

Child/Youth Protection Guidelines
Zion's Evangelical Lutheran Church
354 Zions Church Rd. Shoemakersville, PA 19555
(Revised and approved 13 JUNE 2017)

Purpose

Zion's Evangelical Lutheran Church's purpose for establishing these Child/Youth Protection Guidelines and accompanying procedures is to demonstrate our unwavering commitment to the safety of anyone entrusted to its care.

Statement of Commitment

As a Christian community of faith committed to ministry to and with children and youth, Zion's pledges to conduct all its activities and ministries in such a way that assures the safety and spiritual growth of all children and youth entrusted to its care. It will follow reasonable safety measures in the selection and recruitment of workers and it will be responsible in overseeing its ministries and events and in training its staff, so that it is able and equipped to minister to children and youth in Jesus' name. It is the congregation's expectation that all alleged/suspected incidents of child abuse/neglect will be reported and responded to in an appropriate manner as is required by the Commonwealth of Pennsylvania and the precepts of the Christian faith.

Procedures

The Congregation Council adopts these minimum guidelines for Zion's activities and ministries with children and youth. Each children's/youth's organization may adopt more stringent requirements as appropriate.

1. Screening and recruiting

A. All individuals fourteen (14) year of age or older who apply for a paid position as an employee with Zion's who will have Direct Contact with children will:

- 1) Have undergone an appropriate hiring and interview process that was established by the Congregation Council;
- 2) Have undergone a Pennsylvania State Police Criminal Record Check, a Pennsylvania Child Abuse History Clearance (DHS) and an FBI Fingerprint Background Check or the current Commonwealth of Pennsylvania requirements with costs to be borne by the congregation (to be repeated every three (3) years upon the anniversary of their service);
- 3) Have read and signed a copy of these guidelines; and
- 4) Be evaluated for their compliance with these guidelines as part of their annual review.

B. All individuals eighteen (18) years of age or older who apply for an unpaid position as a volunteer at Zion's who will have Direct Contact with children will:

- 1) Have demonstrated an active relationship with Zion's Evangelical Lutheran Church for at least six (6) months before being allowed Direct Contact with children/youth;
- 2) Have completed an application listing standard contact information and their gifts for that ministry;

- 3) Have been interviewed by the pastor or the Christian Education Committee;
 - 4) Have undergone a Pennsylvania State Police Criminal Record Check, a Pennsylvania Child Abuse History Clearance (DHS) or the current Commonwealth of Pennsylvania requirements with costs to be borne by the congregation (to be repeated every three (3) years upon the anniversary of their service); only if;
 - a. the volunteer position is in fact unpaid;
 - b. the prospective volunteer has been a Pennsylvania resident for a period of no less than ten (10) years immediately prior to the application for a volunteer position; and
 - c. the prospective volunteer signs a Volunteer Arrest and Conviction Self-Disclosure Statement and/or Non PA Residents that they have not ever perpetrated child abuse and do not have a disqualifying criminal record
 - 5) Have read and signed a copy of these guidelines.
- C. For adults who occasionally serve as chaperons for a non-overnight activity or as a driver to an event;
- 1) must sign a Volunteer Arrest and Conviction Self-Disclosure Statement and/or Non PA Residents that they have not ever perpetrated child abuse and do not have a disqualifying criminal record will be sufficient.
 - 2) Have read and signed a copy of these guidelines.

Proprietary and Confidentially

All staff and volunteer records and documentation will be kept confidential and will be stored in a locked file in the church office. The Pastor, Parish Secretary, Congregation Council President and Chairperson of the Personnel Committee are the only people authorized to have access to the box. Failure to agree to any of the provisions of this section will result in the applicant being unable to work with Zion's children and youth.

2. Supervision

- A. *"Two adult rule."* There will be two unrelated adults in each classroom. If this is not possible, there will be a roving adult who moves amid the classrooms during the program period.
- B. No person shall help to supervise an age group unless he/she is at least in the 7th grade.
- C. No person under eighteen (18) years old shall be considered as one of the two adults.
- D. Each room will have a window in the door or the door will be left open when the room is in use.
- E. Restroom guidelines: All workers supervising children that need assistance should not close stall doors or lock the handicap bathroom doors (S. S. Hallway).
- F: New volunteer and paid staff who work directly with children/youth are required to complete the Pennsylvania State 3 hour training within their first 60 days of activity here or provide proof of having completed it within the last 365 days. Continuing staff must re-take this training and provide proof every 5 years. Zion's will continue to make its

paid staff and volunteers aware of training opportunities, whether they are hosted by Zion's or locally by another Church or organization.

- G. Registration materials for activities in which children/youth are outside of the direct supervision of their parents/guardians shall require signed written permission forms that include pertinent health information in order to participate.
- H. All participants fourteen (14) years of age or older shall sign a covenant of participation listing rules for all trips, overnight outings, etc.

3. Reporting

In the event that an alleged/suspected incident of child abuse occurs, a report will be filed using the following procedure:

- A. The Commonwealth of Pennsylvania's requirements regarding mandatory reporting of alleged/suspected abuse as the law then exists will be complied with (*Child Protective Services Law, 23 Pa. C.S.A. §§ 6303, 6311, 6312, 6313, 6317, 6318, 6319 [2011]*). This includes the immediate oral reporting of the suspected child abuse to ChildLine, 1 (800) 932-0313, as well as written reports being submitted within twenty four (24) hours after the report is made by telephone or electronically.
- B. The Pastor and the President of the Congregation Council will be notified.
- C. The parent or guardian of the child/youth will be notified.
- D. The paid/volunteer worker alleged to be the perpetrator of the abuse or misconduct will immediately be placed on leave from working with children/youth pending the outcome of an investigation.
- E. Our insurance company will be notified.

4. Responding

- A. All allegations/suspicions of child abuse will be taken seriously and responded to as described in section 3 above. Appropriate suggestions for support will be offered to those who have been affected by the incident.
- B. When an allegation of child abuse is made the Bishop and his/her staff liaison for the mission district will be contacted immediately.
- C. The congregation's staff and leadership will cooperate with any investigation of the incident by state or local authorities.
- D. Any person who has been investigated for child abuse and received a substantiated or founded determination will not be able to work with children/youth at Zion's.
- E. Buddy Rule: Persons convicted of child abuse who desire to join or re-join Zion's Evangelical Lutheran Church may not hold any position – volunteer or paid -- that involves working with children/youth. During church sponsored events, these persons will need to be escorted by an unrelated adult member of the same gender in areas where children/youth may be present. Failure to agree to and to comply with this rule will result in the person not being allowed to participate in church sponsored events and/or removal from the membership roles of the congregation.
- F. Appropriate pastoral support and/or counseling will be suggested to all persons involved in the incident. This will most likely involve resources beyond the congregation.

5. Media requests

- A. All media inquiries regarding alleged child abuse or misconduct will be referred to the pastor. If the pastor is absent or is the alleged perpetrator, they will be referred to the president of the congregation council.
- B. Guidance and support regarding how to respond to media requests will be sought from the synod and from appropriate legal counsel.

6. Guidelines review

- A. The Congregation Council shall appoint a task force biannually for the purpose of reviewing these guidelines for compliance with current Commonwealth of Pennsylvania laws, best practices regarding ministries with children/youth and Zion's unique needs and/or current circumstance.
- B. This task force will report back to the Congregation Council, at the following Congregation Council meeting after its appointment, to provide details on any recommended amendments, additions, deletions, and/or changes.
- C. The Congregation Council shall receive the task force's report and take appropriate action.

7. Compliance

The personnel committee will review at least annually the documentation maintained in the staff and volunteer locked file box (church office). It will update the list of those who have received clearances as necessary and will ensure that background checks are renewed as specified in these guidelines.

8. Allowances for extraordinary or unforeseen circumstances

It is impossible to foresee every situation with which the congregation may be faced, or for these Child/Youth Protection Guidelines to address all circumstances. Accordingly, the Congregation Council reserves the right to make appropriate changes or modifications to these Child/Youth Protection Guidelines as the need arises.

Definitions

“Adult” means a person eighteen (18) years of age or older.

“Child” means any person under the age of eighteen (18).

“Children’s activities” means any activity or ministry in which children are under supervision of staff persons or volunteers.

“Criminal background check”

1. For paid staff this means: All individuals fourteen (14) year of age or older who apply for a paid position as an employee with Zion’s who will have Direct Contact with children will have:
 - A. a copy of a report of Criminal History Record Information from the Pennsylvania State Police,
 - B. a copy of an official clearance statement obtained from the Pennsylvania Department of Human Services (ChildLine), and
 - C. a copy of an FBI Fingerprint clearance.

2. For the following categories of volunteers (teachers, helpers, youth advisers, overnight chaperons, coaches, mentors etc.) this means: All individuals eighteen (18) years of age or older who apply for an unpaid position as a volunteer at Zion’s who will have Direct Contact with children will have:
 - A. a copy of a report of Criminal History Record Information from the Pennsylvania State Police,
 - B. a copy of an official clearance statement obtained from the Pennsylvania Department of Human Services (ChildLine)
 - C. only if;
 - a. the volunteer position is in fact unpaid;
 - b. the prospective volunteer has been a Pennsylvania resident for a period of no less than ten (10) years immediately prior to the application for a volunteer position; and
 - c. the prospective volunteer signs a Volunteer Arrest and Conviction Self-Disclosure Statement and/or Non PA Residents that they have not ever perpetrated child abuse and do not have a disqualifying criminal record

“Direct contact” means that individuals (14 years of age or older) that have routine, regular, and/or ongoing contact, provides care, supervision, guidance, or control of children.

“Helper” means anyone who aids in ministry and is not counted in the *“Two adult rule.”* including youth in seventh grade through 17 years of age.

“Mandated Reporter” is an individual that 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.
- Such persons include, but are not limited to, medical professionals, school administrators, teachers, nurses, social workers, day-care center workers, mental health professionals, law enforcement officers, pastors, church youth workers, 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).*

Responding to Allegations of Child Abuse

For purposes of these guidelines, “child abuse” is any action (or lack of action) that endangers or harms a child’s physical, psychological or emotional health and development. Child abuse occurs in different ways and includes the following:

- **Physical abuse** – any physical injury to a child that is not accidental, such as beating, shaking, burns, and biting.
- **Emotional abuse** – emotional injury occurs when a child is not nurtured or provided with love and security, such as an environment of constant criticism, belittling and persistent teasing.
- **Sexual abuse** – any sexual activity between a child and an adult or between a child and another child at least four years older than the victim, including activities such as fondling, exhibitionism, intercourse, incest, and pornography.
- **Neglect** – depriving a child of their essential needs, such as adequate food, water, shelter, and medical care.

“**Staff person**” is any person called/employed by the congregation on a full or part-time basis.

“**Staff person in charge of a children’s activity**” means the church staff person responsible for the conduct of this activity. In the case of non-local church programs operating on church property, the duties of the “staff person in charge of the children’s activity” shall be carried out by a non-local church lead staff or volunteer.

“**Volunteer**” any unpaid adult, who leads/assists in conducting children’s activities or has regular and direct contact with children.

“**Worker(s) with children**” may be paid or volunteer who have responsibility for children or youth on behalf of the congregation.

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Christian Education Committee Approval: 30 MAY 2017
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Zion's Evangelical Lutheran Church of Perry Township

Volunteer Arrest and Conviction Self-Disclosure Statement and/or Non PA Residents

Required by the Child Protective Service Law,
23 Pa. C.S. Section 6344

I swear/affirm that I have mailed or filed the requests for clearance to ChildLine, the Pennsylvania State Police, and the Federal Bureau of Investigation (if required).

I swear/affirm that I have not been named as a perpetrator of a founded report of child abuse or as an individual responsible as defined by the Child Protective Services Law.

I swear/affirm that I have not been convicted of any of the following crimes or the attempt, solicitation or conspiracy to commit any of the following crimes under Title 18 of the Pennsylvania Consolidated Statutes or equivalent crimes in another state or under Federal law, the District of Columbia, or the Commonwealth of Puerto Rico, or Foreign Nations; or under a former law of this:

Chapter25	(relating to criminal homicide)
Section 2702	(relating to aggravated assault)
Section 2709.1	(relating to stalking)
Section 2901	(relating to kidnapping)
Section 2902	(relating to unlawful restraint)
Section 3121	(relating to rape)
Section 3122.1	(relating to statutory sexual assault)
Section 3123	(relating to involuntary deviate sexual intercourse)
Section 3124.1	(relating to sexual assault)
Section 3125	(relating to aggravated indecent assault)
Section 3126	(relating to indecent assault)
Section 3127	(relating to indecent exposure)
Section 4302	(relating to incest)
Section 4303	(relating to concealing death of child)
Section 4304	(relating to endangering welfare of children)
Section 4305	(relating to dealing in infant children)
Section 5902(b) Felony	(relating to prostitution and related offenses)
Section 5903(c) (d)	(relating to obscene and other sexual material and performances)
Section 6301	(relating to corruption of minors)
Section 6312	(relating to sexual abuse of children)

I have not been convicted of a felony offense under Act 64-1972 (relating to the controlled substance, drug device and cosmetic act) committed within the past five years.

I understand that I must be dismissed if I am named as a perpetrator of a founded report of child abuse within the past five (5) years or have been convicted of any of the crimes listed above.

I understand that my employment/volunteer position may be terminated if I have been named as the perpetrator of an indicated or founded report of child abuse or as an individual responsible for the injury or abuse in a founded or indicated report for a school employee.

I understand that my employment/volunteer position may be terminated if I have been convicted of a felony offense or have been convicted of a crime involved child abuse, child neglect, physical violence or moral corruptness.

I hereby swear/affirm that the information as set forth above is true and correct to the best of my knowledge and belief. I have read and understand the foregoing. I understand that the penalty for false swearing is a misdemeanor of the third degree pursuant to Section 4903(b) of the Criminal Code.

PRINT NAME: _____ SIGNATURE: _____ DATE: _____

WITNESS: _____ SIGNATURE: _____ DATE: _____