponsored events require specific permission for each event. The request for permission should include a description of the transportation and overnight stay arrangements.

## **9 Communication**

Staff and volunteers will not call or text a student that goes beyond their responsibilities as an instructor, advisor, staff member, or coach. Staff and volunteers should avoid texting or calling students frequently.

## **10 Behavior**

No staff member, volunteer, or ILC or ILHS student will touch another student in an unacceptable manner as described below.

### **10.1 Examples of Unacceptable Touch**

- Sexually or physically abusive touch
- Touching of thighs, hips, pubic region, stomach, chest, lower back, or bottom – clothed or unclothed
- Any touch that is unwanted by the student
- Any touch that is secret (not observable and interruptible)
- Touch that sexually gratifies a person in any way
- Corporal punishment of any kind
- Tickling\*
- Cross-gender lap-sitting and frontal hugs (except for immediate family members – parents, siblings, grandparents, aunts/uncles)\*

\* Items marked with an asterisk may not warrant an incident report if everyone involved is a student. Simply correct the students.

### **10.2 Examples of Acceptable Touch**

- Sitting side-by-side
- High fives, fist bumps, special handshakes
- Pats on the shoulder
- Side hugs
- Checking an injury when observable and interruptible or in an emergency

## **11 Dormitories**

The dormitories are a special environment—the dorm itself is a home away from home, and the dorm parents, residence assistants, and fellow residents do their best to create and maintain a family environment. This environment leads to a familiarity between the residents and the staff that is an important factor in the well-being of the resident students.

This policy recognizes that there will be more frequent and informal contact between resident students and their dorm parents and residence assistants, including the frequent use of text messaging for communication, one-on-one conversations about a wide range of topics, and an arm around the shoulder as necessary.

Students should discuss with their parents or an ILC staff member any concerns they have about the safety of the dormitory environment. At no time should students feel that they have to endure an environment that makes them feel unsafe.

## **12 Enforcement and Exceptions**

The abuse of children is not only a sin, but a serious crime. When adults report suspected child abuse to legal authorities, their report could save a child's life. In contrast, silence about suspected abuse brings incredible harm to victims and emboldens offenders. ILC encourages all staff and volunteers, both mandated reporters and not, to contact the authorities immediately when a child discloses abuse, when they witness child abuse, or when they observe signs of abuse. ILC expects all adults associated with the school to practice bystander intervention when they see a policy violation or concerning behavior.

### **12.1 Mandatory Reporting**

Wisconsin law (48.981(2)(a), (3)(a)(1)) requires an ILC staff member (school employees are mandated reporters) to immediately report to county Child Protective Services (CPS) or local law enforcement, if the staff member has reasonable cause to suspect a child they have seen as part of her/his/their work has been abused or neglected or has been threatened with abuse or neglect and the staff member believes it will occur.

In addition, Wisconsin law (175.32) requires that any mandated reporter who believes in good faith, based on a threat made by an individual seen in the course of professional duties regarding violence in or targeted at a school, that there is a serious and imminent threat to the health or safety of a student or school employee or the public, make a report to law enforcement.

### **12.2 Incident Reports**

Any staff member who violates the Student Protection Policy or who witnesses a violation of this policy should submit an incident report to the dean of students [exceptions are specifically indicated], including the time and place of the incident, the student involved, and a description of the incident.

Any student who believes that a staff member or any other ILC or ILHS student has violated this policy should report the incident to the dean of students or, if the incident involves the dean of students, to the assistant to the dean of students.

The Student Protection and Safety Committee will review all incident reports at the end of each quarter.

Mandatory reporters must also follow state law.

### **12.3 Enforcement**

The dean of students or assistant to the dean of students will investigate the violation and

determine any discipline in accordance with ILC's disciplinary process.

When parents are not accused or at all suspected, ILC will notify them that their child is a victim of child abuse that occurs on or off campus.

All ILC employees and volunteers will cooperate with any investigations conducted by the police or other authorities to the extent that the law requires.

If authorities decline investigation and/or prosecution (for instance statute of limitation applies, or the authorities feel they don't have enough evidence), ILC may conduct an independent investigation, including hiring an independent and trained investigator, to determine what actions ILC may take to ensure the safety of students and the campus.

## **12.4 Exceptions**

There are certain situations where prudent and practical actions require violation of the Student Protection Policy. Ordinarily, exceptions should be approved in advance by the dean of students, but in the case of an unforeseen event such as a medical emergency, the person who violated the policy should file an Incident Report within 48 hours. All exceptions will be documented and maintained on file by the dean of students for a period of five years.

## **12.5 Reporting to Board of Regents**

Any incident involving ILC students that involves reporting to or cooperation with public authorities will be reported to the Board of Regents within 48 hours.

# **13 Support**

## **13.1 Victim**

ILC will provide support to the child abuse victim including, ensuring that the alleged offender doesn't have access to the victim.

ILC will provide a support liaison to coordinate and communicate with the victim and the victim's family and offer both private and public support, including ministerial support in conjunction with their home pastor, but will not provide legal advice.

## **13.2 Alleged Offender**

A staff member, volunteer, or ILC or ILHS student who is an alleged offender of Wisconsin law immediately will be suspended and isolated from student activities pending results of the investigation. A Limited Access Agreement (LAA) will be put in place that dictates what, if any, presence the alleged offender can have at the campus. ILC will cooperate with authorities to determine the timing of initially notifying the alleged offender. If after investigation the alleged offender is found to be innocent or not prosecuted, ILC will determine future involvement with the school. If the alleged offender is found guilty or enters a plea agreement indicating guilt, the offender will be banned from the ILC campus until an LAA is put in place.

ILC will provide a support liaison (separate liaison from the liaison provided to the victim) to coordinate and communicate with the alleged offender and his or her family and to offer ministerial support in conjunction with their home pastor.

## **13.3 Privacy**

It is the policy of ILC to keep sensitive matters private to the maximum extent possible. However, we will communicate with staff and others (e.g. home pastors) that need information for counseling; we also may publicize information in order to dispel rumors. At the discretion of ILC, matters of public record may be shared with all staff and students to provide factual clarity, offer counseling, and provide guidance on expected and God-pleasing behaviors in handling a difficult



situation. The primary purpose of these communications is first to protect the victim as much as possible and also to protect the reputation of the alleged offender until investigations are completed.

## **14 Distribution and Review**

The Student Protection Policy will be distributed in the following ways:

- To parents and students in the ILC summer mailing before each school year
- On the ILC website
- Available in the ILC Administration building

All staff and volunteers must sign an acknowledgement of understanding and compliance before working with students and at the start of each school year thereafter.

The Student Protection and Safety Committee will review the Student Protection Policy and any feedback from ILC stakeholders (staff, volunteers, parents, and students) at least once every three years and provide recommendations and updates for Board of Regents approval.

During the first semester after release of the policy, the Student Protection and Safety Committee shall gather feedback from ILC stakeholders and update the policy by the end of the first school year of its use.

## **15 Related Documents**

Acknowledgement of Understanding and Compliance

ILC Staff Application with background check consent

Volunteer Application with background check consent

Incident Report

Suggested interview questions

Limited Access Agreement example