

## Who is the Abuser? Can You Tell?

As churches develop their safe church policies, I am often asked to look at the draft. In doing so, I find a pattern of compliance-based policies, which are often punitive in their responses. Compliance-based, meaning the policy appears to flow from an external mandate rather than the desire to create an environment where safe conduct is taught and nurtured.

The policies proceed with the assumption someone will witness an act of abuse, to which the church will respond with a heavy hand. There is the broad assumption that staff and volunteers will confront an adult abuser in the act. There is consistently reliance on the “two adult” rule as the beginning and the end of abuse prevention. This is the farthest from reality and an unfortunate narrow focus of policy.

A case was reported recently of a four-year-old who sexually abuse younger toddlers. Incidents of bullying and abuse that is not specifically sexual, are on the rise and regularly reported in the media. At the same time, untrained volunteers may unwittingly be engaging in behaviors that may be construed as “offensive” and predatory.

Having identified a “perpetrator”, many policies leap to investigation and prosecution with not much regard for legal due process or the reputation of the accused person. While these policies may comply with notions of due diligence and statutory requirements to report suspected abuse, they do much less to create standards of behavior and interaction with children. It is better your church create a nurturing and supportive environment in which staff and volunteers are taught safe conduct.

Staff and volunteers need training because

safe conduct is not intuitive. Supervisors must monitor behavior regularly to assure



A



B



C

that standards are understood. All staff and volunteers must learn to care for each other. It is this process of monitoring and correcting which is distinct from statutory requirements to report suspected abuse. In many policies, there is no distinction, which implies that a “zero tolerance” hammer will fall on a volunteer who breaks a rule, perhaps for lack of training.

The lesson is: create a pro-active, supportive and nurturing policy that protects children and supports staff, as opposed to one based upon compliance and reaction.

So, to the question at hand: Who is the

Abuser? If only it were that easy to spot a predator. If only they all looked like the person in photo A. Reality is much scarier.

Skilled predators lurk among the trustworthy and often under a cloak of good behavior, not easily distinguishable.

Ask yourself: Do you really know how to spot a sexual predator? What has been your direct experience? How have you been trained? What direct experience do your peers and other volunteers have with this subject? As a church or youth leader, you can't be everywhere.

This is why it is important to provide training to all staff and volunteers who regularly work with children, and to have a complete program of selection, screening, training, monitoring and reporting. This will accomplish three ends:

1. You protect your children.
2. You deter predators by showing them you have supervision and general knowledge about predatory behaviors.
3. You protect your church's reputation.

And remember, the Insurance Board offers sexual abuse prevention training at no cost (FREE!) to all UCC, Disciples of Christ, and PCUSA churches. You can read details at: [www.InsuranceBoard.org](http://www.InsuranceBoard.org). Click on “Safe Conduct Workbench.” You will find a link there to sample training and additional details about how to begin training at your church.

### Claims Corner

Carl Kotheimer, Director Loss Control & Claims	216.736.3244
Joe Boyd, Manager Claims Administration	216.736.3251
Alison Hanna, Claims Analyst	216.736.3250
You May File A Claim On-Line	<a href="http://www.InsuranceBoard.org">www.InsuranceBoard.org</a>

# Out of Sight, Out of Mind—An Expensive Maintenance Strategy

My career in insurance began many years ago as a property claim adjuster. I visited a home where water damage was appearing in the finished basement ceiling. The space was used as the husband's office and library. I asked the lady of the house when her husband first noticed the damage. She replied indignantly, "My husband is a college professor. He doesn't spend his time staring at the ceiling."

In the same way at your church, you may be more engaged in the ministries and activities of your church, and less aware of subtle conditions around you, though you pass them every day. Now is the time to take steps before winter weather sets in. Once the ice forms, inspection of some areas will become impossible and repairs will be even more difficult.

Here is an agenda for the next weekend. (You can Tivo the football game.)

- Flat roofs – Get on the flat roof. Be sure that all drains and scuppers are clear of debris and flow freely. Check for cracks and punctures. Check interior spaces below for evidence of leakage. Call a professional roofer to do repairs.



- Gutters, downspouts and exterior drainage – Be sure that gutters and downspouts are firmly attached and clean of debris. If water cannot flow out easily, ice will accumulate, form dams and result in interior damage. Be sure that water is led away from your building.
- Open steeples and belfries – Like any balcony or gutter, open areas can accumulate twigs, leaves and pine needles. They will hold moisture and block drains.
- Repair parking and level sidewalks – Repairs made in fair, dry weather will

more likely survive the winter.

- God's furry little ones – God's small creatures are very creative about finding winter shelter. Check architectural features and foundations where rodents and birds may enter, and seal them. Where they come in, so may water, and heat goes out. Heat losses can result in frozen plumbing.
- Station supplies – Better to prevent slips and falls than to react to them. Have supplies and equipment ready to address problem areas: rugs (and spares) ready to absorb snow and water, and mops to dry wet floors.
- Plows & snow blowers – It's time to be sure your equipment will work when you need it. Change oil. Fresh fuel. Spark plugs are cheap.
- Plowing service – YOU tell them where you want snow piled, at the low end of your property so it cannot melt onto your lots and refreeze.

Remember, it's okay to stare at your ceilings. Take a close look. Act now to save thousands of dollars.

## Vermin, Not Covered!

What are "vermin"? Webster's says: small objectionable animals that are difficult to control. Vermin may include insects, birds, squirrels, and other small rodents.

During a rebuild of the eaves on my 165 year old home, I twice encountered squirrels nesting. The first had gathered leaves and other combustible materials to provide insulation. On the second occasion, I had left a small opening between new and old work where I left off for the winter. I noticed one day a squirrel had chewed through new cedar work to create a larger access to winter quarters. I stapled wire mesh over the hole. To my dismay, some days later I found the mesh pushed aside and the opening even larger – I had trapped the squirrel within his hideaway, and he chewed his way out. More damage to address.

The damage such vermin cause is not covered by insurance. Old buildings in general are more vulnerable to vermin because wood shrinkage, joint separations and rot provide handy openings for them to begin their work. Stinging insects, especially, need only the smallest spaces to take up residence. Generally, trying to caulk such openings is not a viable solution. It is better to refasten separated woodwork or replace it. You can wait for vermin to strike, and surprise you with their work. We recommend, instead, that you keep an eye out for small visitors in unusual places. They may have already moved in.



# Christmas in September?

By the time you read this, it will be mid-October, so it's not too early to think about Christmas decoration planning and loss prevention. Here are some things to think about:

- Inside or outside, plan for equipment you will need to reach high places? Movable scaffolding is easily rented at some a do-it-yourself store. The expense is worth it. You will be able to reach high places safely and get the work done quickly. You can also rent a truck to deliver scaffolding. Above all, do not access high places by means your mother would disapprove or which, viewed on YouTube, you would find ludicrous or embarrassing. Better to scale down your plans.
- If there is an electric lighting alternative to candles, consider it. However, avoid excessive use of extension

cords. Wherever you must use extension cords, do not leave indoor lighting plugged in when your sanctuaries, halls or offices are not occupied. If you feel the plugs of extension cords at joints and outlets, you will sometimes find them to be warm. Take the hint. A larger gauge cord is needed. Local fire officials may have something to say about your use of extension cords – ask them and listen.

- So that everyone's Christmas may be merry, do not run electrical cords across where people walk. If you absolutely must, take extraordinary steps to warn of, or eliminate, tripping hazards. Remember, contrast created by bright or



blinking lights ahead may make it difficult for elderly to see darkened walkways immediately in front of them. Be considerate.

Here's wishing you an early Merry (fire free, accident free) Christmas.

# Pizza! Pizza!

While it is not the highest frequency event, one of the more notable causes of church fire losses is “candles”, behind electrical, furnace and suspicious origins. And as you might guess, “candle” fires occur most often in December.

The reason burning candles result in fires, apart from the obvious management issue, is that they are left to burn on combustible surfaces – linen and paper covered items and wooden table tops.

As you know, candles liquefy when they burn. When left to burn clear to the bottom, the liquid escapes the confines makes a mess, can ruin items and even ignite surrounding material.

We have a simple, low profile, inexpensive

and easily cleanable solution to candle fire prevention – metal pizza pans!! Purchase several sizes. Place them under any burning candle, candelabra or stand to catch drippings. Of course, there should be no paper or linen on top of the pans. When candles or stands may be knocked over, no combustible material should be within the possible radius of the falling item.

And of course, do not keep lit candles under a fan or by an open window.

By the way, give adult candle-lighters the specific responsibility to put out any candle



s/he lit, even if someone following must light it again.

No perpetual candles, please! Unless you have taken extraordinary steps or have a completely non-combustible surface below. The consequences of fire far outlasts the glow of the candle.

# Three Legal Thoughts for Your Church!

## Employment Terminations

From years of working in the corporate environment where there is special sensitivity to the litigious nature of our society, I have learned a simple rule: hire well and fire well. As I waded into my loss prevention role at the IB, I was at first surprised to receive phone calls from church leaders relating to matters of termination, sometimes entwined with concurrent claim or benefit matters. Church leadership who do not have experience in the corporate setting, who have never hired a person according to specific rules and who have never managed a termination, are at a particular disadvantage.

In most of the situations brought to me, my first advice is to review church by-laws and to get a thorough understanding of them first, though by-laws are not always clear on terminations.

Corporate rules on termination, where the issues are “job performance” most often require a process of progressive discipline. That is, a process of verbal and written warnings and perhaps a “plan” for improvement. When these steps are not successful, a person can only be terminated with the participation of corporate legal counsel or a well-trained human resources department. No manager may ever say, “You’re fired!”

A termination of any kind is a heavy burden for everyone involved. Therefore, advice of legal counsel is always recommended to assure the process is technically correct, dispassionate, and defensible.

Checklists on employment and termination can be found in our Loss Control Manual, Vol. 5 – Management. The manual can be found on our website:

[www.InsuranceBoard.org](http://www.InsuranceBoard.org). Click on Safety Solutions, then Church Management.

## Tenants

Other than day care, the two most common tenants we see on church property are Alcoholics Anonymous and a weight control franchise. Whatever the positive health effects may be, the franchise is a business with specific business interests.

When any business uses your church, the “business invitees” (clients) of that business may not be members of your church, and have no loyalty to your church. If they are injured on your property, they will likely regard you as any other landlord.

In an ongoing case, serious injuries were incurred when a visitor went to find a restroom and fell down a darkened staircase. Typically, the franchise’s corporate insurance will shift blame to your church and not accept responsibility. Therefore, some risk management is in order.

- When the guests of a business are on your property, it’s always desirable for the business to take contractual responsibility for all injuries that occur. This is accomplished by a “lease” or “use agreement” which contains a “hold harmless and indemnity” agreement. Certificates of insurance do not accomplish the objective of shifting responsibility to the tenant. The tenant’s insurance should also contain an “additional insured” endorsement in favor of your church. By this endorsement, the tenant’s insurance becomes your primary insurance.
- Limit or control access to your property or provide on-site supervision. That is, close off areas where visitors shouldn’t go, have someone present to control visitors, and be sure that lights are on and access is safe. For general security and safety, no stranger should be permitted to wander your buildings unaccompanied.

## Crib Update

The Consumer Product Safety Commission (CPSC) has established new regulations relating to cribs which can be viewed at their web site, “Crib Information Center”: <http://www.cpsc.gov/info/cribs/index.html>. These regulations apply to “**child care centers, foster homes, churches, (and) hospitals**”.

The regulations state in part: *child care facilities, family child care homes, and places of public accommodation, such as hotels and motels, have until December 28, 2012, to ensure that the cribs used in their facilities meet the requirements of the CPSC’s new crib standards.*

**After this date, places of public accommodation may no longer use traditional drop-side cribs or noncompliant cribs and must use cribs meeting the new federal safety standards.**

Facilities should know the new standards and have a plan for replacing the cribs.

*Child care facilities, family child care homes, and places of public accommodation should not resell, donate or give away a crib that does not meet the new crib standards. CPSC recommends disassembling the crib before discarding it.*

The Steward is the joint effort of:  
Carl J. Kotheimer, Director  
Loss Control & Claims and  
Elizabeth Vance, Marketing &  
Communications Coordinator

[www.InsuranceBoard.org](http://www.InsuranceBoard.org)

 [www.facebook.com/Insurance Board](https://www.facebook.com/InsuranceBoard)

Insurance Board  
700 Prospect Ave  
Cleveland, OH 44115  
800.437.8830

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