

Child Protection Policy

St. Stephen Evangelical Lutheran Church

New Kingstown, PA

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PREFACE

Purpose: St. Stephen Evangelical Lutheran Church (here after referred to as St. Stephen) seeks to honor God's love for children and to protect their well being, and to prevent any form of abuse, harassment, or neglect. We base our concern on the teachings of Jesus Christ.

(Jesus said) "Let the children come to me, do not hinder them: for to such belongs the kingdom of God. Truly, I say to you, whoever does not receive the kingdom of God like a child shall not enter it." And he took them in His arms and blessed them, laying His hands upon them. **(Mark 10:13-16).**

Our goal in response to Jesus Christ's teaching is to provide a safe, secure and loving place for the spiritual development of children in the care of teachers and leaders who minister appropriately to their needs.

In the liturgy for the Sacrament of Holy Baptism we confess, "*we are born children of a fallen humanity.*" It is a sad fact of life that individuals sometimes prey on children. It is even more tragic that this sometimes does occur within churches. A clear policy is necessary in today's age, for these reasons:

1. An existing policy can be a deterrent to predators, letting them know we are serious in our attempts to provide a safe and secure environment.
2. An existing policy can ease the minds of members, new and old alike, in assuring them that all means possible are being used to keep their children safe within our church.
3. In the unlikely event that a child is hurt at St. Stephen, our existing policy will offer guidance and direction and compassion for those involved.
4. At a minimum, a clear policy can help everyone know what constitutes acceptable and unacceptable behavior.
5. Insures compliance with legal and insurance requirements.

The policy that follows represents our effort to protect that most precious gift from God, our children.

1. Introduction

- 1.1 St. Stephen recognizes the importance of insuring a safe and protected environment in which to nurture a child's relationship with God. It is our responsibility, and in keeping faith with the word of God, to practice every reasonable effort to provide and maintain such an environment. It is with this understanding that we are acting under the direction of God's will that we shall strictly adhere to the policies and procedures set forth in this document.
- 1.2 It shall be the responsibility of St. Stephen's Congregational Council to insure that the policies set forth in this document are implemented.
- 1.3 This policy establishes a 4-part process for reducing the risk of child abuse. These elements are as follows:
 - authorized adult screening
 - authorized adult education
 - authorized adult supervision
 - incident reporting & response

Comprehensive procedures for all four (4) of these components are included within this document. These procedures shall be the rule and norm for this congregation. If any question arises as to the practice, application or interpretation of these policies and procedures, explanation and guidance shall be provided by the Pastor(s) in conjunction with St. Stephen's Congregational Council.

- 1.4 The following definitions shall apply:

What Constitutes Child Abuse?

According to the Pennsylvania Child Protective Services Law (CPSL), the definition of child abuse or exploitation is:

- serious recent physical injury which is non-accidental
- mental injury which is non-accidental
- sexual abuse or serious physical neglect of children under the age of 18 caused by the acts or omissions of a perpetrator.

Legally, child abuse has no time limit to be reported.

Who is a child or youth?

A child or youth is anyone seventeen (17) years of age or younger.

Who is an authorized adult?

Any adult, employee or volunteer, who has passed the screening and educational requirements of this document and has been an active participant at St. Stephen for

at least six months. Any request for exemptions from the 6-month requirement must be brought to the Personnel Committee for their recommendation and then to the Church Council for action.

2. Authorized Adult Screening

2.1 *Purpose:* This authorized adult screening policy is intended to identify persons with a history of child abuse so that they may be refused access to children at St. Stephen. The existence of the screening process is also expected to deter persons with a history of child abuse from seeking to be placed in a position of access.

2.2 *Who is to be screened:*

The following individuals will be screened according to the procedures set forth below. All screenings must be updated every 5 years.

- Every employee in a paid position (or candidate for such a position).
- Every volunteer who has regular, ongoing contact with children and youth in small groups, counseling situations, or one-on-one mentorship. “Regular, ongoing contact” is defined as participating (or planning to participate_in these activities on seven or more days during one calendar year)
- Every volunteer who participates in overnight activities.

2.3 *Confidentiality:* All records of meetings, history clearance forms, and other documentation shall be kept strictly confidential. The documents shall be kept by the Office Manager in a locked file cabinet called the “**Safe Kids**” File and released only to the pastor, and the chair of the Personnel Committee, or their designated representative.

2.4 *Personnel Committee:* This Child Protection Policy shall be reviewed annually by the Personnel Committee. The Personnel Committee shall execute the screening procedures established in this document. In no case shall a relative, spouse, or in-law be assigned in the screening of an involved candidate.

2.5 *Package of Materials:* The chair of the Personnel Committee shall maintain master copies of an Authorized Adult Screening **Package** and shall duplicate this package in the quantities required by the Personnel Committee. This package shall contain:

- For Employees:
 - St. Stephen’s Child Protection Policy
 - Application and Consent form
 - Pennsylvania Child Abuse History Clearance form
 - FBI fingerprint records

- Church Worker's Covenant form
 - For Volunteers:
 - St. Stephen's Child Protection Policy
 - Application and Consent form
 - Pennsylvania Child Abuse History Clearance form
 - FBI fingerprint records if the volunteer has not been a resident of PA for the past ten consecutive years
 - Church Worker's Covenant form
- 2.6 *Roster:* The Personnel Committee chair shall maintain a **Roster of Authorized adults** who have been approved by this process and shall update this roster periodically as directed by the pastor and/or Personnel Committee. This roster will be published in a prominent location within the church.
- 2.7 *Outline of the Screening Process:* The screening process shall consist of six parts: 1) Application and Consent, 2) Pennsylvania Child Abuse History clearance, 3) Request for Criminal Record Check, 4) FBI Fingerprint Record Checks for all employees (including rostered leaders) and for any volunteers who have not lived in PA for 10 years and 5) completion of required educational course of study and all required forms
- 2.8 *References:* The Personnel Committee shall secure three (3) references and review these references.
- 2.9 *Clearance Form:* The Personnel Committee shall ensure that the applicant has properly completed the Pennsylvania Child Abuse History Clearance form and the Request for Criminal Record Check form and has received instructions for completing the FBI fingerprint check. The completed forms shall be forwarded promptly to the appropriate authorities and the fees, if any, paid by the church. A receipt for the FBI fingerprints can be submitted to the church for reimbursement. The applicant shall return the official replies to the pastor or Personnel Committee chair, to be placed in the **"Safe Kids"** File.
- 2.10 *Course of Study:* The Personnel Committee shall ensure that the candidate has completed the course of study outlined in Section 3 of this document.
- 2.11 *Decision by the Personnel Committee:* The Personnel Committee shall review the information from the references, the reply to the Pennsylvania **Child Abuse History Clearance** form, the **Request for Criminal Record Check** form, FBI Fingerprint Record Check (when required) and completion of the required course of study. On the basis of these materials, and an optional interview by one or more of the committee members, they shall judge whether the candidate may perform the required duties. These documents and notation of a decision shall be secured in the **"Safe Kids"** file. Separate files shall be maintained for each person interviewed, arranged alphabetically according to surname, regardless of the decision rendered. The pastor and/or Personnel Committee chair shall inform the

candidate of the decision and add the names of the approved candidates to the Roster of Authorized adults

- 2.12 *Special Cases:* When the candidate to be screened is the Pastor or relative, spouse, or in-law of the Pastor, the president of the Congregational Council shall carry out the duties of the Pastor as set forth in 2.4 & 2.11 above. If the president discovers any evidence that might disqualify a pastoral candidate, the president shall contact the Bishop's Office of the Lower Susquehanna Synod.
- 2.13 Senior High Youth, who are too young to go through the screening process, but have been active participants for six months at St. Stephen, may be temporarily approved by the Personnel Committee to serve as the second authorized adult in an educational setting.

3. Authorized Adult Education

- 3.1 All authorized adults engaged in child or youth activities shall be appropriately educated and receive formal instruction in the following:
- St. Stephen's Child Protection Policy
 - Reasons for screening and qualification process
 - Signs of potential child abuse
 - Legal definitions of abuse and mandated reporting as outlined in 1.4
 - Discernment of potential abusers
 - Reporting and response of alleged abuse
 - Proper disciplinary methods
 - Appropriate expressions of affection
- 3.2 It shall be the responsibility of the Education committee to establish and maintain a current curriculum that addresses the topics listed in 3.1. The course shall be titled: "*Safe Kids*" Training Course.
- 3.3 Course content and/or any revisions shall be reviewed and approved by the Congregational Council.
- 3.4 It shall be the responsibility of the Educational Committee to appoint appropriate individuals to teach the training course.
- 3.5 This training course shall be mandatory for all authorized adults, and shall be offered annually on a minimum of two (2) separate dates.
- 3.6 All course materials and listing of those in attendance shall be provided by the instructor to the Office Manager to be filed in the "**Safe Kids**" file.

4. Authorized Adult Supervision

- 4.1 It is essential that authorized adults are properly supervised in order to create and maintain an atmosphere that works to reduce the risk of child abuse.

4.2 Supervision of authorized adults shall include the following:

- Reporting by personnel and any associated committees of any policy infractions to the church pastor and congregation president.
- Yearly educational opportunities which provide on-going information and review of this policy and any updates or changes to the policy.

4.3 Guidelines of appropriate behavior for children and youth workers shall include the following:

Two-Adult Rule: Whenever possible have two authorized adults present with a group, particularly when it is the only activity taking place on the church premises and do not take a group off the premises with fewer than two authorized adults.

Parental Permission: In a situation where an authorized adult has a legitimate reason to be alone with a child, parental consent must be obtained and appropriate leaders notified in advance.

Overnight Rule: Only authorized adults can accompany children/youth on an overnight activity.

Open Door Policy: Doors shall be left open so that persons passing by can observe inside. This is not necessary when doors have windows. No window coverings shall be placed over door windows.

Nursery: Only a known parent or guardian of a child will be able to retrieve the child from Nursery care.

5. Incident Reporting and Response

5.1 According to Pennsylvania Child Protective Services, who is required to report suspected child abuse?

A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization.

NOTE: Section 6311.1 (b) include the "following protections" (1) "Confidential communications made to a member of the clergy are protected under 42 Pa.C.S. § 5943 (relating to confidential communications to clergymen).

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.

NOTE: A program, activity or service is defined as the following: A public or private educational, athletic or other pursuit in which children participate. The term includes, but is not limited to, the following:

- A youth camp or program
- A recreational camp or program
- A sports or athletic program

- An outreach program
- An enrichment program
- A troop, club or similar organization¹

A mandated reporter is required to make and immediate report of suspected child abuse if they have reasonable cause to suspect that the child is a victim of child abuse under any of the circumstances:

- The mandated reporter comes in to contact with the child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity or service; or
- The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization or the entity that is directly responsible of the care, supervision, guidance or training of the child; or
- A person makes a specific disclosure to the mandated reporter than 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.

5.2 Reporting Suspected Child Abuse

PA law now requires that the mandated reporter (employee or volunteer), who has reasonable cause to suspect a child is a victim of child abuse, “shall immediately” notify ChildLine by calling 1-800-932-0313. After the report is filed with ChildLine, the mandated reporter “shall immediately thereafter notify the person in charge of the institution, school, facility, or agency or the designated agent of the person in charge.” Immediately has not been defined in state law and so the practical guidance often provided to mandated reporters is to have a report made to ChildLine within the same day

The congregation will cooperate fully with government authorities investigating allegations of abuse. The initiative for investigating alleged abuse resides with the Department of Human Services (DHS) and should not be carried out by the congregation.

The Pastor and/or the Congregation Council president shall notify the Office of the Synodical Bishop immediately about any report to the Childline and Abuse Registry about suspected child abuse.

¹ <http://www.c4cj.org/files/whoismrpostchanges102014.pdf>

5.3 Response to the Reporting of Suspected Child Abuse

- a) 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.
- b) The Pastor, Congregation Council president, or person who suspected and reported the alleged child abuse to Childline will provide to the Personnel Committee a written report and all the steps taken afterwards. Church Council will be notified as appropriate and necessary.
- c) The Pastor or Congregation Council president will notify the congregation's insurance broker and/or carrier when the reporting procedures have been initiated. The phone call or written report will be documented. If the original notice is by phone, a letter memorializing that report will also be sent to the insurance broker and/or carrier.
- d) The Congregation Council will determine whether the congregation should engage legal counsel in consultation with the insurance carrier.
- e) 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.
- f) 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.

5.4 Records of Investigations

The Pastor of St. Stephen shall maintain custody of the records of investigation of suspected abuse. Said records shall be kept in a dedicated, locked file in the Pastor's private office. The Pastor and the Congregation Council President shall be the only key holders.

Records of investigations and clearance reports concerning employees shall not be kept in church personnel files.

The Congregation Council will consider on a case-by-case basis any request for access to records of investigation or clearance reports. Access to records shall be granted only to those who have a need to know.

6. Violations of Child Protection Policy

- 6.1 Persons who admit to or plead guilty to or are convicted in a court of law of any form of abuse (physical, mental, or sexual) of a child will be immediately, permanently and completely disqualified by the Pastor or Church Council from working with children in the congregation. Persons who admit to the Pastor or Church Council any type of 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 and/or Congregation Council shall disqualify any person from working with children in the congregation while allegations of abuse are being investigated. The Pastor and/or Congregation Council can, as deemed appropriate, temporarily or permanently disqualify any person(s) from working with children.