

Child Protection Policy – Forest Hills Mennonite Church

Theological Statement/Purpose for our policy

At the Heart of Our Policy:

In the Gospels of Mathew (chapters 18 & 19) and Mark (chapter 10), we see the importance Jesus placed on children. God embraces children and blesses them with God's love; God places great importance on our nurture and care for them.

At Forest Hills Mennonite Church we believe children/youth are a gift from God, and that we have a God given responsibility to protect children/youth from all forms of abuse and neglect. We recognize the seriousness and sinfulness of physical, sexual and emotional abuse. Abuse causes damage to the soul, body, and spirit of the one being abused as well as to the abuser.

It is our intention to establish clearly defined safeguards, policies, and procedures which will seek to make our church a safe environment for all children/youth, and for those who work with children/youth.

This Child Protection Policy aims to:

- **Provide a safe environment and protect all children who attend Forest Hills Mennonite Church (FHMC) from all types of abuse.**

While we would like to believe that abuse could never take place in a church, the fact is that many children are being abused within the Christian community every year. No church is immune to the effects of sin, and it would be presumptuous for us to assume that abuse could never occur at FHMC.

- **Comply with the current Child Protective Services laws of the Commonwealth of Pennsylvania and to lower our church's legal risk by establishing a policy that meets the test of reasonable care.**
- **Protect our child/youth workers from being suspected or falsely accused of wrongful behavior toward a child.**

Our procedures for maintaining a safe environment and admonishing inappropriate behavior are designed to prevent compromising situations and to strengthen a youth worker's defense against false accusations.

CHILD ABUSE AS DEFINED UNDER PA CHILD PROTECTIVE SERVICES LAW (CPSL)

Although this policy focuses primarily on child sexual abuse, all forms of child abuse are prohibited, and are included under this policy.

DEFINITION OF ABUSE

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

Intentionally, knowingly or recklessly doing any of the following:

1. **Physical abuse** Causing bodily injury through any recent act or failure to act. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act. Bodily injury is impairment of physical condition or substantial pain. The following are “per se” acts of child abuse (meaning the act itself, apart from the outcome, is considered child abuse).
 - Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
 - Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
 - Forcefully shaking a child under one year of age.
 - Forcefully slapping or otherwise striking a child under one year of age.
 - Interfering with the breathing of a child.
 - Causing a child to be present at a location while a violation of 18 PA.C.S. §7508.2 (relating to 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:

- A repeated, prolonged or unconscionable egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.
- (2) The failure to provide a child with adequate essentials of life, including food, shelter or medical care.
5. **Causing the death** of the child through any act or failure to act.
6. **Sexual abuse** Causing sexual abuse or exploitation of a child through any act or failure to act. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act. Sexual abuse or exploitation is any of the following:
- (1) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:
- (i) Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
 - (ii) Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.
 - (iii) Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
 - (iv) Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

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

The following are per se acts of child abuse:

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.

TERMS USED IN THIS POLICY

Child or Youth – any person considered a minor under the laws of the Commonwealth of Pennsylvania

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, 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 Lead Pastor, Youth Pastor, Associate Pastor under call of FHMC. This term can also apply to staff who do not hold ministerial credentials.

Approved Adult – anyone 18 years of age or older 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. Volunteers wanting to work with children are expected to regularly attend for six months before beginning to serve, unless an exception is recommended by the Education Commission and approved by Council. (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
- c. Children's Church leaders
- d. Vacation Bible School teachers
- e. Jr. High and Sr. High Youth Group Leaders and chaperones
- f. Tot Time volunteers
- g. Nursery volunteers
- h. Mentors
- i. Anyone else who works directly with children/youth
- j. Members of the Spiritual Formation and Nurture

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 the Lead Pastor. If the Lead Pastor is unavailable, or if the Lead Pastor is accused or suspected of abuse, the Chair of Church Council will act as the person in charge.

Youth Volunteer – anyone under the age of 18 who works under the supervision of an approved adult.

Guest 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. An adult guest volunteer must be supervised by approved adults.

Hall monitor – an approved adult who will circulate outside the children's classrooms as an observer who may provide assistance in emergencies.

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. Be a committed attendee at FHMC
2. Complete the required clearance forms.
3. Understand their role as mandatory reporters.
4. Once accepted as an Approved Adult, notify the Lead 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 a founded or indicated report of abuse. Such notification is required under PA law effective 12/31/14.

Required Application Forms to become an Approved Adult

1. Pennsylvania State Police Request for Criminal Records Check Form (SP4-164)
2. Pennsylvania Child Abuse History Clearance Form (CY-113)
3. FBI Fingerprint Record Check required for employees; and any volunteer who has not lived in PA for the past 10 years. See https://www.pa.cogentid.com/index_dpw.htm (COGENT) to locate a fingerprint processing center near our church.

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, FHMC requires volunteers working with children and youth to obtain the following clearances before working with children/youth:

Child Abuse History Clearance Form (CY-113)

Pennsylvania State Police Request for Criminal Record Check Form (SP4-164)

Prospective volunteers who have not lived in Pennsylvania for 10 years are also required to get the FBI fingerprint records check. (\$27.50)

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

- If application for clearance is filed directly by the applicant, the applicant shall provide a copy to the church administrator
- If application for clearance is filed by the church, the church administrator will receive results of the clearances directly and provide a record of the results to the applicant.

Employees are required by the CPSL to obtain background checks. 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.

Background checks will be repeated every 60 months, or as otherwise required by state law; and, after a break in service of more than 24 months, or after 12 months that volunteers have been absent from FHMC.

All church staff whose positions involve a significant likelihood of contact with children must obtain FBI clearance (fingerprinting) in addition to the above background checks.

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.

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. Prospective employees must provide the original clearances for review prior to employment. Anyone with clearances older than this must obtain new clearances for working with children in the church.

RECORDS

Completed applications and related forms for staff and volunteers will be kept in a confidential file under the jurisdiction of the church Staff. Clearances are confidential and will only be made available to the Pastoral Staff.

The church administrator is responsible for maintaining these records and following these recordkeeping 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 reports you possess, and note the dates of the reports on the list;
 - For volunteers who have completed the required background check reports for FHMC CPC within the past 60 months, no new reports are required until 60 months from the date of the existing reports.

- For staff who have completed the required background check reports for FHMC within the past 60 months, no new reports are required until 36 months from the date of the existing reports.
 - For volunteers who provide copies of previous background check reports and those reports are less than 12 months old, no new reports are required until 60 months from the date of the existing reports.
 - For such personnel and volunteers who do not have the required background check reports, or in cases where the required reports are out of date, new reports are required.
3. Note on the list when the reports need to be renewed, and note on the list the date 60 days before to initiate the process of obtaining renewed reports;
- New reports are to be obtained every 60 months from the date of the existing reports.
 - New reports are required for all personnel and volunteers who have had a two (2) year break in continuous service.
4. Retain copies of all reports, even ones that are superseded by renewed reports, in confidential 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 will 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 may only be destroyed with the written approval of church council, 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. The CPC will generally approve the destruction or deletion of records 68 years from the date the records were created.

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. (An exception to the "two Approved Adults" policy is in the youth mentoring program – see full description below)

In some instances where two Approved Adults are not present (for example, one Approved Adult teacher on a Sunday morning) a Hall Monitor will circulate outside the classroom area or be within easy reach to provide assistance if needed. In a mixed group, whenever possible, a male and a female Approved Adult should be

present.

Helpers (youth under age 18 caring for children up to age 12) or care assistants may work under the supervision of one Approved Adult when a Hall Monitor is circulating in the children's gathering areas.

4. **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/youth, do not send two children/youth with a four or more year age difference to an isolated setting, e.g., bathroom, tent, empty classroom.

5. **Bathroom and Diapering**

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.

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.

- a. *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.
- b. *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.).

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

7. **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 touch on private areas, those areas covered by a bathing suit; or a kiss on the mouth is inappropriate.
- c. Discipline of any type involving physical contact is not permitted.

Permission Slips, Overnight Activities, Transportation

- 8. Registration & 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 the church office.

Medical Release Forms for field trips: All youth participating in a youth group or going on 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 the Church office.
- Each time a field trip or overnight event occurs, an adult leader must have access to the form.

- 9. 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. An adult should never be alone in a room with a child/youth.
- 10. 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.
- 11. Personal Vehicle Transportation.** To transport children/youth in a personal vehicle during a church-sponsored activity, the driver must be 21 years of age or older. Drivers must have a copy of their driver's license, registration, and proof of insurance on file in the church office. Anyone who has had their license revoked or suspended within the past five years will be ineligible to drive for youth activities. Children under 80 pounds must be seated in the back seat and all persons in the car must be secured with seat belts.

The following forms are available from the church office:

**Registration, Medical Information & Release, General Permission – Children & Youth
Parent or Guardian permission for Special Activity**

Youth Mentoring Program

Youth mentors are same-gender, Approved Adults, chosen by youth, and approved by the Pastoral Team and Child Protection Committee, to provide friendship and companionship for youth throughout their teenage years. Mentors are offered to youth to facilitate their spiritual and emotional growth and maturity, complementing the role of parents. Generally, two youth will be assigned to one mentor, forming a cluster group. These relationships are an exception to the policy of needing 2 Approved Adults present for all activities with youth. This additional risk is addressed by the following policies:

1. To avoid all appearances of impropriety, all mentoring activities will be approved by parents prior to the activity taking place; this includes identifying the activity, any transportation of youth, location and expected duration of activity.
2. Additionally, mentors should keep activities within view of other people. In the case that there is one mentor/one mentee, and the mentor wants to host an activity in their home or another private space, he/she should invite another mentor pair/cluster to join in the activity.
3. Mentors are not to engage children/youth in counseling that requires professional help. For example – drug or alcohol addiction, sexual assault by a dating partner; severe problems with parental relationships, sustained depression or chronic anxiety, eating disorders, suicidal tendencies, etc. The need for formal or professional counseling should be turned over to the Pastoral team.

BUILDING ACCESS POLICY

The church administrator maintains a list of those with swipe cards that permit them to access the building. No swipe card holder will use his/her key to access the church with a child or children not his or her own (or of whom the key holder is not a legal guardian or foster parent) at a time when there is no church related activity being held in which the child and the key holder are involved. This is intended to prevent a situation where an adult key holder is alone with a child in the facility. In the rare case an exception is to be made to this provision, a written note from the child's parent or legal guardian must be submitted to the church office and approved by the pastor or Safe Church Advocate prior to entry.

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

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,” 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 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.

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 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.

For the purposes of this policy, the “person in charge” (PIC) is the Lead Pastor. If the Lead Pastor is unavailable, or if the Lead Pastor is accused or suspected of abuse, the Chair of Church Council will act as the person in charge.

First: The mandated reporter must “immediately” report to ChildLine. (legal requirement)

Second: The reporter must then “immediately thereafter” inform the PIC a report has been made. (legal requirement)

Third: The reporter must complete an internal Child Abuse Incident Report and give it to the PIC. (policy requirement)

Fourth: The reporter must complete and file a written CY47 report with local CPS within 48 hours after making the report to ChildLine. (legal requirement)

Fifth: The reporter must provide a copy of the CY47 report to the PIC along with documentation of when it was filed. (policy requirement)

Sixth: 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. The reporter will then inform the PIC of the results. (policy requirement)

Seventh: The PIC will note on the internal Child Abuse Incident Report the date the results were provided by the reporter, and file any related documentation. (policy requirement)

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 PIC. 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 PIC 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 in need of immediate medical attention, 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 PIC 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 your County agency.

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

717-299-7925

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

717-228-4430
after 5:00 PM & weekends
contact Emergency Mgt. Agency
717-272-2054

This is a legally required report.

The reporter shall notify the PIC 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 PIC 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 by filed by the church.

All allegations of child/youth abuse or serious physical neglect will be taken seriously by church leadership. 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.**

FOLLOW-UP, INVESTIGATION, DOCUMENTATION

1. Following placement of the call to report suspected abuse to ChildLine, the PIC will inform the parent (provided that **neither** of the custodial parents is suspected of abuse), **being careful not to reveal the identity of the mandated reporter. 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 church's insurance company and Atlantic Coast Conference 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, will be placed on paid or unpaid leave for a designated period of time during the investigation.
4. The Department of Human Services 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 PIC as soon as practicable after receiving results from DHS. Investigations are to be concluded by CPS in 30 or 60 days. The PIC 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 Child Advocate 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 church leadership and others as appropriate. The input of the ACC Conference Minister may be sought and, if pastoral staff is involved, the ACC Ministerial Leadership Committee may be consulted in making this decision. **The identity of the victim and the mandated reporter are confidential by law and it is legally prohibited to share their identities.**
2. All necessary parties will cooperate with the investigations made by the police.

3. Church Council will authorize the PIC 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 Church Council.
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 Church Council and Staff Relations Committee with assistance from the ACC 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 from working with children/youth in the congregation. Persons who admit to a Pastor 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 supervising staff member as soon as the investigation begins.

Church Council 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.

VIOLATIONS OF CHILD PROTECTION POLICY

Alleged violations of the policy, other than abuse, shall be immediately reported to the Person in Charge. The Person in Charge will work with Church Council to determine whether the alleged violations of the policy occurred. If a person(s) is found to be in violation of the policy, the pastoral staff and Church Council will determine what corrective actions need to be taken.

Allegations were not Abuse, but a Demonstration of Poor Judgment

1. The Pastoral Team will hold the individual responsible and accountable for the behavior. Grace and mercy are extended in the context of repentance, accountability and justice.
2. Education and/or counseling may be expected to correct unhealthy behavior patterns.
3. The church may consider helping with the cost of sessions as an extension of the church ministry.
4. The individual may be removed from susceptible environments for a stated period of time, after which an evaluation determining fitness for this ministry should be made by the Pastoral team. The 2nd such occurrence of demonstration of “poor judgment” will result in the individual being precluded from any future ministry with children.
5. Communicate action taken with complainant and congregation as needed.

TRAINING AND EDUCATION

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 access the policy via the church website. Any volunteer unfamiliar with the requirements of mandatory reporting or the prevention of abuse will be offered orientation and training as needed.

Use of Facilities by Outside Organizations

Outside groups and organizations using the church facilities on a recurring basis where children are on-site as part of the organizational activity are to be made aware of this policy and must adhere to it or must provide evidence of their own policy and procedures, subject to review and acceptance by Forest Hills Mennonite Church.

- **If their policy does not include a “two adult” rule; clearances and training for volunteers; procedures for immediate reporting of suspected child abuse to Childline; and a prohibition on adults being alone in the facility with a child not their own, the organization is required to comply with these provisions.**

An adult representative of any outside group will be required to sign a Statement of Compliance for the sponsoring organization before use of the facilities will be granted.

Provisional Clearances for Volunteers

In cases where one or more volunteers will be serving with children on a short-term basis of less than 30 days, or are coming from outside the church to work on a specific church project working with children, these volunteers will not be required to get new clearances as long as they are “in compliance with the clearance standards under the law of the jurisdiction where the volunteer is domiciled.” If the short-term volunteer has clearances from employment or other service in the state where he/she lives which would allow work with children in that state, the Temporary/Provisional Volunteer Form should be completed, and that will be sufficient to allow the volunteer to work with children in this church for that short time.

Adopted by Forest Hills Mennonite Church Council

Updated June 6, 2022