



## EVANGELICAL LUTHERN CHURCH GREENCASTLE, PENNSYLVANIA

# CHILD PROTECTION POLICY

### A. Mission Statement Regarding This Child Protection Policy (CPP)

At Baptism, parents and sponsors promise to help baptized children live in the covenant of Baptism and in communion with the Church. Parents and sponsors promise faithfully to bring children to the services of God's house; to teach them the Lord's Prayer, the Creed, and the Ten Commandments; to place in their hands the Holy Scriptures; and to provide for their instruction in the Christian faith. The purpose of this congregation's ministry with children and youth is to support parents in fulfilling these responsibilities and to invite into participation those children and youth who have not yet been baptized. This congregation assembles weekly around Word and Sacrament. This community of faith also provides additional opportunities for children and youth to learn about Christian faith, to develop an identity as part of the Christian community, and to serve others, following the example of our Lord Jesus.

This congregation's ministry with children and youth begins by striving to provide a safe environment and to provide caring and effective leaders. In an effort to promote this safe environment, the congregation binds itself to the Child Protection Policy described in this document.

To protect the safety of our children and youth, employees and volunteers will be screened for their acceptability for working with children and youth. They will be required to obtain background certifications in accordance with state law. They will be required to subscribe to our "Two Approved Adult Rule," and they will follow the guidelines set forth in this Child Protection Policy. Application forms to become an Approved Adult are located in the Appendix of this document.

The Child Protection Policy Committee (CPPC) is committed to implementing and following this Child Protection Policy.

## **B. Process to Becoming an Approved Adult**

This congregation requires that adults responsible for the care, supervision, guidance, or control of children during routine interaction with children and seeking to obtain Approved Adult status complete the following application process in order to become an Approved Adult. Prior Approved Adults as of July 1, 2016 are Grandfathered in. This Policy applies to any new Volunteers. To be an Approved Adult you must:

1. Obtain or present to the Record Keeper copies of valid background certifications (valid certifications are those dated within 60 months) as required by the Child Protection Services Law (CPSL) 23 Pa.C.S.A. §6344.4.
  - a. Church employees who seek to become Approved Adults must obtain the following three certifications: The Pennsylvania State Police Criminal Record Check, the Pennsylvania Child Abuse History Certification and the Federal Bureau of Investigation Fingerprint Criminal History Background Check. 23 Pa.C.S.A. §6344.
  - b. Volunteer Approved Adults
    - i. Volunteer Approved Adults who have lived in Pennsylvania continuously for the last 10 years need these two certifications: The Pennsylvania State Police Criminal Record Check and the Pennsylvania Child Abuse History Certification. Additionally, these Approved Adults must sign the Child Protection Covenant (Attachment 2) 23 Pa.C.S.A. §6344.2
    - ii. Volunteer Approved Adults who have not lived in Pennsylvania continuously for the last 10 years need the following three certifications: The Pennsylvania State Police Request for Criminal Record Check, the Pennsylvania Child Abuse History Certification and the Federal Bureau of Investigation Fingerprint Criminal History Background Check. 23 Pa.C.S.A. §6344.2.
  - c. Valid background certifications obtained for other employment or volunteer situations may be presented, providing that copies are presented for review and filing, and current employment or volunteering has been verified.
  - d. Background certifications will be kept locked in a confidential file under the jurisdiction of the Pastor and Child Protection Committee (CPPC) Chair or designee.
2. Must have maintained membership in the church, or be a non-member who has been active in the Church, for the past six months.

3. Successfully complete a congregation-authorized training session or complete education for Mandated Reporters (see Attachment 3).
4. Sign a Child Protection Covenant (Attachment 2) for any new Volunteer acknowledging that the applicant has read and understood the Child Protection Policy and agrees to comply with it.
5. Complete a Screening Form (Attachment 4).

Completed form will be put in a sealed envelope and given to the Record Keeper (Church Secretary). The Record Keeper will open the envelope and review the record for discrepancies. If there are any discrepancies in the form, the Record Keeper will share with the Pastor. After review, the Record Keeper will file the form in the Confidential File.

6. Applications, certifications, and related papers will be locked in a confidential file under the jurisdiction of the Pastor and Record Keeper

#### **D. Youth Volunteer**

1. Under CPSL Youth Volunteers (under age 18) who are persons responsible for a child's welfare or a person with direct contact with children through a program, activity, or service must obtain the Pennsylvania State Police Criminal Record Check and Pennsylvania Child Abuse History Certification, but are exempt by CPSL from needing the FBI certification.
2. Youth Volunteers 14 and older shall sign a Child Protection Covenant (Attachment 2) acknowledging that the applicant has read and understood the Child Protection Policy and agrees to comply with it.
3. Youth Volunteers shall successfully complete a congregation-authorized training session or complete education for Mandated Reporters (see Attachment 3).

#### **E. Mandated Reporter**

1. Under Pennsylvania CPSL, a Mandated Reporter is a person who is required to report to state authorities when he or she has reasonable cause to suspect that a child is a victim of child abuse. Reasonable suspicion, and not actual proof, is sufficient to make a report. The initiative for investigating abuse resides with the Department of Human Services and should not be carried out by the reporter.
2. CPSL designates categories of people as Mandated Reporters, including, but not limited to:

- a. A clergy person, priest, rabbi, minister, Christian Science practitioner, religious healer, or spiritual leader of any regularly established church or other religious organization.
  - b. An individual, paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity, or service, is a person responsible for the child's welfare or has direct contact with children.
    - i. A "person responsible for the child's welfare" is a person who provides permanent or temporary care, supervision, mental health diagnosis or treatment, training, or control of a child in lieu of parental care, supervision, and control.
    - ii. "Direct volunteer contact" is the care, supervision, guidance, or control of children and routine interaction with children.
    - iii. "Routine interaction" is regular and repeated contact that is integral to a person's employment or volunteer responsibilities.
  - c. A school employee.
  - d. An employee of a child-care service who has direct contact with children in the course of employment.
  - e. An individual supervised or managed by a person listed above, who has direct contact with children in the course of employment.
  - f. An attorney affiliated with an agency, institution, organization, or other entity, including a school or regularly established religious organization that is responsible for the care, supervision, guidance, or control of children.
  - g. An emergency medical services provider certified by the Department of Health.
  - h. A peace officer or law enforcement official.
  - i. A licensed health care worker
3. A Mandated Reporter must make a report of suspected child abuse if he or she has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:
- a. 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.
  - b. 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.
  - c. A person makes a specific disclosure to the Mandated Reporter that an identifiable child is the victim of child abuse. Nothing requires the

Mandated Reporter to have direct contact with the child in order to make a report.

- d. An individual 14 years of age or older makes a specific disclosure to the Mandated Reporter that the individual has committed child abuse.
4. A Mandated Reporter makes a report of suspected child abuse in accordance with the procedure outlined in Paragraph H. Reporting Suspected Child Abuse. 23 Pa.C.S.A. §6311

## **F. Forms**

All forms necessary for becoming an Approved Adult in a paid or non-paid capacity, as well as permission slips for events not held at the church and incident reports are located in the Appendixes. A brief description of each form follows.

1. **Child Protection Covenant** (Attachment 2)

To be signed by all church members desiring to become an Approved Adult and returned with the application, in a sealed envelope marked “Confidential”, to the Pastor or CPPC Chair.

2. **Screening Form** (Attachment 4)

To be completed by the church member desiring to become an Approved Adult. Completed form will be put in a sealed envelope and given to the Record Keeper (Church Secretary).

3. **Permission Slip** (Attachment 5)

Permission slips are to be completed by the parent or guardian of the child and returned to the appropriate Approved Adult sponsoring the event.

4. **Pennsylvania State Police Request For Criminal Record Check** (Attachment 6)

All Approved Adults must obtain a State Police Criminal Records Check. The preferred way to apply is online (<https://epatch.state.pa.us/>), but paper applications (the application in MS Word is available online) may be submitted as well. Applications must be filled out and mailed to the State Police by the applicant.

5. **Pennsylvania Child Abuse History Certification** (Attachment 7)

All Approved Adults must obtain a Child Abuse History Certification from the Department of Human Resources. The preferred way to apply is online ([www.compass.state.pa.us/cwis/](http://www.compass.state.pa.us/cwis/)), but paper applications (a fillable and printable PDF form is available online) may be submitted as well. Applications must be filled out and mailed to the State Department of Human Services by the applicant.

6. **Report of Suspected Child Abuse** (Attachment 8)

An oral report of suspected child abuse must be followed up within 48 hours by a written report, which may be submitted electronically ([www.compass.state.pa.us/cwis/](http://www.compass.state.pa.us/cwis/)), within 48 hours. Paper written reports use PA State Form CY-47.

**G. Appropriate Behavioral Guidelines**

To ensure that a nurturing Christian environment for children and youth is maintained within the congregation, to protect children and youth who participate in activities sponsored by the church from sexual 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 and youth shall not violate that responsibility by engaging in child abuse, defined in Section B, above.
2. **Sexual Abuse Prohibited:** Those who accept the special responsibility of working with the congregation's children shall not violate that responsibility by engaging in sexual abuse, defined in Attachment 1.
3. **Two Approved Adult Rule:** Not less than two Approved Adults should be present during any children's activity sponsored by or occurring within the congregation. Where possible, doors should be left open or a window should allow easy observation of the room. Non-Approved Adults may be present during any such children's activity but must be supervised by an Approved Adult.
4. **Empty Room Policy:** After an activity, check rooms to ensure that all participants have vacated the room. This will help to minimize situations where abuse might occur.
5. **Nursery Release:** Children from the nursery will be released only to their parents, the person who brought them, or a pre-authorized adult.

6. **Youth Release:** At the conclusion of any youth activity, the youth leaders will stand by the door and see children go with their parents or pre-authorized adult. Those children not picked up by parents in a timely manner will be taken to Church with a Youth Leader.
7. **Periodic Check:** Sunday School Superintendent will conduct periodic unannounced visits to all youth Sunday School classes.
8. **Expressions of Affection:** True expressions of affection toward children can be a manifestation of Christ's love for all of us. A kind word of encouragement to a child or a pat on the back can be a small but significant act for both the adult and the child. That being said, adults must use caution and common sense when physically expressing affection toward children.
  - Respect a child's refusal of affection.
  - Never make a child feel uncomfortable.
  - Be aware of appropriate hand placement. A child or an observer could misinterpret a pat on the bottom or a bear hug.
  - Note that a body-to-body embrace, a touch on private areas (those areas covered by a bathing suit), or any type of kiss is inappropriate.
9. **Permission Slips:** Any individual under the age of 18 must have permission to participate in any overnight activity or any activity that takes place away from church grounds. That permission must be in writing and signed by a parent or legal guardian. It must identify the activity in which the child or youth will be participating. The Permission slips will list Approved Adults who will serve as supervisors. (See Attachment 5)

The Pastor, Church Council President or person(s) designated by the Pastor and Church Council President may waive the requirement for permission slips where a permission slip serves no useful purpose (for example when a child is accompanied by his or her parent or guardian to the activity).
10. **Overnight Rule:** Overnight activities involving children shall be supervised by at least two Approved Adults. If the event involves children of both genders, then there should be at least one Approved Adult of each gender.
11. **Transportation of Children:** When children and youth are transported for church activities:
  - a. It is strongly recommended that ALL employees/volunteers who drive their personal vehicles for insured activities have minimum liability limits of \$100,000/\$300,000

- b. When personal vehicles are used, the driver of the vehicle must be 21 years of age or older to transport individuals or youth other than non-sibling individuals.
  - c. Individuals under the age of 18 shall be transported in groups with at least one Approved Adult in each vehicle.
  - d. When only one child is being transported by a non-parental or non-guardian adult, there shall be at least two adults present, one of which must be an Approved Adult. However, parents or guardians may in writing designate on the permission form an adult they trust to transport their child without a second adult present.
12. **Safe Ministry Communications:** Texting, e-mailing, and other forms of electronic communication have become common today among children, youth, and adults. Texting and electronic communication can be a vital part of ministry work, but their improper use can produce serious consequences. In order to promote safety and to create a healthy environment for texting and electronic communication between staff, volunteers, and especially among our children and youth, the following guidelines must be our safe ministry practice:
- a. Youth Ministry Leaders may not transmit any content that is illicit, unsavory, abusive, pornographic, discriminatory, harassing, or disrespectful when communicating with each other or with minors involved in ministry activities.
  - b. Youth Ministry Leaders are encouraged to talk to the youth about the potential harm to themselves and others in transmitting content that is illicit, unsavory, abusive, pornographic, discriminatory, harassing, or disrespectful.
  - c. Unless specific guidance is provided by the Youth Ministry Leaders that it is acceptable, Youth Ministry Leaders will discourage students from using cell phones during ministry programs except in an emergency, to contact a parent or guardian, or to place calls specifically approved by a leader.
  - d. Youth Ministry Leaders who have reasonable cause to suspect that a child is a victim of child abuse through electronic media must immediately follow the reporting procedures outlined in Section H.
  - e. All information, images, or videos shared electronically through public ministry communications channels are not considered confidential.
  - f. Cellular phones can cause distraction if used while driving. For safety reasons, those involved in transporting youth are not to make or receive calls or text messages while driving. Passengers are permitted to use their cell phones.
  - g. Youth Ministry Leaders are encouraged to talk to the youth to help them understand the potential harm to themselves and others when using cell phones while driving, especially for texting.

## H. Reporting Suspected Child Abuse

### 1. Reasonable suspicion

Reasonable suspicion that a child has been the victim of abuse, and not actual proof, is sufficient to make a report. The initiative for investigating abuse resides with the Department of Human Services and should not be carried out by the reporter.

### 2. Permissive reporting

- a. Anyone – not only a Mandated Reporter -- who witnesses or has reasonable suspicion that a child has been abused by anyone (including the child's family, guardians, an Approved Adult, or volunteer) may report it to the Pennsylvania Department of Human Services ChildLine and Abuse Registry (800-932-0313), or online at [www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis).
- b. The reporter should then notify the Pastor of the report (or the CPPC Chair if the Pastor is the suspected abuser).

### 3. Mandated reporting

- a. A Mandated Reporter who witnesses or has reasonable suspicion that a child has been abused by anyone (including the child's family, guardians, an Approved Adult, or volunteer) must by law make an immediate and direct report in the following manner:
  - i. Electronically at [www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis), a confirmation of which will be received from the PA Department of Human Services.
  - ii. Orally to the Department of Human Services ChildLine (800-932-0313). An oral report must be followed up within 48 hours by a written report, which may be submitted electronically ([www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis)), within 48 hours. Paper written reports use PA State Form CY-47 (a copy of which in Appendix I.)
- b. After making a report to ChildLine, a Mandated Reporter is required to immediately thereafter notify the Pastor or the Church Council President if the Pastor is unavailable or is the suspected abuser.
- c. After completing both a. and b. above, the Mandated Reporter must provide a copy of the confirmation received from electronic submission to the Department of Human Services to the Pastor or the CPPC Chair if the Pastor is unavailable or is the suspected abuser.
- d. Under CPSL, if a Mandated Reporter willfully fails to report child abuse, the penalties range from a misdemeanor of the second degree to a felony of the second degree.
- e. Under CPSL a Mandated Reporter is immune from civil and criminal liability as long as the report was made in good faith.

- f. Under CPSL, a Mandated Reporter's identity is kept confidential with the exception of being released to law enforcement officials or the district attorney's office.  
23 Pa.C.S.A. §6311

Laminated copies of the Mandatory Reporting process will be posted throughout the Church.

#### 4. **The Pastor**

As a Mandated Reporter, the Pastor is required by law to report suspected child abuse but with further considerations and duties as follows

- a. **Confidentiality:** According to Pennsylvania Law 42 Pa.C.S.A. §5943 (relating to confidential communications to clergymen), "No clergyman, ..., who while in the course of his duties has acquired information from any person secretly and in confidence shall be compelled, or allowed without consent of such person, to disclose that information in any legal proceeding, trial, or investigation before any government unit." Thus, if the suspected abuser confidentially reports their activity to the pastor in the course of the pastor-congregant relationship (seeking pastoral support, guidance, absolution, counseling, etc.) the information remains confidential. However, if the pastor learns of the suspected abuse from other sources, the information must be reported.
- b. **Report from Individual who is not required by law to make a report.** After receiving a verbal or written communication of suspected child abuse from a person who is not required by law to make a report, the Pastor must proceed as follows:
  - i. Strongly encourage the person to contact ChildLine by calling 800-932-0313, especially if names are not provided.
  - ii. Ask the reporter to provide the names of both the suspected abuser and the child and to give his or her consent for the Pastor to make a report.
  - iii. If both names and consent are given, the Pastor must make a report.
  - iv. If consent is not given to the Pastor to make a report, the Pastor must keep confidentiality with the reporter unless the reporter provides information that makes the subject of the report an identifiable individual. In such case, a mandatory report must be filed.
  - v. Notify the Office of the Synod Bishop immediately.
- c. **Report from Mandated Reporter:** After receiving a verbal or written communication of suspected child abuse from a Mandated Reporter, the Pastor will:
  - i. Ask the Mandated Reporter if he or she has completed a direct report of suspected child abuse. If no report has been made, the

- Pastor must remind the Mandated Reporter of the required duties according to the Pennsylvania CPSL and the congregation CPP.
- ii. Notify the Office of the Synod Bishop immediately concerning any report of suspected child abuse and the date the report was forwarded to the ChildLine.
4. Must notify the Chairperson of the CPPC and Congregation Council President that a report of suspected child abuse was made and his or her progress complying with the CPSL and the CPP of the congregation.

## **I. Response to Reporting of Suspected Child Abuse**

1. The Pastor or the Congregation Council President shall notify the congregation's insurance carrier of the filing of a report of suspected child abuse.
2. The congregation will cooperate with all state officials in the investigation of any reported instance of suspected child abuse.
3. The Pastor or Congregation Council President will notify parents or guardians of all children involved in an alleged incident, unless the parents or guardians are the persons suspected of the abuse. The phone call or visit will be documented. This notification should remain factual and not offer opinions or thoughts about the event or how it occurred. The parent or legal guardian should be advised that any investigation of the claim will be under the auspices of the appropriate state agency.
4. The Pastor or Congregational Council President will prepare for the Congregation Council a confidential written summary of all reports of suspected child abuse, keeping the name of the reporter confidential. The summary should include steps taken in response and should be updated as necessary. This reporting shall occur in an executive session of the council so that confidentiality can be maintained.
5. The Congregation Council will determine whether the congregation should engage legal counsel in consultation with the insurance carrier.
6. The Congregation Council will authorize the Pastor or one of the Council members to act as the official spokesperson for the congregation. Only the authorized person or persons can speak for the congregation to the news media, government agencies, attorneys, or others. If counsel has been appointed, assigned, or retained, any communication concerning the event should first be reviewed with counsel.
7. All other steps taken to respond to an allegation of child abuse will be approved in advance by the Congregation Council and will as far as possible be documented by them.

8. All communications within the congregation 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 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.
9. The congregation shall keep the Synod Bishop's Office apprised of all developments.

**J. The Child Protection Policy Committee Makeup and Responsibilities**

The CPPC shall consist of the Pastor, Child Protection Chair, and three members from each of the following Committees: Worship and Music, Youth Committee, and Christian Education. Each shall serve a minimum of a one year term or additional terms can be added if needed. The Record Keeper shall not be a member of the Committee.

The CPPC shall:

1. Review and make recommendations to the congregation for revising congregation policy regarding the safety of our children.
2. Provide training for all staff and volunteers working with the children regarding child abuse (physical and sexual) and congregation policy. Training should be presented prior to work with children.
3. Monitor Approved Adults to ensure that policies are being followed.
4. Keep Congregation Council apprised of all activities of the committee.
5. Recommend appropriate disciplinary action or disqualification in response to a violation or violations of the Child Protection Policy.
6. Upon a reasonable belief that an approved adult has been arrested or convicted of an offense that would constitute grounds for denying employment or participation activity, or service, or reasonable belief that an approved adult has been named as a perpetrator in a founded or indicated report, or if an approved adult has provided notice as required under this the child protective services law, then the committee shall immediately require the approved adult to submit current information as required under subsection 6344(b).

**K. Role of Record Keeper (Church Secretary)**

1. Keep a file of all permission slips, which will be maintained in the congregation office. Permission slips will be kept for 40 years, or until the child named on the slip attains the age of 30, whichever date first occurs. Permission slips may be scanned into a digital file and kept electronically. If an incident of abuse is reported relating to an event, the permission slips for that event will be maintained indefinitely.
2. Accept all applications of church members desiring to become an Approved Adult. Maintain a confidential file of applications and associated documents in a locked filing cabinet,
3. Delegate to the chair of the CPPC and the Pastor the task of reviewing all associated documents and refers concerns to the Pastor.
4. Obtain, review, and maintain a file of the background certifications required by CPSL and this policy. Ensure that all are valid within five years, checking periodically.
5. Maintains a list of qualified candidate and provide to the Child Protection Committee the list of qualified candidates.

Confidentiality Statements ensuring the confidentiality of such records shall be signed by the Pastor and Record Keeper.

**L. Violations of Child Protection Policy**

Persons who admit to, plead guilty to, or are convicted in a court of law of any form of physical or sexual abuse of a child will be immediately, permanently, and completely disqualified by the Pastor and CPPC committee from working with children in the congregation. Persons who admit to the Pastor and CPPC committee any type of physical or sexual abuse of a child but who have not appeared in a court of law will be disqualified from working with children in the congregation. The Pastor, CPPC committee and Congregation Council shall disqualify any person from working with children in the congregation while allegations of sexual or physical abuse are being investigated. The Pastor and CPPC committee can temporarily or permanently disqualify any person(s) from working with children as the committee deems appropriate.

Alleged violations of the policy, other than abuse, shall be immediately reported to the Pastor and CPPC Committee chair who will report it to the president of Congregation Council, if deemed appropriate. The alleged violations of the policy will be investigated by the Pastor and CPPC committee. That investigation shall include a meeting with the

person(s) involved. If the person(s) is found to be in violation of the policy, the Pastor and CPPC committee will determine what disqualification or disciplinary action, if any, is necessary. The Pastor and CPPC committee can temporarily or permanently disqualify any person(s) from working with children as the committee deems appropriate.

M. Maintaining the Child Protection Policy

1. The date the Policy is finalized will be added.
2. A version number will be added. Should the Policy need to be amended, the date and version number will be changed to reflect the amendment.
3. The Child Protection Policy will be reviewed every three years from the date of final acceptance of the current Policy.