



Adopted by Congregational Council

I. Introduction

A. Theological Background

We desire above all for our children to learn that they are Known and Loved by God. We have many chances to communicate this message -- in our worship, in the content of the Christian education we offer, in the relationships we foster between adults and children formally and informally, and through providing a safe environment that prevents our children from being in vulnerable situations.

Jesus was firm to the point of indignant in making sure adults did not come between them and direct interaction with the divine. (Mark 10:13-16 -- People were bringing little children to him in order that he might touch them; and the disciples spoke sternly to them. But when Jesus saw this, he was indignant and said to them, 'Let the little children come to me; do not stop them.')

In the story of Solomon making a judgment between two women claiming to be mother of the same child, the real mother showed herself in her unwillingness for the child to be harmed, literally to be divided, "because compassion for her son burned within her" (I Kings 3:16-28). Physical, sexual, emotional abuse harms children and often causes them to divide themselves internally and psychically. We profess to be people whose compassion burns for the children of this church and so we make this policy in order to protect them.

The words of the scripture are not passive or soft in regard to our children. "Whoever welcomes one such child in my name welcomes me," Jesus says. "If any of you put a stumbling-block before one of these little ones who believe in me, it would be better for you if a great millstone were fastened around your neck and you were drowned in the depth of the sea. Woe to the world because of stumbling blocks! Occasions for stumbling are bound to come, but woe to the one by whom the stumbling-block comes!"

B. Purpose of Policy

Community Mennonite Church of Lancaster (CMCL) intends to assure safety for everyone entering its doors whether it is children in our care or workers in charge of children. We know that the potential exists for violence and/or abuse in a situation where many people gather, and we need to take proactive steps to prevent this.

These guidelines are intended to assure the safety of potential victims, and to protect workers from being falsely accused. It should be recognized that these are guidelines, providing protection principles, and that there may be situations in which it is not possible to comply with every detail of this policy.

We want people in our congregation to be encouraged to show love and affection in proper ways, and it is important to know limits of such expression.

This policy includes:

1. Clarification of healthy touch, affection, and accepted disciplinary practices
2. Definitions of confidentiality and child abuse
3. An outline of safety practices that promote the creation of a safe environment for both children/youth and workers
4. Guidelines for the selection and approval of child/youth workers
5. Reporting and response plan in case of suspected or known abuse

We all have an obligation to confront suspected or known child abuse. This obligation is as members of the church community, as legal citizens, and as moral citizens. In some cases, there is a legal obligation for staff and volunteers to report suspected abuse to Children & Youth Services (CYS). In those cases an immediate report shall be made by phone and a written report within 48 hours of the phone report.

Community standards and practices related to ensuring child safety are likely to continue to change over time. Due to this likelihood it is recommended that this policy be reviewed and updated at least every five years.

C. Healthy Touch

As children become aware of what types of touch from others they enjoy and what makes them uncomfortable, they are beginning to develop the concept of *body ownership* – that they have an inherent right to control when, where, and how they are touched. Likewise, they can begin learning that everyone else shares this same right, and they should respect those wishes in how they touch other people. The message of *body ownership* is that children have the right both to reject unwanted contact and to seek affirming touch.

Children need positive human touch. Nurturing touch, such as a pat on the back or appropriate hug, from their caregivers is essential for children to feel loved and secure.

Careful, open communication between teachers and families about the value of touch in children's development can help to achieve consensus as to acceptable ways for adults to show their respect and support for children in the program.

D. Expression of Affection and Discipline

In order to create a safe environment for our children, reasonable limits must be placed on physical and verbal interactions between adults and children/youth. These include:

1. Involved parties shall respect a child's/youth's boundaries and/or refusal of affection.
2. Involved parties shall be aware and sensitive to what makes a child feel uncomfortable.
3. Involved parties shall not engage in a body-to-body embrace, a touch on private areas (those areas covered by a bathing suit) or any kiss on the mouth.
4. Kind but firm words shall be used by involved parties to redirect behaviors that are detrimental to the group or individual child. Physical punishment is not acceptable under any circumstances.

II. Definitions

A. Confidentiality

Hold in confidence something you have learned about another person. Confidentiality is intended to ensure that information is available only to those authorized to have access to that information.

B. Child Abuse

Definitions of abuse from the **Pennsylvania Child Protective Services Law (CPSL [Title 23 PA.C.S. Chapter 63], as amended December, 2013, to be effective December 31, 2014**, as follows:

Intentionally, knowingly or recklessly doing any of the following:

1. **Physical abuse:** Causing bodily injury through any recent act or failure to act. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act. Bodily injury is impairment of physical condition or substantial pain.

The following are "per se" acts of child abuse (meaning the act itself, apart from the outcome, is considered child abuse):

- Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
- Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
- Forcefully shaking a child under one year of age.
- Forcefully slapping or otherwise striking a child under one year of age.
- Interfering with the breathing of a child.

- Causing a child to be present at a location while a violation of 18 PA.C.S. §7508.2 (relating to operating a methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.
2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
 3. **Mental abuse:** Causing or substantially contributing to serious mental injury to a child through an act or failure to act or a series of such acts or failures to act. Serious mental injury is a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:
 - (1) renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened; or
 - (2) seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.
 4. **Neglect:** Causing serious physical neglect of a child. Serious physical neglect is any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:
 - (1) A repeated, prolonged or unconscionable egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.
 - (2) The failure to provide a child with adequate essentials of life, including food, shelter or medical care.
 5. Causing the death of the child through any act or failure to act.
 6. **Sexual abuse:** Causing sexual abuse or exploitation of a child through any act or failure to act. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act. Sexual abuse or exploitation is any of the following:
 - (1) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:
 - (i) Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
 - (ii) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.
 - (iii) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
 - (iv) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

This paragraph does not include consensual activities between a child who is 14 years of age or older and another person who is 14 years of age or older and whose age is within four years of the child's age.

The following are per se acts of child abuse:

1. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:
 - Is required to register as a Tier II or Tier III sexual offender under 42 PA.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.
 - Has been determined to be a sexually violent predator under 42 PA.C.S. §9799.24 (relating to assessments) or any of its predecessors.
 - Has been determined to be a sexually violent delinquent child as defined in 42 PA.C.S. §9799.12 (relating to definitions)
2. Any of the following offenses committed against a child (Criminal code)
 - (i) Rape, as defined in 18 PA.C.S. § 3121 (relating to rape).

- (ii) Statutory sexual assault, as defined in 18 PA.C.S. § 3122.1 (relating to statutory sexual assault).
- (iii) Involuntary deviate sexual intercourse, as defined in 18 PA.C.S. § 3123 (relating to involuntary deviate sexual intercourse).
- (iv) Sexual assault, as defined in 18 PA.C.S. § 3124.1 (relating to sexual assault).
- (v) Institutional sexual assault, as defined in 18 PA.C.S. § 3124.2 (relating to institutional sexual assault).
- (vi) Aggravated indecent assault, as defined in 18 PA.C.S. § 3125 (relating to aggravated indecent assault).
- (vii) Indecent assault, as defined in 18 PA.C.S. § 3126 (relating to indecent assault).
- (viii) Indecent exposure, as defined in 18 PA.C.S. § 3127 (relating to indecent exposure).
- (ix) Incest, as defined in 18 PA.C.S. § 4302 (relating to incest).
- (x) Prostitution, as defined in 18 PA.C.S. § 5902 (relating to prostitution and related offenses).
- (xi) Sexual abuse, as defined in 18 PA.C.S. § 6312 (relating to sexual abuse of children).
- (xii) Unlawful contact with a minor, as defined in 18 PA.C.S. § 6318 (relating to unlawful contact with minor).
- (xiii) Sexual exploitation, as defined in 18 PA.C.S. § 6320 (relating to sexual exploitation of children).

Any recent act or failure to act is defined as occurring within the last two years.

C. Terms for Involved Parties

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| ADULT | Is a person eighteen (18) years of age or older |
| CHILD | Is a person under the age of twelve (12) |
| YOUTH | Is a person from the age of twelve (12) years to the age of eighteen (18) |
| APPROVED ADULT | Is an Adult providing services at CMCL but is not employed by CMCL for those services, and who has been approved to work with children. An Approved Adult is considered a Mandated Reporter if the person is 18 or older. Mandated Reporters are required to report directly to authorities when abuse is suspected. Approved Adults are required to have state-specified screening/clearances. See Section (V) for mandated reporting procedures. |
| CHILDCARE WORKER | Is an Approved Adult providing nursery care during regular CMCL activities |
| MENTOR | Is an Approved Adult officially participating in CMCL's Mentor Program |
| MENTEE | Is a Youth officially participating in CMCL's Mentor Program |
| STAFF | Are the Pastors, Director of Children and Youth Programs, and any employees hired by CMCL |
| PASTOR | Is the Lead Pastor or Associate Pastor |
| PARENT | A parent or legal guardian of a Child or Youth |
| TEMPORARY VOLUNTEER | Is a person serving as a Volunteer with children and youth programs for a period of less than 30 days. These volunteers are not required to get updated clearances if their most recent clearance reports are dated within 36 months of the period of temporary service. |
| CHILD SAFETY COMMITTEE | Is a sub-committee appointed by the Children and Youth Christian Ed. Committee that is charged with administering this policy, including maintaining records and overseeing the screening process for Approved Adults. See Section II.D below for a detailed committee job description. |
| MANDATED REPORTER | Effective 12/31/14 the PA CPSL imposes a reporting <u>mandate</u> , or requirement, on any individual who comes into contact with children in the course of his or her work or professional practice, specifically |

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| | including “clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization,” or an “individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child.” These individuals are known as “mandated reporters.” (as defined CPSL Title 23 PA.C.S. Chapter 63) This includes volunteers, as well as staff. |
| PERSON IN CHARGE OR DESIGNEE | Effective 12/31/14, the “Person in Charge of the Institution or their designee” is responsible for facilitating cooperation with authorities on a suspected child abuse investigation; and is also responsible for receiving notification from the mandated reporter that a suspected abuse report has been filed. For these specific purposes, the Person in Charge at CMCL is the Lead Pastor. |

D. Child Safety Committee (CSC)

The CSC is a sub-committee appointed by the Children and Youth Christian Ed. Committee that is charged with administering this policy, including maintaining records and overseeing the screening process for Approved Adults.

1. Committee duties include, but are not limited to the following:
 - a. Implementing and enforcing this policy
 - b. Reviewing and making recommendations for revision of this policy to Congregational Council.
 - c. Providing for training for all Staff and Approved Adults working with children and youth programs regarding child abuse and this policy.
 - d. Maintain a list of Approved Adults and disseminate within the congregation.
 - e. Monitor Approved Adults and the congregation in general to ensure policies are being followed.
 - f. Keep Congregational Council apprised of activities of the CSC.
 - g. Be kept apprised of investigations.
 - h. Meet as needed to carry out the above responsibilities.
2. The CSC will be comprised of at least the following persons, but may include additional at large members, especially in order to include relevant expertise such as adult abuse survivors, licensed social workers, counselors, etc.
 - a. Director of Children and Youth Programs
 - b. A Pastor
 - c. One or more representatives from the Children and Youth Christian Education Committee
3. Specific tasks within and beyond the scope of the CSC are delegated as follows (responsible person/people noted in parentheses):
 - a. Review of all applications (Director of Children and Youth Programs)
 - b. Collect and forward requests for clearances, with cover letters, to PA State Police and PA Det. Of Public Welfare; as well as FBI fingerprint clearances for staff and volunteers who have not been residents of PA for ten years continuously (Director of Children and Youth Programs, delegated to administrative staff as needed).
 - c. Determine whether subject is eligible for employment based on result of clearances and other factors. Certain convictions or founded CPS reports will result in automatic denial for service (Staff Relations Committee).
 - d. Determine whether subject is eligible to volunteer with children and youth programs based on clearances and other factors. Certain convictions or founded CPS reports will result in automatic denial for service (Director of Children and Youth Programs, in consultation with Child Safety Committee).
 - e. Maintain all clearances (Director of Children and Youth Programs plus two publicly announced members of the Child Safety Committee and one administrative staff person). Anyone having access to clearance reports must sign a confidentiality agreement.
 - f. Receive and process reports of suspected abuse (Child Safety Committee).

- g. Make available, upon request of an individual, copies of one's own clearance reports (administrative staff person)

III. Safety Practices

A. Clarifying Teacher and Parent responsibilities

1. Sunday Mornings - It is the parents' responsibility to get children to designated Christian ed classroom on time. Teachers are responsible for children in their care infant through grade 4 until a parent or designated adult picks them up. At the designated end of Christian ed. for Grades 5-12, the teacher will dismiss and supervision becomes the parents' responsibility.
2. Club activities – Children/youth workers are responsible for care during designated time of the activity.

B. Guidelines for protection of all children/youth and volunteers

1. **Registration/Permission:** Each year parents will complete a Christian Education (CE) Registration Form, Health Emergency Contact form and General Permission Form (applicable only for Venture Club, Jr. Youth and Sr. Youth participants) for each child. All forms are required for parents of nursery children, as well as participants in other CE programs.
Children and Youth must have signed permission to participate in off-site and overnight activities. Permission forms will include names of Approved Adults leading activity, location, phone contact information for Approved Adults, and parent signatures. Copies of forms should be taken along on all overnight activities and field trips.
2. **Two Adult Rule:** Two Approved Adults should be present during any church sponsored activity for children and youth. If there is a shortage of Approved Adults, a designated, Approved Adult will circulate outside the classroom area to provide assistance, if needed. In a mixed group, whenever possible, a male and female adult should be present. Occasional volunteers may work under the supervision of an Approved Adult.
3. **Youth** may only volunteer as assistants in supervised settings that include two Approved Adults.
4. **Visibility:** All rooms should allow for persons passing by to be able to observe all parts of the room. Windows should allow easy observation of the room. When there are no windows in doors, the doors should be left open.
5. **Bathroom and Diapering:** Parents of young children should be encouraged to take their child to the bathroom/change diapers before the activity begins. If an Approved Adult needs to take a child to the toilet, be aware of visibility and the child's privacy (Volunteer stands holding public bathroom door while child enters toilet stall alone.). Two Approved Adults must be present when clothes or diapers are being changed.
 - a. If help is needed with wiping or dressing, help the child while keeping the door to the bathroom open. Encourage the child to wipe him/herself.
 - b. Help the child wash his/her hands thoroughly with soap and running water. Wash your own hands.
 - c. Always inform a Parent that the child used the toilet and whether or not assistance was needed.
 - d. Children in grades 3-12 can use bathrooms unescorted, provided they return to class within a reasonable time frame. This privilege can be granted or rescinded at the Approved Adult's discretion.
6. **All Classrooms and The Gathering Place** are available for use for planned activities only with adult supervision. After an activity, rooms should be checked to ensure that all participants have vacated.
7. **Touch:** Physical touch is an essential part of nurturing, but any touch that is sexual in nature or that is not respectful to the child/youth is unacceptable. (Check Expressions of Affection and Discipline section I.D for more information.)
8. **Overnights:** Overnight trips require a parental signature and a minimum of two Approved Adults, one male and one female. Sleeping arrangements must provide separate places for males and females that give adequate privacy and visibility for Youth as well as chaperones.
 - a. Transportation Guidelines

- i. Clear communication between parents and drivers is essential for permission in any circumstance.
 - ii. Anyone transporting children/youth must hold a valid driver's license and car insurance. A driver must agree to obey traffic laws, including the use of seatbelts for all car occupants.
 - iii. If a carload of youth under age 21 wants to travel to/from a church sponsored youth activity, it must be arranged and approved by the parents of every youth involved.
- b. Additional suggestions to insure a safe trip:
 - i. Cell phones will be used only out of necessity.
 - ii. Music, if played, will be at a level that is not distracting to the driver.
 - iii. Two adults, one male and one female, in each vehicle are preferable. Situations with one adult and one child are to be avoided.
 - iv. Chaperones will organize the carloads as it relates to the dynamics of the group.
 - v. The buddy system will be used if bathroom stops are necessary.

C. Nursery

1. Minimum of two Adults should be present when any children are in the room. Childcare Workers shall wear nametags.
2. Youth may be assigned to help, one at a time, in addition to the two Childcare Workers.
3. Nursery facilities are for infants (age 0) through age 4. Older children may be present only if their parents are present as Childcare Workers.
4. Information on regularly provided snacks shall be visibly posted in Nursery. Other snacks should be discouraged.
5. Bathroom and Diapering: See item III.B.5 above.
6. Parents are responsible for the following (visibly posted in Nursery):
 - a. Sign your child in and out of the nursery on the nursery clipboard.
 - b. Label your child and his/her diaper bag.
 - c. Alert nursery volunteer of any food allergies
 - d. Change diaper or take your child to the bathroom before signing in at the nursery.
7. Childcare Workers are responsible for the following:
 - a. First and foremost, enjoy playing with the children.
 - b. Make sure you can see all children at all times.
 - c. Keep doors to the nursery securely fastened, so that no child can get out without an adult.
 - d. Stay until every child is picked up by a parent or designated adult.
 - e. Do not bring hot beverages into the Nursery.

D. Mentors and Mentees

Mentors are same-gender, Approved Adults chosen in consultation with youth and appointed by Staff to provide companionship, nurture and support for youth during their pre-teen and early teenage years. These relationships are an exception to the policy of needing two Approved Adults present for activities with youth. This risk is addressed by the following practices:

1. Approved Mentor/Mentee pairs will be in a formal, church-sponsored relationship for two years, with clear beginning and end dates communicated to the Mentor, Mentee and Mentee's parents/guardians. See "Guidelines for Application to Volunteer" below.
2. Orientation for Mentors will be offered annually.
3. The Mentor, Mentee and Mentee's parents/guardians will meet at the beginning of the formal relationship to discuss safety considerations for all involved and to write down any ground rules or boundaries they would like to establish.
4. Mentors will be clear with the Mentee's parents/guardians about plans and how much time will be involved. In the event of one-on-one, evening activities, be aware of time. This is to avoid any appearance of impropriety and to discourage pairs from meeting too late in the evening.
5. Mentors must have parental consent to meet with the Mentee, including clear plans for travel to and from the activity.
6. Mentors should provide a cell phone number to the Mentee's parents/guardians so that they can be contacted at any time.
7. Engage in activities with other mentor pairs when possible.

8. Engage in activities that occur in public places or where others are frequently present. Mentors should never meet one-on-one with Mentees in a private home or on the church property without other Adults present.
9. Mentors are not considered counselors or pastors, though they are encouraged to form trusting and honest relationships with Mentees. Should a Mentor become concerned for the Mentee's emotional or physical safety, s/he will report the concern to a Pastor or the Director of Children and Youth Programs.

E. Building Safety/External Threat

1. Key Policy

Anyone needing access to CMCL's facilities outside of regular office hours must be approved to receive a key. The approval process includes signing CMCL's Key Covenant. See additional forms: Key Policy and Key Covenant.

2. Building Locking and Monitoring

During Christian Education and Worship Service an usher will be a Float Monitor for the entrances to the courtyard and alley as these doors will be unlocked. The monitor will also walk through the hallways of the Christian Education rooms. All exterior doors of the building, except the main entrance, will be locked during 2nd worship service.

At times, people enter our doors seeking financial or material assistance rather than to attend Sunday programs. Our responsibility is to both welcome, respect and help persons find the resources they need while we maintain a safe environment for our children.

Anyone encountering such a guest should follow this protocol:

- a. Greet strangers. Ask respectfully what their needs are.
- b. Invite them to join worship on Sunday mornings and escort them to the sanctuary, or out of the church. Stay present. Do not allow people you don't know to go into Christian ed. rooms.
- c. Let them know that while we do not give services here, we work with Lancaster County Council of Churches to provide food, clothing, etc. to people in need. Never give cash to strangers at CMCL.
- d. The phone number of LCCC, along with where meals are served, is available on handouts by the Christian ed. closet. (It is important to work through LCCC rather than giving money out of one's own pocket.
- e. Communicate any encounters with either a Pastor or the Director of Children and Youth Programs.

F. Guidelines for Application to Volunteer with Children and Youth Programs

All Approved Adults, Childcare Workers and Mentors will follow the Approval Process (See Form B). All must complete the following to be approved:

1. Have attended regularly at CMCL for 6 months.
2. Have completed and signed the Service Application and Covenant (renewed annually).
3. Have completed legally required background checks as follows:

All church volunteers "applying for a paid or unpaid position as a person responsible for the welfare of a child," will be required by the Child Protective Services Law (CPSL) to obtain background checks. The staff member supervising each volunteer is legally required to obtain these clearances, and is subject to prosecution for deliberately failing to do so. In compliance with this law, CMCL requires volunteers working with children and youth to obtain the following clearances before working with children/youth:

- PA Criminal Record Check Form (SP4-164)
- PA Child Abuse History Clearance Form (CY-113).
- Those who have not lived in PA for the last 10 years are also required to obtain an FBI fingerprint records check. FBI records checks are required for all staff working with Children and Youth programs.

Clearances may be obtained electronically, rather than completing and mailing paper forms.

If application for clearance is filed directly and paid for by the applicant, the applicant shall provide the Director of Children and Youth Programs with access to the electronic record of results, or a printed certification. If application for clearance is filed and paid for by the church, the Director will receive results of the clearances directly, and provide a record of the results to the applicant.

Applicants should pay all related fees. If you are unable to pay, please contact the Director of Children and Youth Programs for assistance. (As of July 15, 2015, no fees will be assessed for volunteers).

Background checks will be repeated every 36 months, or as otherwise required by state law; and after a break in service of more than one year.

Any person with a history of abusing children/youth may not be an Approved Adult in any area of our programs.

4. Have application reviewed and accepted by the Child Safety Committee.
5. Attend a standard child safety training session once every two years.
6. May not be a Known Sexual Offender. See the Providing Community for Known Sexual Offenders policy for further information.
7. Once accepted as an Approved Adult, notify the (Director of Children & Youth Programs) if arrested or convicted of an offense that would constitute grounds for denial of employment or volunteer work with children, or named as a perpetrator in an founded or indicated report of abuse (See Appendix Form **Review of Legal Disqualifications**). Such notification is required under PA law effective 12/31/14.

Child Safety Committee has the authority and responsibility to approve or deny applications to become Approved Adults. The CSC may authorize the Director of Children and Youth Programs to process and approve applications that do not present particular concerns and where applicant has met requirements for approval. Any application presenting concerns should be reviewed by the CSC. The Director shall not deny anyone's application without submitting it for review by the CSC.

Applicants may appeal the outcome of their application process, with a written appeal to the CSC. Applications denied due to prior convictions or a history of abuse are not eligible for appeal.

G. Maintenance of Records

The following records shall be maintained as part of administering this policy.

1. Maintain a master list of all personnel and volunteers who have regular contact with children and/or youth in the course of their work.
 - a. List should note all applications and clearances submitted for each person.
 - b. List should include dates indicating when each person must have new clearance reports in order to be legally compliant (new reports are needed within 36 months of the date on existing reports). All volunteers should submit new forms for clearances 60 days prior to existing reports expiring.
2. Retain copies of all reports, even those superseded by renewed reports.
3. All reports, applications and related paperwork should be stored in a locked file. Digital documents should be password protected with access limited to publicly identified persons as listed above.

Because any records pertaining to children and youth, and staff and volunteers who work with them, may become the subject of legal proceedings at some future date, no such records should be part of automatic records destruction plan by the congregation. This includes child and youth registration and permission forms, as well as staff and volunteer clearances. Such records should only be destroyed with the written approval of the Child Safety Committee, and in accordance with the state statute of limitations related to sexual abuse of minors. In PA, the statute for filing criminal and civil charges for certain types of sexual abuse of a minor extends to 50 years past the victim's 18th birthday. Records may be digitized and stored electronically, in an appropriately secure password-protected manner.

H. Background Checks for Staff

All CMCL employees working directly with children and youth, including Pastors, must complete PA Criminal Record Check Form (SP4-164) and PA Child Abuse History Clearance Form (CY-113).

Previously, church staff hired 7/1/08 and after with a significant likelihood of contact with children were required to obtain FBI clearance (fingerprinting) in addition to the above background checks. Effective 12/31/14, all clearances, including FBI, must be obtained every 24 months, including for those employees hired PRIOR to 7/1/08.

See https://www.pa.cogentid.com/index_dpw.htm (COGENT) to locate a fingerprint processing center near our church.

Employers may employ applicants for positions where they will have contact with children, or supervise those who do, on a provisional basis for a single period of no more than 30 days, or for out-of-state applicants, no more than 90 days, if ALL of the following conditions are met:

- Applicant has applied for all required clearances and employer has copy/documentation of completed request
- Employer has no knowledge of anything that would disqualify the applicant {pursuant to §6344.3}*
- Applicant affirms in writing he/she is not disqualified from employment related to working with children {pursuant to §6344.3}*
- The employer requires that the applicant not be permitted to work alone with children, and that applicant work in the immediate vicinity of a permanent employee.

*see List of Disqualifiers – Appendix form

If the information obtained via the required clearances reveals that the applicant is disqualified from employment, the applicant shall be immediately dismissed.

Clearances obtained through other employment may be submitted to the Church as long as they were given within the past year for employees, prospective employees or volunteers. Anyone with clearances older than this must obtain new clearances for working with children in the church.

I. Use of Facilities by Outside Organizations

Outside groups and organizations using CMCL facilities on a recurring basis must complete the Facilities Use, Statement of Compliance and Key Covenant forms. They are to be made aware of CMCL's Child Safety Policy and must adhere to it or provide evidence of their own policy and procedures. Such policies and procedures are subject to review and acceptance by CMCL Staff.

At minimum, policies provided by outside organizations must include the following: a "two adult" rule; clearances and trainings for volunteers; procedures for immediate reporting of suspected child abuse to ChildLine; and a prohibition on adults being alone in the facility with a child not their own.

IV. Education and Training

The Child Safety Policy will be available to the entire congregation via the CMCL website and also via the Christian Education Office. New members will be directed to the web or physical location, and/or given a copy of the policy.

In order to be an approved adult, a volunteer or staff member must participate in an initial training that covers recognizing and responding to child abuse, mandated reporting requirements, and church guidelines and practices. A refresher course for all approved adults will be held at least every two years. Volunteers or staff who cannot attend sessions in person will be required to review a tape (video, audio) or a power point of the training prior to serving with youth. Adults will not be approved to take care of children until after they have completed the required training.

All approved adults and staff will receive a full copy of the Child/Youth Protection Policy and Guidelines, sign a Statement of Compliance on the Service Application and Covenant.

Procedures for Education & Training

A. Staff and Volunteers

Training will be offered every summer, before the start of the Christian Education Year. It will be considered a mandatory part of volunteer training and employee orientation. The initial training for each new staff person and volunteer will be at least 1 hour.

Once an individual has participated in the initial training, a refresher training of at least one hour will be required every two years to ensure that the individual's knowledge is current and accurate.

The church's Director of Children and Youth Programs along with the Administrative Assistant will maintain a record of who has received training and the dates.

Training will include the use of professional training materials on child abuse, including specific information about child sexual abuse, behavioral signs, and how to respond to a disclosure; the grooming process sexual offenders often use to engage children; a review of policies and procedures that are specific to CMCL and pertinent to the work in which the employee or volunteer will be involved, information about mandated reporting and instruction in the use and completion of the various forms.

B. Parents and other Congregants

Child Abuse Awareness education will be offered at least once each year for parents and other congregants, and shall include information about the spiritual, as well as psychological and physical, impact of abuse. The educational sessions may be provided in various formats, such as an adult education class, a whole-congregation meeting, a special workshop in the evening or weekend, etc.

C. Children and Youth

Christian Education curriculums on healthy physical, emotional, and sexual boundaries, including sexual abuse prevention, shall be offered for several weeks at least once every 2 years. The purpose is to provide our children and teens with the opportunity to receive age-appropriate information in a faith-based context to help them to recognize inappropriate conduct on the part of an adult or older child, and to empower them to say no, and tell a "safe adult" at church, home, school.

Teachers will be provided with any needed training, as well as curriculum material, to use.

D. Supervisors of Sexual Offenders

Should the church decide to welcome a known sexual offender into fellowship in accordance with the guidelines established in this policy, a group of supervisors will receive at minimum 3 hours of training prior to welcoming the offender to the congregation. See the Providing Community for Known Sexual Offenders policy for further information.

V. Reporting and Response to Allegations of Child Abuse

A. Terms for Involved Parties & Laws

| | |
|-------------------|---|
| MANDATED REPORTER | Any employee routinely working with children and youth, including but not limited to the Pastors and the Director of Children and Youth Programs. Volunteers who accept the responsibility of caring for children ("Approved Adults" under this policy) are considered mandated reporters under the CPSL beginning December 31, 2014. |
| APPROVED ADULT | Church Attender who has received approval to work with children via the process outline in the Child Safety Policy |
| DIRECTOR | Director of Children and Youth Programs |
| RESPONSE TEAM | Professional Staff, Ch. Ed. Chair, Pastoral Team Chair (if staff is alleged, committee will also include Staff Relations Committee Chair) |
| CPSL | PA Child Protective Services Law |

B. Confidentiality Statement

The privacy of all persons involved in any report or response shall be maintained throughout the entire process. Any information including names, descriptions of reported incidents, and actions taken shall be provided on a "need to know" basis and would typically be provided only to persons or groups

noted in this document. The “need to know” would be based on the ability of the person or group to complete their assigned work as outlined in this document. Due to the lack of privacy that is inherent with email, this mode of communication regarding confidential material is discouraged.

C. Responsible Persons

1. Person hearing initial report from the child or observing an incident.
2. Mandated Reporter
3. Response Team

D. Immediate Response to Witnessing an Incident or Receiving a Disclosure

Person observing an incident shall:

1. Remove the child from imminent danger.
2. If a child is injured or in pain, call 911 for an ambulance.
3. Take the child’s word seriously and keep any physical evidence.
4. Stay calm and listen carefully to the child.
5. Ask open-ended questions (i.e., “Can you tell me what happened?”) instead of leading questions.
6. Provide emotional support; let the child know that he/she did the right thing by talking about the problem.
7. Assure the child that appropriate action will be taken.
8. Continue with legally required reporting as outlined below.

E. Explanation of Mandated Reporting in PA

Anyone may report suspected child abuse. However, the PA CPSL imposes a reporting mandate, or requirement, on any individual who comes into contact with children in the course of his or her work or professional practice, specifically including “clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization,” or an “individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child”. These individuals are known as “mandated reporters.”

Church staff that should be considered mandated reporters under the CPSL are those who routinely come into contact with children, including pastors, music ministers, youth directors and any other paid staff expected to come into contact with children on a regular basis, as well as their supervisors.

Volunteers who accept the responsibility of caring for children (“Approved Adults” under this policy) are considered mandated reporters under the CPSL beginning December 31, 2014.

The CPSL stipulates that a report is required when:

- The mandated reporter comes into contact with the child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity or service;
- The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child; and,
- The mandated reporter has reasonable cause to believe that a child under the care, supervision, guidance or training of the church or the reporter, has been abused.

The following two items require a report, regardless of whether the child is under the care of the reporter, or the church:

- A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse; or
- An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

Examples of children considered by the CPSL to be **under the care or supervision of a church** would include pre-school or other students, children enrolled in child-care programs, children being “babysat” during worship services or gatherings, children participating in educational, sports, music, recreational or other church ministries such as summer camp, Bible school, youth group, etc.

The mandate to report applies to all suspected child abuse, not just abuse that has been perpetrated by someone within the church. Possible abusers could include, for example, parents, relatives, older siblings, neighbors, coaches, school teachers, family friends and other children.

A mandated reporter need not be able to determine who is responsible for the abuse, i.e., identify the alleged offender.

A mandated reporter need not make a first-hand observation of the suspected child abuse victim.

The CPSL specifically grants legal immunity to any individual who, in good faith, makes a report of suspected child abuse. Failure to report suspected abuse by a mandated reporter can result in charges and fines. A mandated reported may also be charged as a “perpetrator” in some cases for failure to protect a child.

The new law also specifically preserves previous law on confidential communications to clergy, but that is a very narrow exception that rarely applies beyond the Catholic confessional. Persons being counseled by church staff should understand that reporting of child abuse is required by law.

F. Reporting and Documenting Suspected Abuse – OVERVIEW

An overview of the action steps and the sequence in which they must be taken is provided below, with details in the following section of policy.

1. The mandated reporter must “immediately” report to ChildLine. (legal requirement)
2. The reporter must then “immediately thereafter” inform the Director a report has been made. (legal requirement)
3. The reporter must complete an internal Child Abuse Incident Report and give it to the Director. (policy requirement)
4. The reporter must complete and file a written CY47 report with local CPS within 48 hours after making the report to ChildLine. (legal requirement)
5. The reporter must provide a copy of the CY47 report to the Director along with documentation of when it was filed. (policy requirement)
6. The Department of Public Welfare (DPW) will inform the reporter of the results of the investigation no later than 3 days after it is concluded, which is generally within 30-60 days. The reporter will then inform the Director of the results. (policy requirement)
7. The Director will note on the internal Child Abuse Incident Report the date the results were provided by the reporter, and file any related documentation. (policy requirement)

G. Reporting and Documenting Suspected Abuse – DETAIL

An employee or an Approved Adult who has reasonable cause to suspect that a child/youth has been abused by anyone (including but not limited to the child/youth’s family, guardians, church staff member, an Approved Adult or volunteer) **or who receives a specific disclosure as previously described in this policy** shall immediately make an oral report by calling The Pennsylvania ChildLine and Abuse Registry (ChildLine) at 800-932-0313 as required by law; or, by filing an electronic report. (Note: The electronic option is to be available by 12/31/14). The legal reporting obligation is met by contacting ChildLine. However, as of 12/31/14, there is “no wrong door” for reporting, and mandated reporters that make reports directly to local Child Protective Services or the police will not be in technical violation of the law.

The legal obligation of the mandated reporter as of 12/31/14 (including volunteers, i.e., “Approved Adults”) is to “REPORT IMMEDIATELY” to ChildLine and immediately THEREAFTER notify the person in charge designated by the church. The mandated reporter must provide his/her name, telephone number and email address when making the report to ChildLine.

The reporter shall then document the suspected abuse by completing a **Suspected Child Abuse Incident Report**. (See Appendix). The person in charge will then have the responsibility for facilitating the cooperation of the church with the investigation of the ChildLine report.

Neither the mandated reporter nor the church is responsible for investigating or determining whether or not abuse has occurred prior to making a report. The standard under the law for reporting is that “a reasonable person has cause to believe the child has been abused.” It may be necessary to ask the child or person alleging the abuse has occurred for some clarification solely

in order to determine if there is cause to believe abuse may have occurred. Detailed interviews and extensive questioning with the child and/or the alleged abuser should be conducted by legal authorities, not the church.

If a child is injured or in pain, call 911 for an ambulance.

If anyone is in immediate physical danger, call 911 for police assistance.

Following the required oral or electronic notification to ChildLine, the Lancaster County Children and Youth Agency *or* Lebanon County Children and Youth Services may also be contacted by the Pastor or the reporter, as this follow-up call puts the reporter directly in touch with the persons who are familiar with the community and will be taking action on the report made to ChildLine. This may also facilitate a faster response.

Within 48 hours of the oral or electronic report to ChildLine, the mandated reporter who made the original report must complete a written or electronic report of the suspected abuse on **Form CY-47** (See Appendix), based on the mandated report and Suspected Child Abuse Incident Report of the Approved Adult or volunteer and send it to your County agency.

**Lancaster County Children and Youth
900 East King Street
Lancaster, PA 17602**

717-299-7925

**Lebanon County Children & Youth Services
Room 401, Municipal Building
400 South 8th Street
Lebanon, PA 17042-6794**

717-228-4430

*after 5:00 PM & weekends
contact Emergency Mgt. Agency
717-272-2054*

This is a legally required report.

The reporter shall notify the Director of the date the written report on Form CY-47 was sent, and provide a copy for the church records. The Director may also report reasonable suspicions directly to ChildLine; however, such a report does not relieve the obligation under this policy of the original reporter to inform the Director and complete an Incident Report. The initiative for investigating alleged abuse resides with the Department of Public Welfare (DPW) and/or law enforcement, and shall not be carried out by the congregation. There is no requirement that multiple reports of the same alleged incident(s) of abuse be filed by the church.

All allegations of child/youth abuse or serious physical neglect will be taken seriously by the pastor(s), Church Council, and the Response Team. These allegations will be treated in strict confidence. All reporting steps taken will be documented, including a log of phone calls, personal visits, and written reports. Documentation should be kept in a secure file in the Church office.

All communications regarding the report of suspected child abuse shall attempt to protect the dignity and privacy of those persons affected by the report including the alleged child/youth victim and the person suspected of child abuse, while at the same time ensuring that persons in responsibility and law enforcement authorities remain fully informed. The name of the mandated reporter should also be protected.

H. Follow-up, Investigation, Documentation

1. Following placement of the call to report suspected abuse to ChildLine, the Director or a Pastor will inform the parent (provided that neither of the custodial parents is suspected of abuse). If a custodial parent is the alleged abuser, or resides in the same household as the child, his or her first contact about the allegation should come from either Child & Youth Services or the police, not the church.
2. The Response Team should not enter into discussion about the details of the complaint with the alleged abuser after a report has been filed and during the course of the legal investigation. The alleged abuser will be removed from any position in which he or she has supervisory authority over children pending the completion of the investigation.
3. CMCL's liability insurance company, and Atlantic Coast Conference (ACC), should be contacted

after the report is filed as a matter of routine practice if the alleged abuse involves a staff person, if the abuse occurred on church property, or if the abuse involved a volunteer caregiver (if the later, names of involved parties shall not be disclosed). The alleged abuser will have their ministry restricted to exclude contact with children immediately; and if employed by the church, may be placed on leave for a designated period of time during the investigation

4. The Department of Public Welfare has 3 days from the date it receives the “results” of the investigation based on the report to inform the Mandated Reporter (NOT the church) as to:
 - o the final status of the child abuse report, in other words, whether it is indicated, founded or unfounded and
 - o any services provided, arranged for or to be provided by the county agency to protect the child.

In accordance with this policy, the mandated reporter will share the above with the Director of Children & Youth Programs as soon as practicable after receiving results from DPW. Investigations are to be concluded by CPS in 30 or 60 days. The Director of Children & Youth Programs will indicate in the space provided on the Suspected Child Abuse Incident Report the date that the mandated reporter provided the information (if applicable) and file any documentation with the report.

5. If an incident is reported that does not rise to the level of making a mandated report the Director of Children and Youth Programs will inform the child’s parent(s) or guardian(s) of the concern and document the meeting.

I. Communication of Information

1. The extent to which information will be shared with the congregation will be determined by the Response Team and others as appropriate. The input of the ACC Conference Minister may be sought and, if Staff is involved, the Staff Relations Committee will be consulted in making this decision. The identity of the victim and the Mandated Reporter should be protected.
2. All necessary parties will cooperate with any investigations made by the police.
3. Only the authorized person or persons may speak for the congregation to the news media, government agencies, attorneys, or others.

J. Continuing the Ministry of the Church

1. Pastoral support will be offered to all parties involved, including those who have made the complaint, the alleged abuser, the families of both, and the congregation. Decisions about how this support will be given will be made by the Response Team. Separate Care Teams for the alleged abuser and the victim, and his/her family, are strongly recommended. The Following guidelines and procedures are recommended for Care Teams:
 - a. Have at least one person who has had training on child abuse and response procedures and whose involvement does not create a conflict of interest either for the team members, alleged perpetrator, or child/family.
 - b. Have one team for alleged perpetrator and another one for child/family.
 - c. Assess the needs for healing, facilitate and minister with sensitivity and care, promote the actual healing through emotional support and spiritual support.
 - d. Encourage use of outside resources to continue the healing process.
 - e. Terminate when identified persons have adequate support and resources.
 - f. Report the outcome to the Response Team.
 - g. Document the support meetings including date met, persons present, issues discussed and actions taken.
2. If the allegations involve a Pastor, the ministry of the church will need to be maintained while the issue is being addressed. Decisions regarding how this will be accomplished will be made by the Congregational Council and Staff Relations Committee, in consultation with the ACC Conference Minister.

K. Response to Allegations, Admissions or Criminal Charges

1. Persons who admit to or plead guilty to or are convicted in a court of law of any form of physical or sexual abuse of a child/youth will be immediately, permanently, and completely disqualified by the Child Safety Committee from working with children/youth in the congregation. Persons who admit to a Pastor or any member of the Child Safety Committee or to a Response Team any type of physical or sexual abuse of a child/youth but who have not appeared in a court of law will be disqualified from working with children/youth in the congregation. Allegations of sexual or physical abuse shall disqualify any person from working with children/youth until the investigation is completed. The Child Safety Committee may temporarily or permanently disqualify any person(s) from working with children/youth, as the committee deems appropriate. See the Providing Community for Known Sexual Offenders policy for further information.
2. Allegations of sexual or physical abuse of anyone shall disqualify any person from working with children/youth until an investigation is completed. If an arrest has been made and charges filed by the police for any violent crime, including any physical or sexual abuse of anyone, the volunteer or staff person will be immediately removed from any susceptible environments with children or vulnerable populations until the investigation and legal process are complete. This serves not only as protection to children and vulnerable others but also as protection for the person alleged to have transgressed, as such a person is often highly vulnerable to accusations of inappropriate conduct based on perception of risk, which may or may not be well-founded. An Approved Adult or staff member who is under investigation for alleged abuse, or criminally charged for an offense involving a child is required to notify the CSC or a supervising staff member as soon as the investigation begins.
3. The Child Safety Committee may temporarily or permanently disqualify any person(s) from working with children/youth, as the committee deems appropriate. Effective 12/31/14, certain offenses automatically disqualify anyone from working in a paid or unpaid position with children.
4. Alleged violations of the policy, other than abuse, shall be immediately reported to the Director of Children and Youth Programs. If deemed appropriate, the Child Safety Committee will investigate the alleged violations of the policy. If a person(s) is found to be in violation of the policy, the committee will determine what disqualification or disciplinary action, if any, is necessary.

L. Allegations were not Abuse, but a Demonstration of Poor Judgment

1. The Child Safety Committee will hold the offending individual responsible and accountable for the behavior. Grace and mercy are extended in the context of repentance, accountability and justice.
2. Education and/or counseling will be expected to correct unhealthy behavior patterns. The church may consider helping with the cost of sessions as an extension of the church ministry.
3. The individual will be removed from susceptible environments for a stated period of time, and not function in any supervisory capacity over children and youth for at least one year, after which an evaluation determining fitness for this ministry should be made by the Pastoral Team. The 2nd such occurrence of demonstration of “poor judgment” will result in the individual being precluded from any future ministry with children.
4. Communicate action taken with complainant and congregation as needed.

VI. Additional Forms and Appendices are available on CMCL’s website or in hardcopy from the church office, including but not limited to the following:

- Service Application and Covenant
- PA Criminal History Check
- PA Child Abuse Clearance
- About Reporting Abuse (Pamphlet)
- Report Child Abuse Online
- Suspected Child Abuse Incident Report for CMCL
- PA Report of Suspected Child Abuse (CY-47)

- Key Policy and Covenant
- Providing Community for Known Sexual Offenders