

BLOSSOM HILL MENNONITE CHURCH
CHILD PROTECTION POLICY
regarding the prevention of sexual and other abuse
2014 Revisions

PURPOSE

This policy has been established to:

1. help assure a safe, loving, and open atmosphere for children and youth, as well as adults who work with them, as they worship, study, play, and are nurtured in their Christian faith.
2. serve as a guide for the prevention of childhood sexual and other abuse by setting and enforcing standards of ethical behavior.
3. protect adults involved with children and youth activities.

According to our Anabaptist understanding of biblical faith and what it means to be a faith community, we strive to follow Christ in word and deed. We are called by Christ to act with integrity and love in all our relationships, and to avoid exploitation of vulnerable people or the use of positions of power within the church or family. Because the combination of abuse and “the name of Jesus” is a very destructive form of abuse, this policy reflects our desire to protect “the name of Jesus” as well as all those who worship and fellowship with the Blossom Hill Mennonite Church community.

This policy stems from our awareness that abuse has been, and continues to be, a major problem in society. Statistics show that the church is not immune to this problem; in fact, churches can be especially vulnerable because they are naturally trusting and unsuspecting institutions.

This policy outlines Blossom Hill’s position on abusive behaviors and expectations for complying with Pennsylvania Child Protective Services Law (CPSL) and appropriate behavior regarding the care and supervision of children. Our goal is that all who attend Blossom Hill are able to pursue activities and worship in a safe environment where abusive conduct is not tolerated and prevention efforts are supported.

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SECTION 1

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.

SPECIFIC INTERACTION GUIDELINES

Approved Adult supervision

In all church activities involving children and youth, no fewer than two Approved Adults should be present. Every attempt will be made to provide for this ratio. The nursery should always be attended by at least two Approved Adults.

In Sunday school situations where only one Approved Adult teacher is available, another approved Adult will be assigned as a "roamer," to move in and out of Sunday school rooms throughout the session.

In situations where teenagers are providing childcare, at least one Approved Adult should also be present.

The glass in Sunday school room doors must never be covered. If a Sunday school room door does not have a window, the door must be kept ajar.

Only a parent or caregiver (i.e. grandparent) should be permitted to remove a child from a group or from a teacher's supervision for any reason.

Appropriate touch

Children need love. At times, this can be appropriately expressed through physical touch, such as hugging, a pat on the back, an arm around the shoulder, holding an infant or toddler, etc. If an adult working with children shows physical affection, it must occur with another adult present.

Adult staff and volunteers should not force affection on any child. If a child pulls away, even with another adult present, the child's wishes will be respected at all times.

At no time should a child, even if fully clothed, be touched on or near the breasts, genitals or buttocks.

Diapering and bathroom assistance

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.

Diapering: Two approved adults must be present 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. If assistance is needed, the adult must leave the stall door open.

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.).

Before and after services

Children are not permitted to play in front of the building at any time. Parents are responsible to monitor where their children are playing. The play area gate will remain closed and locked.

General permission slips

Children/youth must have permission to participate in activities. Parents/guardians need to fill out and sign a General permission form, which includes pertinent medical information and emergency phone numbers, and the opportunity to cross out any activities in which their child is not allowed to participate. These forms will be updated every year and filed in the church office.

Overnight activities

An additional overnight-permission form must be filled out for children/youth engaged in overnight activities. Overnight activities involving children/youth will be chaperoned by at least two Approved Adults. If the event involves children/youth of both genders, then there should be at least one Approved Adult of each gender. The designated pastor and/or other designee may waive the requirement for overnight-permission slips when the slip serves no useful purpose (for example when a youth is accompanied by his or her parent to the activity).

Transportation

When children/youth are transported for church activities, they will be transported in groups with at least one Approved Adult in each vehicle. Drivers must be 21 years of age or older.

SECTION 2

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 Blossom Hill Mennonite Church for a minimum of 6 months.
2. Complete an Approved Adult application form and the required clearance forms. Clearances are required for all applicants.
3. Attend a standard initial training session or produce a certificate of attendance at a state approved training course (required in many jobs that involve working with children and youth.)
4. Read and become familiar with the Blossom Hill Child Protection Policy and sign the Child Protection Covenant.
5. Once accepted as an Approved Adult, notify the assigned Pastor 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.

Required Application Forms to Become an Approved Adult

1. Approved Adult Application
2. Child Protection Covenant
3. Swear and Affirm Statement
4. Pennsylvania State Police Request for Criminal Records Check Form
5. Pennsylvania Child Abuse History Clearance Form
6. FBI Fingerprint Record Check required for employees; and required for volunteers who have not lived in PA for the past 10 years

Forms listed below are used after clearances are received

7. Approved Adult – Review of Application and Clearances
8. Approved Adult – Review of Legal Disqualifications for Application in PA
9. Letter of Acceptance as an Approved Adult

Required Clearances

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, Blossom Hill Mennonite Church requires volunteers working with children and youth to obtain the following clearances before working with children/youth:

- Child Abuse History Clearance Form (CY-113) (fee waived for volunteers)
- Pennsylvania State Police Request for Criminal Record Check Form (SP4-164) (fee waived for volunteers)
- Prospective volunteers who have not lived in Pennsylvania for 10 years are also required to get the FBI fingerprint records check. (\$27.50) See https://www.pa.cogentid.com/index_dpw.htm (COGENT) to locate a fingerprint processing center near our church.
- Clearances obtained through employment or for other purposes may be submitted to the Church as long as they were completed within the past year. Anyone with clearances older than this must obtain new clearances for working with children in the church.

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 (Administrative Assistant) with access to the electronic record of results, or a printed certification. A copy is acceptable.

Information pertaining to hired staff:

Prospective employees applying to engage in occupations with a significant likelihood of regular contact with children, in the form of care, guidance, supervision or training must obtain new background checks as a condition of employment. Employees are required by the CPSL to obtain background checks. Background checks will be repeated every five years, or as otherwise required by state law; and, after a break in service of more than one year.

Effective 12/31/14, all clearances, including FBI, must be obtained every five years, including for those employees hired PRIOR to 7/1/08.

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.

SECTION 3

POLICY ON EDUCATION AND TRAINING

This policy will be available to the entire congregation in a manner and at a web-based and/or physical location easily accessible. New members will be directed to the web or physical location, and/or given a copy of the policy.

Revised 5/9/16

In order to be an Approved Adult, a volunteer must participate in an initial training that covers recognizing and responding to child abuse, mandated reporting requirements, and church guidelines and practices.

All Approved Adults and staff will receive a full copy of the Child/Youth Protection Policy and Guidelines, and sign a Child Protection Covenant.

PROCEDURES FOR EDUCATION AND TRAINING

Staff and Volunteers

1. Training will be offered every 6 months for volunteers. It will be considered a mandatory part of volunteer training. If a volunteer has had a state approved training in the course of employment, submitting a copy of their certificate of completion will satisfy the training requirement.
2. Staff must complete a state approved training online within 30 days of beginning employment.
3. Once an individual has participated in the initial training, a refresher training of at least one hour will be required every five years to ensure that the individual's knowledge is current and accurate.
4. The church's Administrative Assistant will maintain a record of training attendance.
5. 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 Blossom Hill Mennonite Church 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.

SECTION 4

The Child Protection Committee (CPC): The CPC shall consist of an Administrative Team designee, Christian Education designee, and Youth Council designee, Nursery Committee designee, one member appointed at large and Administrative Assistant. All members of the committee will be approved by the Administrative Team.

The Committee will:

1. Implement and enforce this Child Protection Policy.
2. Review and make recommendations to the Administrative Team for revising congregation policy regarding the safety of our children/youth.
3. Provide/arrange for training for all staff and approved adults working with the children/youth regarding child abuse and the Child Protection Policy.
4. Maintain a list of Approved Adults and disseminate within the church community.
5. Monitor Approved Adults to ensure that policies are being followed.
6. Keep Administrative Team apprised of all activities of the committee.
7. Be kept apprised of investigations.

Assigned Pastor and Administrative Assistant responsibilities:

Assigned Pastor

1. Review all applications.
2. Determine whether applicant is eligible for employment or as volunteer based on result of clearances and other factors. Certain convictions or founded CPS reports will result in automatic denial of placement in work with children. (See Appendix forms Approved Adult - Review of Application and Clearances, and Approved Adult - Review of Disqualifications for Application.)
3. Receive and process reports of suspected abuse
4. Make available, upon request of an individual, his/her clearance reports

Administrative Assistant

1. Develop and maintain a record keeping and tracking system for all required documentation related to the Child Protection Policy
2. Maintain locked file of all required background checks for staff and volunteers.
3. Maintain training attendance records
4. Request expected paperwork and documentation from Approved Adult Applicants.
5. Maintain readily available information packets for interested volunteer

The CPC Chair will be appointed by the Administrative Team and will:

1. Ensure that required forms are received for all applicants and proper records are maintained.
2. Call meetings as often as needed, but no less than once each year
3. Provide consultation to Administrative and Pastoral Team

SECTION 5

DEFINITION OF CHILD ABUSE

as defined by Pennsylvania's CPSL (CPSL [Title 23 PA.C.S. Chapter 63], as amended December 2013, to be effective December 31, 2014)

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 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 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:
- (2) 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).

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

Sexual Harassment is a form of sex discrimination prohibited by Title VII of the Civil Rights Act of 1964. It consists of inappropriate verbal or physical conduct of a sexual nature that has the purpose or effect of unreasonably interfering with an individual’s sense of well-being by creating an intimidating, hostile, or offensive environment from the viewpoint of the affected individual. It is defined by the Pennsylvania Human Relations Act as follows:

Unwelcome sexual advances, requests for sexual favors, constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile or offensive working environment.

Although in a legal sense, the term “sexual harassment” deals with the workplace, the sexual harassment of anyone – including all adults and children – is prohibited in this church.

SECTION 6

CHILD ABUSE REPORTING AND RESPONSE TO ALLEGATIONS/ADMISSIONS; OR CRIMINAL CHARGES

HOW “MANDATED” REPORTING WORKS 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.

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.

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.

REPORTING and DOCUMENTING SUSPECTED ABUSE

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 the policy.

1. The mandated reporter must immediately report to Childline either electronically via the website, <https://www.compass.state.pa.us/cwis/public/home> or by calling **1-800-932-0313**.
2. If the mandated reporter makes the report by calling Childline at the number above, they must also complete and file a written CY47 form with local Children and Youth within 48 hours after making the report to Childline (mail copy to **Lancaster County Children and Youth, 900 East King Street, Lancaster, PA 17602** or Fax report to 717-299-7929.)
3. The reporter must then immediately thereafter” inform the assigned Pastor a report has been made and complete an Internal Child Abuse Incident Report and give it to the assigned Pastor, also provide an attached copy of the CY47 report.
4. 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 assigned Pastor of the results.
5. The assigned Pastor 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

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

assigned Pastor. 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 assigned Pastor 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 assigned 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

Fax report to 717-299-7929

The reporter shall notify the assigned Pastor 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 assigned Pastor 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), Administrative Team, and the Child Protection Committee. These allegations will be treated in strict
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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.

FOLLOW-UP, INVESTIGATION, DOCUMENTATION

1. Following placement of the call to report suspected abuse to ChildLine the assigned Pastor will inform the parent (provided that **neither** of the custodial parents is suspected of abuse). **If the alleged abuser is a custodial parent, 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 church should not enter into discussion with the alleged abuser after a report has been filed and during the course of the legal investigation about the details of the complaint. 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. The insurance company and Conference leadership 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. The alleged abuser will have his/her ministry restricted to exclude contact with children immediately; and if employed by the church, may be placed on paid 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:
 - the final status of the child abuse report, in other words, whether it is indicated, founded or unfounded and
 - 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 assigned Pastor as soon as practicable after receiving results from DPW. Investigations are to be concluded by CPS in 30 or 60 days. The assigned Pastor 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 assigned Pastor will inform the child’s parent(s) or guardian(s) of the concern and document the meeting.

SHARING INFORMATION

1. The extent to which information will be shared with the congregation will be determined by the Administrative Team and others as appropriate. The input of the Area Conference Minister may be sought and, if pastoral staff is involved may 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 the investigations made by the police.
3. The Administrative Team will authorize the Pastor or Council designee to act as the official spokesperson for the congregation. Only the authorized person or persons may speak for the congregation to the news media, government agencies, attorneys, or others.

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 pastoral staff and the Administrative Team.
2. If the allegations involve pastoral staff, 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 Administrative Team with assistance from the Area Conference Minister.

RESPONSE TO ALLEGATIONS/ADMISSIONS; OR CRIMINAL CHARGES

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 Protection Committee (CPC) from working with children/youth in the congregation. Persons who admit to a Pastor or any member of the CPC 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 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 CPC or a supervising staff member as soon as the investigation begins.

The CPC 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. (SEE APPENDIX FORM: Approved Adult - Review of Legal Disqualifications for Application)

SECTION 7

PROVIDING COMMUNITY FOR KNOWN SEXUAL OFFENDERS

Known sexual offenders who have fulfilled their sentences, are willing to participate in victim offender reconciliation meetings, and abide by the guidelines noted below, are welcome to attend worship services at Blossom Hill. Each offender will be asked to sign a covenant that includes these guidelines, as well as any additional stipulations that may apply to the particular situation.

Minimum Guidelines under Which a Known Sexual Offender may participate

Offenders are expected to comply fully with all restrictions and requirements placed upon them as a result of any legal actions, and provide the designated pastor with copies of any judgments, conditions of parole, or other documents in which restrictions on or requirements as a result of convictions or judgments are stated.

Offenders are expected to continually participate in a professional counseling program, specifically addressing their abusive behaviors, for the entire time they participate in this church community

Offenders will not accept any leadership or representational position within or on behalf of this church. Known sexual offenders can never become Approved Adults.

The assigned Pastor will assign supervisors to any offender participating in the life of the congregation. They will be adults who are not related to the offender. They will receive training that will include information on sexual offender dynamics, the long-term impact of sexual abuse on victims, and any specific conditions related to participation under the specific covenant established.

The assigned Pastor will identify a small group of “covenant partners” for you. This small group will provide spiritual, emotional and practical support for you and will meet with you on a regular basis. The supervisors and “covenant partners” will not be the same individuals.

The offender may participate in worship in the sanctuary and attend adult church school classes. The assigned Pastor may designate a specific service and time for attendance. Any other activities the offender is permitted to participate in will be detailed in the covenant.

A supervisor must accompany the offender at all times when on church property.

At no time should the offender deliberately place him or herself in or remain in any location in or around the church facilities which would cause undue distress to others. (This guideline prohibits offenders from being in or near the nursery, preschool, elementary, junior high or high school areas of the facilities for any reason whatsoever).

At least twice each calendar year and as otherwise requested, the offender shall meet with and report to the assigned pastor regarding status of adherence to these guidelines.

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If the offender should decide to relocate membership (or substantially attend) another congregation, the designated pastor will seek to inform the leadership of that congregation of the conditions of these guidelines.

SECTION 8

RECORDS & FACILITY USE

Applications and related forms for staff and volunteers will be locked in a confidential file under the jurisdiction of the assigned Pastor and Administrative Assistant. Clearances are confidential and will only be made available to a pastor under "call" to the congregation and to the chair of the Child Protection Committee or Administrative Team.

Record Keeping Steps:

1. Create and maintain a master list of all personnel and volunteers who have regular contact with children in the course of their work.
2. Determine which documents and clearances you possess, and note the dates of the documents and clearances on the list;
 - For staff and volunteers who have the required background check clearances and those clearances are less than five years old, no new clearances are required until five years from the date of the existing clearances.
 - For such personnel and volunteers who do not have the required background check clearances, or in cases where the required reports are over five years old, new clearances are required.
3. Note on the list when the documents and clearances need to be renewed, and note on the list the date 60 days before to initiate the process of obtaining renewed documents and clearances;
 - New clearances are to be obtained every five years from the date of the existing reports.
 - New clearances are required for all personnel and volunteers who have had a one (1) year break in continuous service.
4. Retain copies of all clearances, even ones that are superseded by renewed clearances, in confidential locked files; or if reports are obtained electronically ensure digital records are strongly password protected with limited access.

Record Retention and Management

Because any records pertaining to children and youth; and staff/volunteers who work with them, may become the subject of legal proceedings at some future date, no such records should be part of any automatic records destruction plan by the church. 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 CPC, 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.

USE OF FACILITIES BY OUTSIDE ORGANIZATIONS

All groups which use BHMC's facilities are required to provide proof a current liability insurance policy. Where applicable, the group should provide the church with a copy of their child protection policy.

SECTION 9

TERMS USED IN THIS POLICY

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.

Mandated Reporter: Effective 12/31/14 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.” (as defined **CPSL Title 23 PA.C.S. Chapter 63**) **This includes volunteers, as well as staff.**

Pastor(s) – a minister under call to the congregation. List any specific titles i.e. “Senior Pastor, Youth Pastor, Co-Pastor, Associate Pastor, Lead Pastor, etc.

Child Protection Committee (CPC) – Implements and enforces the Child Protection Policy.***(see below for more information)

Approved Adult – anyone over 20 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 screening/clearances. (See Section 2 of this policy for clearances, and Section 4 for mandated reporting procedures.) Approved Adults include, but are not limited to:

- a. All employed staff
- b. Sunday School teachers/helpers
- c. Nursery volunteers
- d. Vacation Bible School teachers, volunteers and helpers
- e. Youth Group Leaders, assistants and chaperones
- f. Anyone else who works directly with children/youth
- g. Child Protection Committee members

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 Associate Pastor Mindy Nolt.

Child Advocate – The Chair of the Safe Church/Child Protection Committee

Youth Volunteer – anyone 20 or less years of age who works under the supervision of 2 approved adults.

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.

Appendix

APPROVED ADULT - REVIEW OF LEGAL DISQUALIFICATIONS FOR APPLICATION IN PA

THE FOLLOWING WILL PERMANENTLY DISQUALIFY AN APPLICANT FROM SERVING AS A VOLUNTEER OR PAID STAFF MEMBER WORKING WITH CHILDREN OR YOUTH:

Convicted of an offense under one or more of the following provisions of 18 Pa.C.S. (relating to crimes and offenses):

Chapter 25 (relating to criminal homicide).

Section 2702 (relating to aggravated assault).

Section 2709.1 (relating to stalking).

Section 2901 (relating to kidnapping).

Section 2902 (relating to unlawful restraint).

Section 2910 (relating to luring a child into a motor vehicle or structure).

Section 3121 (relating to rape).

Section 3122.1 (relating to statutory sexual assault).

Section 3123 (relating to involuntary deviate sexual intercourse).

Section 3124.1 (relating to sexual assault).

Section 3124.2 (relating to institutional sexual assault).

Section 3125 (relating to aggravated indecent assault).

Section 3126 (relating to indecent assault).

Section 3127 (relating to indecent exposure).

Section 3129 (relating to sexual intercourse with animal).

Section 4302 (relating to incest).

Section 4303 (relating to concealing death of child).

Section 4304 (relating to endangering welfare of children).

Section 4305 (relating to dealing in infant children).

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A felony offense under section 5902(b) (relating to prostitution and related offenses).

Section 5903(c) or (d) (relating to obscene and other sexual materials and performances).

Section 6301(a)(1)(ii) (relating to corruption of minors).

Section 6312 (relating to sexual abuse of children).

Section 6318 (relating to unlawful contact with minor).

Section 6319 (relating to solicitation of minors to traffic drugs).

Section 6320 (relating to sexual exploitation of children).

(2) Convicted of an offense similar in nature to those crimes listed in paragraph (1) under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

(3) Identified in the central register as the perpetrator of a founded report of child abuse that involved the sexual abuse or exploitation of a child, or founded report for school employee that involved sexual abuse or exploitation of a child.

WITHIN THE PRECEDING TEN (10) YEARS:

No person subject to section 6344 or 6344.2 shall be employed or serve as a volunteer where the information under section 6344(b) indicates that the person has been convicted of a felony offense of the first, second or third degree for a crime other than those enumerated under subsection (a), where the victim is a child, or a felony offense under the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

WITHIN THE PRECEDING FIVE (5) YEARS:

No person subject to section 6344 or 6344.2 shall be employed or serve as a volunteer where the information under section 6344(b) indicates that the person has been:

(i) convicted of a misdemeanor of the first degree for a crime, other than those enumerated under subsection (a), where the victim is a child; or

(ii) identified in the central register as a perpetrator of a founded report of child abuse other than sexual abuse or exploitation or a founded report for school employee other than sexual abuse or exploitation.