

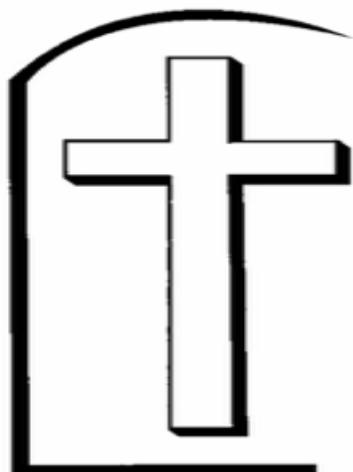
# Child Protection Policy

*Jesus said, "Let the little children come to me,  
and do not hinder them,  
for to such belongs the kingdom of heaven."  
Mt. 19:14 ESV*

Child Protection Policy Committee  
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## Part 1 of 2

## Volunteer Guidelines



***Hinkletown  
Mennonite  
Church***

# INTRODUCTION

The disturbing rise of abuse of children has claimed the attention of our nation and society. Hinkletown Mennonite Church is a spiritual community which takes seriously it's responsibility to provide a safe and nurturing environment for children, youth and vulnerable adults who participate in our ministries. The Child Protection Policy is designed to maintain a safe environment for children and to provide a context for appropriate ministry boundaries for adults working with children and youth. To minimize any possible charges of impropriety the church requires all church workers (both paid and volunteer) to commit themselves to abiding by this Child Protection Policy. Serving the Lord by working with children and youth is both a privilege and an awesome responsibility.

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Thank you for doing your part to make Hinkletown Mennonite Church a caring place for everyone.

## PURPOSE

To provide a safe environment and protect children at Hinkletown Mennonite Church (HMC) from all types of abuse. Recognizing God's tender love and concern for children (see Luke 18:16), we want to do all that we can to protect our children from any kind of abuse. While we would like to believe that such abuse could never take place in a church, the fact is that many children are being abused within the Christian community every year. Our church is not immune to the effects of sin, and it would be presumptuous for us to assume that this problem could never occur in our body. Therefore, while we should strive to be as "innocent as doves" we must also be as "shrewd (prudent, sensible, and practically wise) as serpents" (Matt 10:16). This should be especially true with regard to the children God has placed under our care.

To protect our child/youth workers from being suspected or falsely accused of wrongful behavior toward a child. Such accusations can do a great deal of damage even to an innocent youth worker. Our procedures for maintaining a safe environment and admonishing inappropriate behavior are designed to prevent compromising situations, and also to strengthen a worker's defense against false accusations.

To lower our church's legal risk by establishing a policy that meets the test of reasonable care. We want to protect our church from the scandal and trauma that an incident of abuse could bring upon our congregation. When someone accuses another person in the church of abuse, the entire body can be drawn into a painful and costly conflict. Divisions in the congregation can arise because of disagreements over how the abuse was allowed to occur and how the situation is being handled. Church leaders are distracted from important ministries. Legal charges can be filed that may result in a prolonged and expensive lawsuit. Obviously, these developments would be detrimental to our ministry. As Proverbs 2:3 warns, "The prudent sees danger and hides himself, but the simple go on and suffer for it."

To guard the honor and reputation of our Lord Jesus Christ. If a child in our church is harmed through a member's sin, some people will inevitably think less of the church and of our Lord. We are committed to doing everything in our power to prevent such dishonor from happening, and protecting our children from abuse is one way to do so.

Although the issue of child abuse is an unpleasant one, we believe that God can use our response to these concerns for good (see Romans 8:28-29). Instead of viewing the screening process as a "necessary evil," we see it as an opportunity to promote teamwork (I Cor. 12:12-31), to demonstrate mutual submission (Eph. 5:21), and to get to know one another better.

## DEFINITIONS

**Abuse** - (as defined under Pa Child Protective Services Law [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 Title 18 PA.C.S. §7508.2 (relating to operation 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 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:

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)

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).

**Adult** – An individual 18 years of age or older.

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

**Approved Adult** – anyone over 18 years of age who has satisfied the requirements of the Child Protection Policy. An Approved Adult can be an employee or a non-employee of the congregation, and 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 clearances.

**Childline & Abuse Registry** - the 24 hour toll free telephone reporting system operated by the Department of Public Welfare to receive reports of suspected child abuse (1-800-932-0313) or [www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis).

**Child or Youth** – any person considered a minor under the laws of the Commonwealth of Pennsylvania, that is, a person who is under 18 years of age.

**Child Protection Committee (CPC)** – Implements and enforces the Child Protection Policy.

**Criminal record check/child abuse history clearance** - the procedure used by HMC to check background of adult volunteers/workers for criminal activity

**CYS** - Children and Youth Services (Lancaster Office 299-7925 day, or 396-8085 after hours )

**Direct contact with children** - The care, supervision, guidance or control of children or routine interaction with children.

**Mandated Reporter** - Effective 12/31/14, the PA CPSL imposes a reporting mandate, or requirement, on any adult 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, is a person responsible for the child’s welfare or has direct contact with children.” **This includes volunteers, as well as staff.** These adults are known as “mandated reporters.” (as defined **CPSL Title 23 PA.C.S. Chapter 63**)

**HMC** - Hinkletown Mennonite Church

**Leadership** – individual responsible for a given department or area

**Pennsylvania Child Protective Services Law (CPSL)** - the legislative mandate for governing child protection regulations.

**Perpetrator** - a person who commits an act of child sexual abuse

**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 our church is Deacon.

**PIF** - Personal Information Form of Hinkletown Mennonite Church

**Pornography** - includes reading, watching, listening to, or in any other way using pornographic material, including books, magazines, television shows, movies, Internet, or telephone services

**Preschooler, children, youth, minor, and student** - any individual under the age of 18, or whose mental capacity is that of a minor

**Public place** - a location where other people are within close proximity

**Routine interaction** – Regular and repeated contact that is integral to a person’s employment or volunteer responsibilities.

**Teaching Assistant/Helper/Adult Volunteer**– a person who may or may not be a member of the congregation and who has a specific talent or experience to share with children/youth at a particular event/class. A teaching assistant’s opportunity is temporary and must be supervised by approved adults. They have to be at least 13 years of age and in direct supervision of an approved adult at all times.

**Worker** - any adult who serves as a volunteer and/or paid position given the responsibility of working with or caring for minors

**Vulnerable Adult** - A broad term which encompasses adults who are at a higher risk of being abused than other adults. This is typically an elderly or disabled individual who may have physical or mental limitations.

## SELECTION OF APPROVED ADULTS

To protect the children/youth in our care, the following guidelines are established for those who desire to work with children/youth less than 18 years of age.

Approved Adults must:

1. Attend HMC for a minimum of 6 months.
2. Be at least 18 years of age
3. Complete a Personal Information Form and the required certification forms.
4. Attend an initial training session.
5. Sign and comply with the Children and Youth Ministry Commitment.
6. Once accepted as an Approved Adult, notify the CPC 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 a founded or indicated report of abuse. Such notification is required within 72 hours under PA law effective 12/31/14.

### Required Application Forms to Become an Approved Adult

#### **Forms listed below are used to apply to become an approved adult**

1. Personal Information Form
2. Children and Youth Ministry Commitment Form
3. Pennsylvania State Police Request for Criminal Records Check Form
4. Pennsylvania Child Abuse History Clearance Form
5. **FBI Fingerprint Record Check required for employees; and required for volunteers who have not lived in PA for the past 10 years and who don't have a prior FBI check**

Prospective employees "14 years of age or older applying for or holding a paid position as an employee with a program, activity or service, as a person responsible for the child's welfare or having direct contact with children" must obtain certification as a condition of employment, but may transfer current certifications from other employment. This would include (for example) a Christian Education Director, Youth Pastor, and other church staff expected to have regular contact with children. Direct contact with children is defined by Statute as, "the care, supervision, guidance or control of children, or routine interaction with children." Employees are required by the CPSL to obtain background checks.

Employers may employ applicants who do not have current certifications 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 90 days, if ALL of the following conditions are met:

- Applicant has applied for all required certifications and employer has copy/ documentation of completed request

- Employer has no knowledge of anything that would disqualify the applicant{pursuant to §6344(C)}\*
- Applicant swears or affirms in writing he/she is not disqualified from employment related to working with children {pursuant to§6344(C)},\* or “has not been convicted of an offense similar in nature to those crimes listed in subsection (C) under the laws or former laws” of any other jurisdiction. (See PA Prospective Employee Statement.)
- 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.

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

## **SELECTION OF APPROVED ASSISTANTS**

Teaching Assistant/Helper/Adult Volunteer– a person who may or may not be a member of the congregation and who has a specific talent or experience to share with children/youth at a particular event/class. A teaching assistant’s opportunity is temporary and must be supervised by approved adults.

- Be at least 13 years of age
- Need to receive the child protection training from CPC members.
- Need to sign the Children and Youth Ministry Commitment Form
- Direct supervision of an Approved Adult is required at all times

## REQUIRED CERTIFICATION

All adult church workers “applying for or holding a paid or unpaid position with a child-care service, a school or a program, activity or service as a person responsible for the child’s welfare or having direct volunteer contact with children,” will be required by the Child Protective Services Law (CPSL) to obtain certifications (previously called background checks or clearances). The staff member supervising each volunteer or employee is legally required to obtain these clearances, and is subject to prosecution for deliberately failing to do so. In compliance with this law, HMC requires volunteers working with children and youth to obtain the following certifications before working with children/youth:

Child Abuse History Clearance Form (CY-113) (\$8 for employees, no fee for volunteer)  
Pennsylvania State Police Request for Criminal Record Check Form (SP4-164) (\$8 for employees, no fee for volunteer)

Applicant must swear or affirm in writing (Approved Adult Application) he/she is not disqualified from employment related to working with children {pursuant to§6344(C)},\* or “has not been convicted of an offense similar in nature to those crimes listed in subsection (C) under the laws or former laws” of any other jurisdiction.

FBI Fingerprint Record Checks (\$27-\$29 – approximate):

- Employees must obtain the fingerprint record regardless of duration of residence in PA.
- Volunteers who have not lived in PA for 10 years are also required to get the FBI fingerprint records check if they haven’t previously done so for other volunteer service or employment.

Currently, FBI Fingerprint Record Check information may be obtained via COGENT; see [https://www.pa.cogentid.com/index\\_dpw.htm](https://www.pa.cogentid.com/index_dpw.htm) to locate a fingerprint processing center near our church. Note: Effective 12/31/14, PA State Police have responsibility to either process fingerprints directly, or designate an agent.

Effective 12/31/14, all employee certifications, including FBI fingerprint checks, must be obtained by 12/31/15 and be renewed every 60 months. New volunteers are required to have background checks by 8/25/15. Current volunteers (approved before 8/25/15) who have certifications more than 60 months old (as of 7/1/16) or no certifications have until 7/1/16 to get updated certifications. Volunteers whose certifications are within 60 months need to renew in time to meet the 60 month deadline. Volunteers whose certifications are otherwise current are required to complete a Current Volunteer Statement to accept responsibility as mandated reporters and to swear or affirm that they are not disqualified from service working with children {pursuant to§6344(C)},\* or have “not been convicted of an offense similar in nature to those crimes listed in subsection (C) under the laws or former laws” of any other jurisdiction. This Statement should be completed every 60 months as part of renewal, and includes a box to check to indicate PA residency. Any volunteer not a resident for the past 10 years need not repeat the FBI fingerprint record check. Renewal date is from the oldest current certification.

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

- If application for certification is filed directly by the applicant, the applicant shall provide the CPC with a printed copy of the certification.

Volunteers must submit all required certifications and internal documents prior to working with children. In lieu of obtaining new certifications, volunteers may submit copies of certifications obtained through other employment or volunteer service which are still current, defined as given within the last 60 months. The Church needs to retain a copy for the files.

Certifications will be repeated every 60 months, or as otherwise required by state law; and, after a break in service of more than two years. Certifications obtained for employment may be transferred to other employment or volunteer service, as long as they are current. Certifications obtained for volunteer service may be transferred to other volunteer service, but may not be transferred to employment.

**You can access the Child Abuse History Clearance Form at:**

<https://www.compass.state.pa.us/CWIS>

**You can access the Pennsylvania State Police Request for Criminal Record Check Form at :**

[www.psp.pa.gov/Pages/Request-a-Criminal-History-Record.aspx](http://www.psp.pa.gov/Pages/Request-a-Criminal-History-Record.aspx)

**You can access the FBI fingerprint information at:**

[www.pa.cogentid.com](http://www.pa.cogentid.com)

## GENERAL GUIDELINES FOR PROTECTION OF CHILDREN AND YOUTH

To ensure that a nurturing Christian environment for children/youth is maintained within the congregation, to protect children/youth who participate in activities sponsored by the church from sexual, mental, and/or physical abuse, and to protect the congregation's members from false allegations of abuse, the congregation has adopted the following policy:

- 1. Child Abuse Prohibited:** Those who accept the special responsibility of working with the congregation's children/youth shall not violate that responsibility by intentionally, knowingly or recklessly causing physical injury; mental injury; sexual abuse or serious physical neglect of children/youth; induce or fabricate medical symptoms or any other act described as child abuse in this policy or the laws of our state.
- 2. Sexual Abuse Prohibited:** Those who accept the special responsibility of working with the congregation's children/youth shall not violate that responsibility by having any interaction with a child/youth where the child/youth is being used for sexual stimulation of the adult or a third person regardless of whether or not the behavior involves touching, or by any other act described as sexual abuse in this policy or the laws of our state.
- 3. Two Approved Adults Rule:** Two Approved Adults should be present during any church sponsored children/youth activity. The exception to this rule is when classes are intentionally structured with only one teacher but another individual is monitoring the halls to be of assistance to any teacher who needs it.

In some instances where unforeseen circumstances result in two Approved Adults not being present (for example, an unexpected absence of a teacher on a Sunday morning) a designated Approved Adult will circulate outside the classroom area or be within easy reach to provide assistance if needed.

- 4. Rule of Three:** It is always recommended to have two approved adults present for an activity. At times when this is not possible, it is required that the "Rule of Three" be followed. This is when one approved adult is present and at least two other competent individuals. The other two people do not have to be approved but need to be of sound mind and of appropriate age for legal competence, generally minimum age of 13.
- 5. Visibility:** All activities/meetings with children/youth must be conducted in a way that allows visibility, e.g., glass areas of doors should not be

obstructed, curtains/blinds should be open, when possible, door should be open or a window should allow easy observation of the room. Where possible, conduct activities in a public place, with another person within sight and sound of the activities.

Because abuse is sometimes perpetuated by an older, stronger child or youth, be cautious when you pair two children or youth together for a given task when there is a four or more year age difference between them. The pair should not be sent to an isolated setting, e.g., bathroom, tent, or empty classroom.

## **6. Bathroom and Diapering**

- A. In general, children should be encouraged to use the bathroom before and after classes or other activities. In this way parents can assist as needed.
- B. If you need to take a child to the toilet, be aware of your visibility and the child's privacy, e.g., adult stands holding public bathroom door open while child enters toilet stall alone.
- C. No teacher shall be alone with a child in the bathroom for purposes of toileting, clean up from craft or art projects, or care of injury, except when necessary.
- D. Normally teachers who accompany a child to the bathroom should remain outside the bathroom door while the child is inside
- E. When a child or vulnerable adult is using the restroom and assistance is required, he/she will be accompanied by an approved adult to and from the restroom. Before any child or vulnerable adult enters the restroom, the approved adult will enter the restroom to make sure it is safe. Only female workers should assist children to the restroom.

*Diapering:* Two approved adults must be in close proximity when clothes or diapers are being changed. A parent can also be recruited to change clothes or a diaper.

*Two and Three Year Olds:* An approved adult must accompany children to and from the bathroom and inform another adult when this takes place. The adult will assist the child only when necessary.

*Preschool:* An approved adult must accompany preschoolers to the bathroom. The adult will remain outside the stall. If assistance is required, the approved adult should encourage independence but can assist with minimal tasks if necessary (belts, snaps, etc.).

- 7. Empty Room Policy:** After an activity, check rooms to ensure that all participants have vacated the room.

- 8. Expressions of Affection:** True expressions of affection toward children/youth can be a manifestation of Christ's love for all of us. A kind word of encouragement to a child/youth or a pat on the back can be a small but significant act for both the adult and the child/youth. That being said, adults must use caution and common sense when physically expressing affection toward children/youth.
- a. Respect a child's/youth's refusal of affection
  - b. Be aware of appropriate hand placement. A child/youth or an observer could misinterpret a pat on the bottom or a bear hug. Note that a body-to-body embrace; a touch on private areas, those areas covered by a bathing suit; or a kiss on the mouth is inappropriate.

**9. Permission Slips:**

General -

Children/youth must have permission to participate in activities. Parents/guardians need to complete and return a Child and Youth Registration form, which includes pertinent medical information and emergency phone numbers, a medical release, and general permission for field trips. These forms will be updated every year and filed in a secure place by the Youth Pastor or Director of Children's Ministries.

Specific -

Children/youth must have permission to participate in any overnight activity or any activity that takes place away from church grounds. The permission must be written, signed by a parent or guardian, and must identify the activity in which the child/youth will be participating. The Youth Pastor, Director of Children's Ministries, or CPC Chair may waive the requirement for permission slips where a permission slip serves no useful purpose (for example when a child/youth is accompanied by his or her parent or guardian to the activity).

**Medical Release Forms for field trips:** All youth participating in a field trip with either a youth group or the Sunday school must have a Medical Release Form on file before they will be allowed to participate.

- A copy of the completed form will be kept on file in a secure place by the Youth Pastor.
- Each time a field trip or overnight event occurs, a copy of the release form must be taken with the adult leaders.

- 10. Overnight Activities:** Overnight activities involving children/youth shall be chaperoned by at least two Approved Adults. Boys and girls will sleep in separate areas with at least two approved adults of the same gender directly supervising each group. If the minimum level of supervision cannot be achieved, the activity must be cancelled.

- 11. Transportation of Children/Youth:** When children/youth are transported for church activities they shall be transported in groups with at least one Approved Adult in each vehicle. Anyone who has had their license revoked or suspended within the past five years will be ineligible to drive for youth activities. Driving with a student of the opposite gender by yourself should be avoided at all times.
- 13. Male assistants** - No males will be assisting in the care of children under the age of six without prior approval of the CPC. This approval is generally reserved for husband/wife teams.
- 14. Workers outside of HMC** - Workers from outside the congregation, who are hired to provide childcare for congregational events will be required to complete the PIF, and may be subject to reference and criminal checks as appropriate.
- 15. Suggested Supervision Ratios** for day/overnight trips on/off church property.

Grade	Number of Youth (not related to approved adult)	Number of approved adults required	Plus one additional adult for each additional number of youth
Pre-school - 3	4	2	4
4 - 5	6	2	4
6 - 12	6	2	6

In overnight, mixed gender settings, the boys and the girls will be considered two separate groups with the above ratios applied to both groups (e.g. If there are nine boys and three girls, there must be two male adults and two female adults.)

- 16. Injuries** - Any injuries should be reported to leadership as soon as possible. Injuries under a child's clothing should be checked with two adults present. Be gender conscious in dealing with such issues.
- 17 . Off Premise Activities** - No wrestling or horseplay should ever occur between staff and students of the opposite gender.
- 18. Counseling** -
1. One-on-one counseling with children or youth should always occur in a public place, never in a private car, or in a vacated building.

2. As a general rule, when counseling a member of the opposite gender, invite a member of the same gender of the counseled. Keep the meeting concise and focus on the purpose of the meeting. When a situation arises that you are alone with a student of the opposite gender, quickly move the situation to a public setting.
  
19. Discipline - Discipline of any type involving physical contact is not permitted. Positive reinforcement is the major tool of appropriate discipline. Volunteers will verbalize to the child when she/he is behaving in an inappropriate manner. Volunteers will redirect a child who appears to be “headed for trouble.” If a child is repeatedly displaying inappropriate behavior and redirecting has not worked, parent/guardian will be asked to take possession of the child.

Children Ministry workers **WILL NOT**:

- Use corporal punishment, including spanking
- Subject children to cruel or severe punishment, humiliation or verbal abuse

# REPORTING ABUSE

## REPORTING SUSPECTED CHILD ABUSE

### HOW “MANDATED” REPORTING WORKS IN PA

Anyone may report suspected child abuse. However, the PA CPSL imposes a reporting mandate, or requirement, on any adult 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,” and “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, is a person responsible for the child’s welfare or has direct contact with children.” These adults are known as “mandated reporters.”

Church staff that should be considered mandated reporters under the CPSL would include those who routinely come into contact with children, such as 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 also considered mandated reporters under the CPSL beginning December 31, 2014. Staff or volunteers whose job or service responsibilities do not include care or direct contact with children as defined by the CPSL (such as most administrative or custodial staff, kitchen workers, adult ministry volunteers) are not considered mandated reporters unless they supervise those who are.

### WHEN TO REPORT

**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. If neither the victim nor the alleged offender is connected with the church, the mandated reporter does not need to notify the church or complete internal church policy requirements.

**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 reporter 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.

## **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. Again, if neither the victim nor the alleged offender is connected with the church, the mandated reporter does not need to notify the church or complete internal church policy requirements.

**Step 1** - The mandated reporter must “immediately” report to ChildLine.

**Step 2** - The reporter must then “immediately thereafter” inform the CPC Chair or their immediate supervisor that a report had been made.

- Step 3** - The reporter must complete a Suspected Child Abuse Incident Report and give it to CPC Chair and/or Deacon.
- Step 4** - The reporter must complete and file a written CY47 report with local CPS within 48 hours after making an oral report to ChildLine. An electronic report does not require a written CY47.
- Step 5** - The reporter must provide a copy of the CY47 report to the CPC Chair along with documentation of when it was filed.
- Step 6** - The Department of Human Services (DHS) 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.
- Step 7** - The CPC Chair will note on the internal Child Abuse Incident Report the date the results were provided by the reporter, and file any related documentation.

## **REPORTING & DOCUMENTING SUSPECTED ABUSE -Detail**

### **Step 1 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 make an immediate and direct report of suspected child abuse to ChildLine either electronically at [www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis) or by calling 1-800-932-0313, the Pennsylvania ChildLine and Abuse Registry (ChildLine) as required by law. The legal reporting obligation is met by contacting ChildLine, either electronically or by telephone. 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.

### **Step 2 Detail**

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 CPC Chair or immediate supervisor. The mandated reporter must provide his/her name, telephone number and email address when making the report to ChildLine.

### **Step 3 Detail**

The reporter shall then document the suspected abuse by completing a **Suspected Child Abuse Incident Report**. The CPC Chair and/or Deacon 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 may also be contacted by the CPC Chair 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.

#### **Step 4 Detail**

Within 48 hours of the oral 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 , based on the mandated report and Suspected Child Abuse Incident Report of the Approved Adult or volunteer and send it your County agency. If the original report was electronic, the follow up report is not needed.

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

717-299-7925

**This is a legally required report.**

#### **Step 5 Detail**

The reporter shall notify CPC Chair of the date the written report on Form CY-47 was sent, and provide a copy for the church records. The staff person so notified 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 CPC Chair and complete an Incident Report. The initiative for investigating alleged abuse resides with the Department of Human Services (DHS) 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), Deacon, and the Child Protection Committee. 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 and anyone who cooperates in an investigation should also remain confidential. Release of the name of the mandated reporter or anyone who cooperates in an investigation is prohibited by law.**

Approved by Church Council pending Insurance Review May 2, 2016  
Approved by insurance company on May 20, 2016