

Millersville Mennonite Church Safe Church Policy

Based on the 2014 Samaritan Safe Church Policy Templates

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, is described as 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).
 1. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
 2. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
 3. Forcefully shaking a child under one year of age.
 4. Forcefully slapping or otherwise striking a child under one year of age.
 5. Interfering with the breathing of a child.
 6. Causing a child to be present at a location while a violation of 18 PA.C.S. §7508.2 (relating to operation a methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.
2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
3. Mental abuse Causing or substantially contributing to serious mental injury to a child through an act or failure to act or a series of such acts or failures to act. Serious mental injury is a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:
 1. renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened; or

2. seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.
4. Neglect causing serious physical neglect of a child. Serious physical neglect is any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:
 1. A repeated, prolonged or unconscionable egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.
 2. The failure to provide a child with adequate essentials of life, including food, shelter or medical care.
5. Causing the death of the child through any act or failure to act.
6. Sexual abuse Causing sexual abuse or exploitation of a child through any act or failure to act. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act. Sexual abuse or exploitation is any of the following:
 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:
 1. 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.
 2. 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.
 3. Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
 4. 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:

1. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:
 1. 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.

2. Has been determined to be a sexually violent predator under 42 PA.C.S. §9799.24 (relating to assessments) or any of its predecessors.
3. Has been determined to be a sexually violent delinquent child as defined in 42 PA.C.S. §9799.12 (relating to definitions)
2. Any of the following offenses committed against a child (Criminal code)
 1. Rape, as defined in 18 PA.C.S. § 3121 (relating to rape).
 2. Statutory sexual assault, as defined in 18 PA.C.S. § 3122.1 (relating to statutory sexual assault).
 3. Involuntary deviate sexual intercourse, as defined in 18 PA.C.S. § 3123 (relating to involuntary deviate sexual intercourse).
 4. Sexual assault, as defined in 18 PA.C.S. § 3124.1 (relating to sexual assault).
 5. Institutional sexual assault, as defined in 18 PA.C.S. § 3124.2 (relating to institutional sexual assault).
 6. Aggravated indecent assault, as defined in 18 PA.C.S. § 3125 (relating to aggravated indecent assault).
 7. Indecent assault, as defined in 18 PA.C.S. § 3126 (relating to indecent assault).
 8. Indecent exposure, as defined in 18 PA.C.S. § 3127 (relating to indecent exposure).
 9. Incest, as defined in 18 PA.C.S. § 4302 (relating to incest).
 10. Prostitution, as defined in 18 PA.C.S. § 5902 (relating to prostitution and related offenses).
 11. Sexual abuse, as defined in 18 PA.C.S. § 6312 (relating to sexual abuse of children).
 12. Unlawful contact with a minor, as defined in 18 PA.C.S. § 6318 (relating to unlawful contact with minor).
 13. 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, that is, a person who is under 18 years of age.

Mandated Reporter: Effective 12/31/14, the PA CPSL imposes a reporting mandate, or requirement, on any individual who comes into contact with children in the course of his or her work or professional practice, specifically including "clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization," or an "individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child." These

individuals are known as “mandated reporters.” (as defined CPSL Title 23 PA.C.S. Chapter 63). This includes volunteers, as well as staff.

Pastor(s): a minister under call to the congregation. Currently, the title includes “Pastor” and “Co-Pastor”, but it could include titles such as: “Senior Pastor, Youth Pastor, Co-Pastor, Associate Pastor, Lead Pastor”. Such persons are credentialed by Lancaster Mennonite Conference, either ordained or licensed for specific ministry.

Child Protection Task force (Task Force): Members designated to implement the Child Protection Policy. The task force is formed by the Church Council to perform specific tasks as needed. Once the tasks are completed, the members are released from their duties.

Church Council: The primary institutional governing body of the congregation. The Church Council bears the responsibility of the child protection policy enforcement.

Approved Adult: anyone over 22 years of age who has satisfied the requirements of the Child Protection Policy. An Approved Adult can be an employee or a non-employee of the congregation, and is considered a mandated reporter if the person is 18 or older. Mandated reporters are required to report directly to authorities when abuse is suspected. Approved Adults are required to have state-specified screening/clearances. (See page 6 of this policy for required clearances, and page 11 for mandated reporting procedures.) Approved Adults include, but are not limited to:

1. All employed staff
2. Children's Sunday School teachers/helpers
3. Children’s Church leaders
4. Vacation Bible School teachers, volunteers and helpers
5. Youth Group Leaders, assistants and chaperons
6. Nursery volunteers
7. Anyone else who works directly with children/youth
8. Child Protection Task force members

Person in Charge or Designee: Effective 12/31/14, the “Person in Charge of the Institution or their designee” is responsible for facilitating cooperation with authorities on a suspected child abuse investigation; and is also responsible for receiving notification from the mandated reporter that a suspected abuse report has been filed. For these specific purposes, the Person in Charge at our church is (A) a Pastor OR (B) the Church Council Chair.

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

Youth Volunteer : anyone 21 or less years of age who works under the supervision of an approved adult.

The Child Protection Task force

This task force consists of, at minimum, 3 church members. The Church Council is responsible for forming the task force, either by calling all members or designating one member to be responsible for forming the task force to carry out an assigned task.

The task force reports to the Church Council performing all tasks as requested by the Church Council and presenting any recommendations for further action.

Church Council

The role and composition of the Church Council is defined in the Church Constitution. In addition to those responsibilities, the Council will also be responsible for the following duties concerning this policy:

1. Implement and enforce this Child Protection Policy.
2. Create a Child Protection Task force as necessary to:
 1. Review and make recommendations to the Church Council for revising congregation policy regarding the safety of our children/youth.
 2. Provide/arrange for training for all staff and approved adults working with the children/youth regarding child abuse and the Child Protection Policy.
3. Maintain a list (registry) of Approved Adults and make this list accessible within the church community. The list should contain the following information: Full name, month and year of the most current background checks, month and year of renewal. This list is maintained by the **Safe Church Administrator** (see the position description below).
4. Monitor Approved Adults to ensure that policies are being followed.
5. Be kept apprised of investigations.

Safe Church Administrator:

1. Church council will appoint one of it's members (2 year period) or assign this responsibility to an employee of the congregation. NOTE: This position is mostly secretarial, but the person can be *legally liable for failure to perform duties properly*. The Safe Church Administrator will:
 2. Review all applications.
 3. Work with applicants to acquire the required clearances (see page 6 for clearances).
 4. Determine whether subject is eligible for employment or as volunteer based on result of clearances and other factors (see page 6, the required clearances describes most of these factors)

5. Present the Church council chair, before every meeting, a report which includes:
 - (1) A list of new applicants for Approved Adult (for approval by Church council),
 - (2) A list of Approved Adults whose clearances will expire in the next 4 months (no action required by Church council),
 - (3) A list of Approved Adults whose clearances have been renewed since the previous report,
 - (4) Full reports of any suspected abuses since the previous report
6. Notify Approved Adults whose clearances will expire in the next 4 months and work with the Approved Adult (if they are continuing in the role) to acquire renewed clearances.
7. Receive and process reports of suspected abuse.
8. Make available, upon request of an individual, his/her clearance reports.
9. Maintain records on behalf of Church Council (see pages 7, 14, 16 and 17 for various records procedures and requirements)

SELECTION OF APPROVED ADULTS

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

1. Attend Millersville Mennonite Church for a minimum of 6 months.
2. Complete an Approved Adult application form and the required clearance forms. Clearances are required for all applicants.
3. Attend a standard initial training session.
4. Sign and comply with the Child Protection Covenant.
5. Once accepted as an Approved Adult, notify the Church Council Chair OR a 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 (See page 22 Appendix: Legal disqualifications for an Approved Adult). Such notification is required under PA law effective 12/31/14.

Required Application Forms to Become an Approved Adult

The following forms and procedures are located in the Appendix.

1. Approved Adult Application (page 19)
2. Consent/Release for return of Child Abuse Clearance to Church (page 21)
3. Pennsylvania State Police Request for Criminal Records Check (page 26)
4. Pennsylvania Child Abuse History Clearance (page 25)
5. FBI Fingerprint Record Check required for employees; and required for volunteers who have not lived in PA for the past 10 years (page 28)
6. Approved Adult – Review of Disqualifications for Application in PA (page 22)

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 **Safe Church Administrator** is legally required to obtain these clearances, and is subject to prosecution for deliberately failing to do so. In compliance with this law, Millersville Mennonite Church requires volunteers working with children and youth to obtain the following clearances before working with children/youth:

- Child Abuse History Clearance Form (CY-113) (\$10 for employees, free for volunteers). See page 25 for current procedures.
- Pennsylvania State Police Request for Criminal Record Check Form (SP4-164) (\$10 for employees, free for volunteers). See page 26 for current procedures.

Prospective volunteers who have not lived in Pennsylvania for 10 years are also required to get the FBI fingerprint records check (\$27.50). See page 28 for current procedures.

If application for clearance is filed directly and paid for by the applicant, the applicant shall provide the **Safe Church Administrator** with access to the electronic record of results, or a printed certification.

If application for clearance is filed and paid for by the church, the **Safe Church Administrator** will receive results of the clearances directly, and provide a record of the results to the applicant.

Our church is a small congregation. To maintain integrity of our work, all employees and prospective employees are required by the CPSL to obtain background checks.

Background checks will be repeated every 36 months, as required by state law.

New employees in positions where they will have contact with children, or supervise those who do, can do so 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}
- 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

Applications and related forms for staff and volunteers will be locked in a confidential file under the jurisdiction of the Pastor. Clearances are confidential and will only be made available to a pastor under "call" to the congregation and to the chair of Church Council.

The **Safe Church Administrator** will follow these record keeping steps:

1. Will maintain the list of approved adults on behalf of the Church Council
2. Will store (in a physical file which is secure or a secure digital file) all clearances and forms, including old (outdated) records
3. Will notify the Church Council Chair of any lapse in clearances 4 months in advance

Record Retention and Management

Because any records pertaining to children and youth, and staff/volunteers who work with them, may become the subject of legal proceedings at some future date, no such records should be part of any automatic records destruction plan by the church. This includes child and youth registration and permission forms, as well as staff and volunteer clearances. Such records should only be destroyed with the written approval of the Church Council (via the Church Council Chair), 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.

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** (as described in the section on abuse)
2. **Sexual Abuse Prohibited** (as described in the section on abuse)
3. **Two Approved Adults Rule:** Whenever possible, two Approved Adults should be present during any church sponsored children/youth activity. In instances where two Approved Adults cannot be present a designated

Approved Adult 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 occasional care assistants may work under the supervision of Approved Adults.

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. **Diapering:** Two approved adults must be present when clothes or diapers are being changed. A parent can also be recruited to change clothes or a diaper. **Two and Three Year Olds:** An approved adult must accompany children to and from the bathroom and inform another adult when this takes place. The adult will assist the child only when necessary. If assistance is needed, the adult must leave the stall door open. **Preschool:** An approved adult must accompany preschoolers to the bathroom. The adult will remain outside the stall. If assistance is required, the approved adult should encourage independence but can assist with minimal tasks if necessary (belts, snaps, etc.).
6. **Empty Rooms:** 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.
 1. Respect a child's/youth's refusal of affection
 2. Be aware of appropriate hand placement. A child/youth or an observer could misinterpret a pat on the bottom or a bear hug. Note that a

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

PROVIDING COMMUNITY FOR KNOWN SEXUAL OFFENDERS

Individuals who have been adjudicated by a court or child protective services findings as sexual offenders and/or have admitted to past sexual abuse of children and are willing to abide by the guidelines set forth in this policy, are welcome to attend worship services and adult educational activities. Such individuals are hereafter referred to as "known sexual offenders" or "offenders."

The minimum guidelines by which any known offender may participate in the life of the congregation are set forth below, and shall be incorporated into a covenant specific for the individual offender which is to be signed by the offender prior to participation.

Depending on the circumstances and at the discretion of Church Council, additional restrictions may be incorporated into an individual covenant. If an individual is on probation or parole, specific provisions related to contact with children, participation in counseling, and others, will be incorporated into the covenant. The individual covenant may also permit participation in additional church activities (other than those involving children) if circumstances warrant.

An individual on probation or parole for a child sexual offense may have restrictions placed on church attendance as part of their probation/parole condition. On occasion, an exception to a "no church attendance" provision of probation or parole may be made by an officer of the court, based on the church's capacity to manage the offender in a way that keeps them from contact with children. Any individual on probation or parole must provide a Pastor with a copy of the probation and parole agreement, including its terms and conditions, as well as the contact information for the parole or probation officer assigned.

The congregation will be made aware of any attending sexual offenders. Church Council will decide what information and how the information will be delivered. The recommendation of this policy is to deliver the information through Sunday School teachers during Sunday School classes. The Church Council Chair can then talk directly with teachers on how to deliver the information. Adult class participants should be made aware of the covenant and children should be aware of the person, areas of the church that the person is allowed to be and their own behavior around this person.

REQUIRED Minimum guidelines under which a known sexual offender may participate:

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

which restrictions on or requirements as a result of convictions or judgments are stated.

2. Offenders are expected to participate in a professional counseling program, specifically addressing their abusive behaviors. Offenders will provide the name of the agency and mental health professional to the Pastor at the time of request for participation. The offender may be asked to periodically sign a limited disclosure authorization for the therapist to verify to the Pastor or Child Advocate that the individual is in treatment. In a case of extreme financial hardship where the offender cannot afford counseling (and is not required by the court to be in counseling) the pastor or safe church advocate will work with the offender to create an alternative plan that may include regular pastoral counseling, participation in a community-based group for sexual offenders, one-on-one mentoring with a congregation member that has received at least 3 hours of training on working with sexual offenders as stipulated in this policy for "supervisors" (see section on Training & Education) or other affordable venues.
3. Offenders will not accept any leadership or representational position within or on behalf of this church. Known sexual offenders can never become Approved Adults.
4. Church Council will assign supervisors to any offender participating in the life of the congregation. They will be adults who are not related to the offender. They will receive training by a professional agency that will include information on sexual offender dynamics, the long-term impact of sexual abuse on victims, and any specific conditions related to participation under the specific covenant established. If the offender is on probation or parole, the training may need to be approved by the officer of the court handling the case.
5. Church Council will identify a small group of "covenant partners" for offenders. This small group will provide spiritual, emotional and practical support and will meet with the offender on a regular basis. The supervisors and "covenant partners" will not be the same individuals.
6. The offender may participate in worship in the sanctuary and attend adult Sunday school classes. Church Council may designate a specific service and time for attendance. Any other activities the offender is permitted to participate in will be detailed in the covenant.
7. A supervisor must accompany the offender at all times when on church property.
8. At no time should the offender deliberately place him or herself in or remain in any location in or around the church facilities which would cause undue distress to others.
9. At least twice each calendar year and as otherwise requested, the offender shall meet with and report to the pastor regarding status of adherence to these guidelines.

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

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 individual who comes into contact with children in the course of his or her work or professional practice, specifically including "clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization," or an "individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child." These individuals are known as "mandated reporters."

Church staff that should be considered mandated reporters under the CPSL are those who routinely come into contact with children, including pastors, music ministers, youth directors and any other paid staff expected to come into contact with children on a regular basis, as well as their supervisors. Volunteers who accept the responsibility of caring for children ("Approved Adults" under this policy) are considered mandated reporters under the CPSL.

WHEN TO REPORT

The CPSL (legislation) 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 of 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:

1. The mandated reporter must “immediately” report to ChildLine. (legal requirement)
2. The reporter must then “immediately thereafter” inform the (person in charge) a report has been made. (legal requirement)
3. The reporter must complete and file a written CY47 report with local CPS within 48 hours after making the report to ChildLine. (legal requirement) See “<https://www.pa-fsa.org/Portals/0/Docs/Mandated-Reporters/CY47%20Final.pdf>”.
4. The reporter must provide a copy of the CY47 report to the (person in charge) along with documentation of when it was filed. (policy requirement)

5. The Department of Public Welfare (DPW) will inform the reporter of the results of the investigation no later than 3 days after it is concluded, which is generally within 30-60 days. The reporter will then inform the (person in charge) of the results. (policy requirement)
6. See:
“<http://www.pa-fsa.org/Mandated-Reporters/Understanding-Mandated-Reporting/Making-a-Report>” OR
“<http://www.dhs.pa.gov/provider/childwelfareservices/childlineandabuseregistry/>”

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 (see <http://www.dhs.pa.gov/provider/childwelfareservices/childlineandabuseregistry/>, the link to the electronic submission is “<https://www.compass.state.pa.us/cwis/public/home>” which requires a login). 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 person in charge designated by the church. The mandated reporter must provide his/her name, telephone number and email address when making the report to ChildLine.

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. A copy of this report will be made for church records and the pastor should be notified.

The person in charge will then have the responsibility for facilitating the cooperation of the church with the investigation of the ChildLine report.

Neither the mandated reporter nor the church is responsible for investigating or determining whether or not abuse has occurred prior to making a report. The standard under the law for reporting is that “a reasonable person has cause to believe the child has been abused.” It may be necessary to ask the child, or person alleging the abuse

has occurred, for some clarification solely in order to determine if there is cause to believe abuse may have occurred.

Detailed interviews and extensive questioning with the child, and/or the alleged abuser, should be conducted by legal authorities, not the church.

If a child is injured or in pain, call 911 for an ambulance.

If anyone is in immediate physical danger, call 911 for police assistance.

Following the required oral or electronic notification to ChildLine, Lancaster County Children and Youth Agency may also be contacted by the Pastor or the reporter. 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.

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

717.299.7925

This is a legally required report.

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 Pastor and complete an Incident Report. The initiative for investigating alleged abuse resides with the Department of Public Welfare (DPW) and/or law enforcement, and shall not be carried out by the congregation. There is no requirement that multiple reports of the same alleged incident(s) of abuse be filed by the church.

All allegations of child/youth abuse or serious physical neglect will be taken seriously by the pastor(s) and Church Council. 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 should also be protected.

FOLLOW-UP, INVESTIGATION, DOCUMENTATION

1. Following placement of the call to report suspected abuse to ChildLine, the pastor will inform the parent (provided that neither of the custodial parents is suspected of abuse). If the alleged abuser is a custodial parent, or resides in the same household as the child, his or her first contact about the allegation should come from either Child & Youth Services or the police, not the church.

2. The church should not enter into discussion with the alleged abuser after a report has been filed and during the course of the legal investigation about the details of the complaint. The alleged abuser will be removed from any position in which he or she has supervisory authority over children pending the completion of the investigation.
3. The insurance company and district bishop should be contacted after the report is filed as a matter of routine practice if the alleged abuse involves a staff person, if the abuse occurred on church property, or if the abuse involved a volunteer caregiver. The alleged abuser will have his/her ministry restricted to exclude contact with children immediately; and if employed by the church, may be placed on paid leave for a designated period of time during the investigation.
4. The Department of Public Welfare has 3 days from the date it receives the "results" of the investigation based on the report to inform the mandated reporter (NOT the church) as to:
 1. the final status of the child abuse report, in other words, whether it is indicated, founded or unfounded and
 2. 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 **Safe Church Administrator** (possibly via the Pastor or Church Council Chair) as soon as possible after receiving results from DPW. Investigations are to be concluded by CPS in 30 or 60 days. The **Safe Church Administrator** will make a note of this to be filed in the church records.

If an incident is reported that does not rise to the level of making a mandated report, the pastor will inform the child's parent(s) or guardian(s) of the concern and document the meeting (to be filed on record).

SHARING INFORMATION

1. The extent to which information will be shared with the congregation will be determined by Church Council Chair, and the Ministry Team, and others as appropriate. The input of the district bishop may be sought. The identity of the victim and the mandated reporter should be protected.
2. All necessary parties will cooperate with the investigations made by the police.
3. The Church Council will authorize a Pastor 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. The Ministry Team will consider support needs of the people involved; including those who have made the complaint, the alleged abuser, the families of both, and the congregation.
2. If the allegations involve pastoral staff, the Ministry Team (without this pastor's involvement) with the Church Council chair and with the assistance of the district bishop will look after the needs of church ministry while the issue is being addressed.

RESPONSE TO ALLEGATIONS/ADMISSIONS; OR CRIMINAL CHARGES

Persons who admit to or plead guilty to or are convicted in a court of law of any form of physical or sexual abuse of a child/youth will be immediately, permanently, and completely disqualified by Church Council from working with children/youth in the congregation. Persons who admit to a Pastor or any member of the congregation 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 Church Council chair or a pastor 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.

VIOLATIONS OF CHILD PROTECTION POLICY

Alleged violations of the policy, other than abuse, shall be reported to either a pastor or the Church Council Chair. Church Council will be responsible for investigating. The **Safe Church Administrator** will be responsible for filing a record of the report.

Allegations of an action that were not Abuse, but a Demonstration of Poor Judgment

1. The Ministry Team will hold the accused responsible and accountable for the behavior. Grace and mercy are extended in the context of repentance, accountability and justice.
2. Education and/or counseling will be provided to correct unhealthy behavior patterns.

POLICY ON EDUCATION AND TRAINING

This policy will be available to the entire congregation. The congregation will be instructed on it's availability on a monthly basis through the church bulletin and email/phone reminders.

In order to be an Approved Adult, a volunteer or staff member must participate in an initial training, this training covers recognizing and responding to child abuse, mandated reporting requirements, and church guidelines and practices. A refresher course for all Approved Adults will be held at least every three years. Adults will not be approved to take care of children until after they have completed the required training.

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

Parents (and all members)

Child Abuse Awareness education will be offered at least once each year for all members during the Sunday School time slot (45 minutes).

Children and Youth

Christian Education curriculum on healthy physical, emotional, and sexual boundaries, including sexual abuse prevention, shall be offered. At least one class every year. The purpose is to provide our children and teens with the opportunity to receive age-appropriate information in a faith-based context. This will help them to recognize inappropriate conduct on the part of an adult or older child, and will empower them to say no, and tell a "safe adult" at church, home, school.

Supervisors of Sexual Offenders

Should the church decide to welcome a known sexual offender into fellowship in accordance with the guidelines established in this policy, a group of supervisors will receive training to include the following items prior to welcoming the offender to the congregation.

If the offender is currently on probation or parole, permission by the supervising county office to include the offender, as well as their approval of the organization providing the training and the curriculum, may be required.

1. Dynamics of sexual offending (blame, impulsiveness, denial, deception; role of fantasies)
 1. Summary information about different types of offenders
 2. General characteristics of a pedophile, lifestyle issues, access to victims, orientation
 3. The grooming process
 4. Sex offense therapy (brief overview) – Use of polygraph
2. Dynamics of victimization (shame, secrecy, trauma symptoms)
 1. Defining child sexual abuse under PA CPSL
 2. Long and Short Term Consequences of child sexual abuse
3. Role of the supervisor
 1. Close accompaniment of offender while on church property
 2. Assure no contact with children, including verbal/emotional/physical
 3. Monitor offender compliance with policy & covenant guidelines
4. Specific information about the particular offender, including any terms of probation or parole, and guidelines agreed to by covenant with the church.

The church will inform membership of the inclusion of known sexual offender and the agreed upon guidelines using various means of communication.

Use of Facilities by Outside Organizations

Outside groups and organizations using the church facilities on a recurring basis 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 Millersville Mennonite Church (the **Safe Church Administrator** will record this).