

Child/Youth Protection Guidelines
Mt. Zion Evangelical Lutheran Church
1343 Long Lane Road
Kutztown, PA 19530

Purpose

Mt. Zion 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 the youth entrusted to our care.

Statement of Commitment

As a Christian community of faith committed to ministry to and with children and youth, Mt. Zion 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 all required 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 required by the Commonwealth of Pennsylvania and the precepts of the Christian faith.

Procedures

The Congregation Council adopts these *minimum guidelines* for Mt. 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) years of age or older who apply for a paid position as an **employee** with Mt. Zion, 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 paid by the congregation (to be repeated every three (3) years upon the anniversary of their service);
 - 3) Have been the subject of a Megan's Law search;
 - 4) Have read and signed a copy of these guidelines; and
 - 5) 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 Mt. Zion, who will have direct contact with children will:
 - 1) Have demonstrated an active relationship with Mt. Zion 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 and/or the Christian Education Committee;
 - 4) Have been the subject of a Megan's Law search;
 - 5) 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 paid by the congregation, (to be repeated every three (3) years upon the anniversary of their service);
 - 6) FBI Fingerprint Background Check will NOT be required of a volunteer if the following 3 conditions apply:
 - 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* form, affirming that they have not ever perpetrated child abuse and do not have a disqualifying criminal record
 - 7) Have read and signed a copy of these guidelines.
- C. Adults who occasionally serve as chaperons for a non-overnight activity, OR as a driver to an event must:
- 1) Sign a *Volunteer Arrest and Conviction Self-Disclosure Statement and/or Non-PA Residents* form, affirming that they have not ever perpetrated child abuse and do not have a disqualifying criminal record;
 - 2) Be the subject of a Megan's Law search; and
 - 3) Have read and signed a copy of these guidelines.

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.
- F. 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.
- G. All participants thirteen (13) years of age or older shall sign a "covenant of participation" listing rules for all trips, overnight outings, etc.

3. Staff Training

- A. Paid staff members must complete training regarding the responsible supervision of children/youth and how to recognize the signs of child abuse/neglect at least yearly.
- B. While there is no current state required training for volunteers, it is considered best practice that volunteers also complete training regarding the responsible supervision of children/youth and how to recognize the signs of child abuse/neglect at least yearly.
- C. When scheduled by the church, both paid and volunteer workers with children/youth must attend the training.
- D. A free three-hour online course provides information on the recognition of child maltreatment, the obligation or opportunity to report child maltreatment, and the procedures for making a report of child maltreatment can be found at, <http://nepsynod.org/documents/child-abuse/child-abuse-course-flyer.pdf>
Documentation that this online course was completed would suffice as proof of training, and the record will be kept with the employee's clearances.

4. Reporting

In the event that an alleged/suspected incident of child abuse occurs, and the alleged perpetrator is a Mt. Zion paid or unpaid staff member, 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 forty-eight (48) hours after the oral report is made by telephone.
- 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.

In the event a Mt. Zion paid or unpaid staff member suspects that a child in his charge has been the victim of abuse, 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 forty-eight (48) hours after the oral report is made by telephone.
- B. The Pastor and the President of the Congregation Council will be notified.
- C. Mt. Zion personnel will cooperate fully with the Department of Human Services or the county agency investigating a report of suspected child abuse, including permitting authorized personnel to interview the child while in the care of Mt. Zion staff.

5. 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 against a Mt. Zion paid or unpaid staff member, 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 Mt. Zion.
- E. Buddy Rule: Persons convicted of child abuse who desire to join or re-join Mt. Zion 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.

6. 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.

7. 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 Mt. 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.

8. Compliance

The Congregation Council or designee will review at least annually the documentation maintained in the staff and volunteer locked file box/cabinet (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.

9. 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.

Proprietary and Confidentiality

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, Church Secretary, Congregation Council President are the only people authorized to have access to the file. Failure to agree to any of the provisions of this section will result in the applicant being unable to work with Mt. Zion's children and youth.

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) years of age or older who apply for a paid position as an employee at Mt. Zion who will have direct contact with children will have submitted prior to the start of employment:
 - 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 Background Check.

2. For the following categories of volunteers (teachers, helpers, youth advisers, overnight chaperones, coaches, mentors etc.) this means: All individuals eighteen (18) years of age or older who apply for an unpaid position as a volunteer at Mt. Zion 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. FBI Fingerprint Background Check will NOT be required of a volunteer if the following 3 conditions apply:
 - 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* form, affirming 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, provide 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, volunteering, 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 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.
- 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, including those who volunteer in any of these positions.
- *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.

Christian Education Committee Approval: March, 2016
Council Approval: August, 2016

PARTICIPATION AGREEMENT/AUTHORIZATION TO CONDUCT CRIMINAL BACKGROUND CHECK

The congregation of Mt. Zion Evangelical Lutheran Church is committed to providing a safe and secure environment for all children, youth, and volunteers who participate in church sponsored activities. The following statements reflect our Congregation’s commitment to preserving this house of worship as a holy place of safety and protection for all who would enter, and as a place in which all people can experience the love of God through relationships with others.

1. No adult who has been convicted of any form of child abuse should volunteer to work with children or youth in any church sponsored activity.
2. Adult survivors of child abuse need the love and support of our congregation. Any adult survivor who desires to volunteer in some capacity to work with children or youth is encouraged to discuss his/her willingness with the pastor before requesting and/or accepting an assignment.
3. All adults volunteering with children or youth of our congregation must have been active members for at least six (6) months before beginning a volunteer assignment.
4. Adults volunteering with children and youth shall observe the “Two adult rule.”
5. Adults volunteering with children and youth must attend regular training and educational events provided by this organization to keep them informed of policies and state laws regarding child abuse.
6. Adult volunteers shall report any alleged or suspected incident of child abuse as directed by the Commonwealth of Pennsylvania, and in addition they shall report any such incident to the pastor and council president.

Please answer each of the following questions:

1. As a volunteer in this congregation, do you agree to observe and abide by all guidelines regarding working with children and youth? Yes No
2. As a volunteer in this congregation, do you agree to observe the “Two adult rule.” Yes No
3. As a volunteer in this congregation, have you abided by the six (6) month rule before beginning a volunteer assignment? Yes No
4. As a volunteer in this congregation, do you agree to participate in training and education events provided by the congregation related to your volunteer assignment? Yes No
5. As a volunteer in this congregation, do you agree to promptly report abusive or inappropriate behavior? Yes No

I have read and accept this Participation Agreement, and by my signature, I swear/affirm the personal information that I am providing on this form is accurate to the best of my knowledge and may be used by Mt. Zion Evangelical Lutheran Church of Kutztown, as needed to conduct a Criminal Background Check.

***Personal Information
(Confidential)***

Print Full Name	Maiden Name and/or any other name you have ever lived under (if applicable)	
Date of birth	Social Security Number	Driver license number and State
Address: STREET - CITY - STATE - ZIP CODE		
Home Phone Number	Cell Phone Number	E-mail Address
Signature of Applicant	Date	
Signature of Witness	Date	

Mt. Zion Evangelical Lutheran Church of Kutztown

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: _____