

MONAGHAN PRESBYTERIAN CHURCH (U.S.A.)

Dillsburg, Pennsylvania

Last updated: March 21, 2016

Monaghan Presbyterian Church

Child Protection Policy



The Monaghan Presbyterian Church, as led by the Holy Spirit and the example of Jesus Christ, and under the guidance of the Scriptures, will continue to grow by sharing God's love in a nurturing community and by providing everyone the opportunity to develop their faith, act on that faith, and use their gifts, in a loving church family.

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General Purpose Statement

Monaghan Presbyterian Church seeks to provide a safe and secure environment for the children who participate in our programs and activities. By implementing the policies and procedure outlined in this document, our goal is to protect the children of Monaghan Presbyterian Church from incidents of misconduct or inappropriate behavior while also protecting our staff and volunteers from false accusations.

Scope

This policy applies to all those who work with the children of Monaghan Presbyterian Church in its mission of education, enrichment and encouragement and a deeper understand of Jesus Christ through our programs and activities.

Definitions

For the purposes of this policy the terms “child” or “children” include all persons under the age of (18) years as defined by the State of Pennsylvania. The term “worker” includes both paid and volunteer persons who work with children. The “Church” means Monaghan Presbyterian Church.

Selection of Workers

All persons who desire to work with the children participating in our programs and activities will be screened. This screening includes the following:

Written application

All persons seeking to work with children must complete and sign a written application in a form to be supplied by the Church. The application shall include but not be limited to:

- Basic Contact Information;
- Previous experience with children and church affiliations;
- Reference and employment information;
- Voluntary disclosure of any prior accusations, participation in or conviction of sexual misconduct; and
- Necessary background checks, this will be outlined later in this document

The application form will be maintained in confidence on file in the Church office.

Personal Interview

Upon completion of the application, an interview may be scheduled with the applicant to discuss his/her suitability for the position.

Reference Checks

Before an applicant is permitted to work with children, at least two of the applicant’s references may be checked. These references should be of an institutional nature as opposed to personal or family references, preferably from organizations where the applicant has worked with children in the past.

Background Clearances

Background clearances are required for all employees (regardless of position) and for volunteers having interaction with children or providing direct care, supervision, guidance or control of children. This includes but is not limited to:

- Those who will be involved on our nursery and educational classes and activities;
- Those who will be involved in overnight activities with children;
- Those counseling children;
- Those involved in the mentorship of children; and
- Those having occasional contact with children (such as vehicle drivers and chaperones for children's events).

Employees who work with children must submit the following:

1. Pennsylvania State Police Criminal Record Check
2. Child Abuse History Clearance from the Pennsylvania Department of Human Services, and
3. Federal Bureau of Investigation (FBI) Criminal Background Check.

Volunteers who desire to work with children must submit the following

1. Pennsylvania State Police Criminal Record Check
2. Child Abuse History Clearance from the Pennsylvania Department of Human Services, and
3. Federal Bureau of Investigation (FBI) Criminal Background Check. However, the FBI Criminal Background Check is not required if the volunteer meets both of the following conditions:
 - a. Has been a resident of Pennsylvania for the previous consecutive 10-year period, and
 - b. Swears or affirms in writing (using the form attached to this policy) that s/he has not, within the past five years:
 - i. Been named as perpetrator in the statewide child abuse database;
 - ii. Been convicted of one or more of certain offenses (see Section 6344 (c) attached) under PA Title 18 (relating to crimes and offenses) or an equivalent crime under Federal law or the law of another state; or
 - iii. Been convicted of a felony offense under the Controlled Substance, Drug, Device and Cosmetic Act.

No worker will be permitted to work with children until acceptable clearances are submitted. Additionally, every worker shall submit an updated background clearance within 60 months from the date of the previous clearance. Any worker whose clearances lapse will not be permitted to work with children until acceptable clearances are submitted. Any employee whose clearances lapse may also be subject to discipline, up to and including termination.

All documents relating to background clearances will be maintained in confidence at the Church.

Monaghan Presbyterian will reimburse the cost of obtaining new background clearances for all of its current employees and those volunteers who work with children on a routine basis, provided the clearances are not required for their employment elsewhere. New full-time employment applicants must pay for and produce said clearances prior to official start date, unless otherwise determined by the Personnel Committee.

Disqualifying Events

What constitutes a disqualifying event that will keep an employee from working with children will be determined by the Personnel Committee and the Pastor. The Pastor and the Nurture and Education Committee Chairperson will determine the same for volunteers seeking to work with children. If the disqualifying event is associated with the Pastor, the Personnel Committee and the Carlisle Presbytery will make the determination on the Pastor's ability to work with children. Each decision will be made on a case-by-case basis in light of all the surrounding circumstances and will be in compliance with relevant state guidelines or requirements. Generally, convictions for an offense involving children and/or for offenses involving violence, dishonesty, illegal substances, indecency and any conduct contrary to our mission, will preclude someone from being permitted to work with children. Failure to disclose a criminal conviction on the application form may be a disqualifying event.

Subsequent Arrests or Convictions

Any worker other than the Pastor subject to the above requirements who is arrested for, or convicted of, an offense that would constitute grounds for denying working with children (see 3(b)ii/iii above), or is named as a perpetrator in the state child abuse database, shall provide written notice within 72 hours to the Pastor. If the Pastor is arrested for, or convicted of, an offense that would constitute grounds for denying working with children (see 3(b)ii/iii above), or is named as a perpetrator in the state child abuse database, s/he shall provide written notice within 72 hours to the Clerk of Session.

Two Adult Rule

It is our goal that a minimum of two unrelated adult workers will be in attendance at all times when children are being supervised during our programs and activities. Some children's classes may have only one adult teacher in attendance during the class session; in these instances, doors to the classroom should remain open. During our programs and activities it is our goal to not allow minors to be alone with one adult.

Responding to Allegations of Child Abuse

For purposes of this policy, "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 when the 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 his or her essential needs, such as adequate food, water, shelter, and medical care.

Mandated Reporters

All workers having direct contact with children are mandated reporters of suspected child abuse.

In the event that an individual involved in the care of children at Monaghan Presbyterian Church becomes aware of suspected abuse of a child under his/her care, **the individual must make an immediate and direct report of suspected child abuse to ChildLine either electronically at www.compass.state.pa.us/cwis or by calling 1-800-932-0313.** A mandated reporter making an oral report of suspected child abuse shall also make a written report to ChildLine, which may be submitted electronically, within 48 hours. Additionally, the worker must immediately report the suspected abuse to the Pastor, but if the Pastor is not available or is allegedly involved, the report must be made to the Clerk of Session.

Monaghan's Response to Alleged Incident

In the event that an alleged incident of child abuse is reported to the Pastor and/or the Clerk of Session, the following procedure shall be followed:

1. The parent or guardian of the child will be notified.
2. The worker alleged to be the perpetrator of the abuse or misconduct will immediately be placed on leave from working with children pending an investigation. Upon the conclusion of the investigation, the Church will determine whether the event disqualifies the worker from working with children, using the procedure described above under Disqualifying Events.
3. Civil authorities will be notified, and Monaghan Presbyterian Church will comply with the state's requirements regarding mandatory reporting of abuse as the law then exists. Monaghan Presbyterian Church will fully cooperate with the investigation of the incident by civil authorities.
4. Our insurance company will be notified, and we will complete an incident report. Any documents received relating to the incident and/or allegations will immediately be forwarded to the insurance company.
5. The Pastor and/or Clerk of Session may seek legal advice.
6. The Pastor or designated Elder will be our spokesperson to the media concerning incidents of abuse or neglect, unless he or she is alleged to be involved. All other representatives of the church should refrain from speaking to the media.
7. A pastoral visit will be arranged for those who desire it.

Mandated Reporter Training

Workers having direct contact with children shall complete the mandated reporter training certification once every five years and shall provide proof of said completion to the Personnel Committee to be kept on file at the church. The Personnel Committee and the Nurture and Education Committee will work collectively to make training available and ensure compliance.

Convicted Sex Offenders

If it becomes known that a convicted sex offender is attending services or participating in events at Monaghan Presbyterian Church, the Pastor and the Chairperson of the Personnel Committee should immediately be informed. The Pastor and Chairperson may obtain legal advice; and may consult with any necessary community service agencies. Information will be disclosed in accordance with applicable state and federal laws and regulations. Every effort will be taken to ensure the safety of our children.

Open Door Policy

Classroom doors should remain open unless there is a window in the door or a side window beside it. Doors should never be locked while persons are inside the room.

Teenage Workers

We recognize that there may be times when it is necessary or desirable for children under age 18 to assist in caring for children during programs or activities. The following guidelines apply to teenage workers:

- Must be at least age 16;
- Must be screened and obtain background clearance as specified above; and
- Must be under the supervision of an adult and must never be left alone with children.

Check-in/Check-out Procedure

For children below third grade, a security check-in/check-out procedure should be followed. A face-to-face encounter between a worker and a parent, guardian, or adult appointed by the parent/guardian should be required at both check-in and check-out.

Medications Policy

It is the policy of Monaghan Presbyterian Church not to administer either prescription or non-prescription medications to the children under our care. Medications should be administered by a parent at home. Exceptions to the medications policy may be granted to parents of children with potentially life-threatening conditions (such as asthma or severe allergic reactions). Parents of such children should address their situation with the Nurture and Education Committee to develop a plan of action.

Discipline Policy

It is the policy of Monaghan Presbyterian Church not to administer corporal punishment, even if parents have suggested or given permission for it. There should be no spanking, grabbing, hitting, or other physical discipline of children. Workers should consult with the Nurture and Education Committee if assistance is needed with disciplinary issues.

Transportation Policy

In cases where childrens' events occur at locations other than Monaghan Presbyterian which will require transportation in private vehicles, the two-adult rule is advised. All drivers must be at least 25 years of age, licensed and insured. Pick-up/drop-off will occur at either Monaghan Presbyterian or other designated location. No child will be left unattended at the time of drop off/pick up.

Off-site/Overnight Activities Policy

In instances when Monaghan Presbyterian children participate in an off-site or overnight activity, a consent form may be requested to be completed by a parent or guardian. The consent form will include emergency contact information, insurance information, and relevant medical information (e.g., allergies or other medical conditions) as well as a statement giving consent to workers to administer or arrange for medical treatment.

Restroom Guidelines

Children five years of age and younger should use a classroom bathroom if one is available. If a classroom bathroom is not available, workers should escort a group of children to the hallway bathroom. They should always go in a group, never taking a child to the bathroom alone. The workers should check the bathroom first to make sure that it is empty, and then allow the children inside. The workers should then remain outside the bathroom door and escort the children back to the classroom. If a child is taking longer than seems necessary, the worker should open the bathroom door and call the child's name. If a child requires assistance, the workers should prop open the bathroom door, and leave the stall door open as they assist the child.

For children over the age of five, at least one adult should take the children to the bathroom. The worker should check the bathroom first to make sure that the bathroom is empty, and then allow the children inside. The worker should then remain outside the bathroom door and escort the children back to the classroom.

For the protection of all, workers should *never* be alone with a child in a bathroom with the door closed and never be in a closed bathroom stall with a child. Parents are strongly encouraged to have their children visit the bathroom prior to each class.

Accidental Injuries to Children

In the event that a child is injured while under our care, the following steps should be followed:

1. For minor injuries, scrapes, and bruises, workers will provide First Aid (Band-Aids, etc.) as appropriate and will notify the child's parent or guardian of the injury at the time the child is picked up from our care. The first aid kit can be found in the nursery near the sink, and in the kitchen in the drawer near the refrigerator.
2. For injuries requiring medical treatment beyond simple First Aid, the parent and/or guardian will immediately be notified in addition to the Pastor. If warranted by circumstances, an ambulance will be called.
3. Once the child has received appropriate medical attention, an incident report will be completed in the case of injuries requiring treatment by a medical professional.

Training

The Personnel Committee, in conjunction with the Nurture and Education Committee and the Pastor, will periodically review the Policy with staff, volunteers and parents/caregivers. Staff and volunteers will be asked to sign a statement indicating that they have read the policy and are committed to abiding by it. Additionally, opportunities for additional training classes or events will be offered on an annual basis. All workers are strongly encouraged to attend these training events.

Resource

Amendments to the PA Child Protective Services Law relevant to this Policy

1. Act 31-2014 (Child Abuse Recognition and Reporting Training)
2. Act 33-2014 (Mandated Reporters)
3. Act 153-2014 (Background Clearance Requirements, et al)

Websites offering Clearances and Certifications

1. KeepKidsSafe.pa.gov (information on laws, clearances, training, etc.)
2. www.pa-fsa.org (PA Family Support Alliance - information on laws and training)
3. <http://www.compass.state.pa.us/cwis> (Online Child Abuse History Clearance)
4. <http://epatch.state.pa.us/Home.jsp> (Pennsylvania Access To Criminal History website)
5. https://www.pa.cogentid.com/index_dpw.htm (FBI Clearance)
6. www.reportabusepa.pitt.edu (Mandated Reporter Certification)

For Questions Regarding Clearances:

1. Child Abuse History and FBI: (717)783-6244 or (877)371-5422
2. Pennsylvania State Police: (717)783-9973 or (888)783-7972

Affidavit – Exemption from FBI Clearance

I swear/affirm that I am seeking a volunteer position and **AM NOT** required to obtain a certification through the Federal Bureau of Investigation (FBI), as:

- the position I am applying for is unpaid; **and**
- I have been a resident of Pennsylvania during the entirety of the previous ten-year period.

I understand that if I have not been a resident of Pennsylvania during the entirety of the previous ten-year period, but have received certification from the FBI since establishing residency, I must provide a copy of the certification to my employer and am not required to obtain any additional FBI certifications.

I swear/affirm that, if providing certifications that have been obtained within the preceding 60 months, I have not been disqualified from service as outlined below or have not been convicted of an offense similar in nature to a crime listed below under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

I swear/affirm that I have not been named as a perpetrator of a founded report of child abuse within the past five (5) years as defined by the Child Protective Services Law.

I swear/affirm that I have not been convicted of any of the following crimes under Title 18 of the Pennsylvania consolidated statutes or of offenses similar in nature to those crimes under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

| | |
|---------------------|---|
| Chapter 25 | (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) | (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), or an equivalent crime under Federal law or the law of another state. |

I swear/affirm that 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 shall not be approved for service 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 or of offenses similar in nature to those crimes under the laws or former laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation, or under a former law of this Commonwealth.

I understand that if I am arrested for or convicted of an offense that would constitute grounds for denying participation in a program, activity or service under the Child Protective Services Law as listed above, or am named as perpetrator in a founded or indicated report, I must provide the administrator or designee with written notice not later than 72 hours after the arrest, conviction or notification that I have been listed as a perpetrator in the Statewide database.

I understand that if the person responsible for employment decisions or the administrator of a program, activity or service has a reasonable belief that I was arrested or convicted for an offense that would constitute grounds for denying participation in a program, activity or service under the Child Protective Services Law, or was named as perpetrator in a founded or indicated report, or I have provided notice as required under this section, the person responsible for employment decisions or administrator of a program, activity or service shall immediately require me to submit current certifications obtained through the Department of Human Services, the Pennsylvania State Police, and the Federal Bureau of Investigation, as appropriate. The cost of certifications shall be borne by the employing entity or program, activity or service.

I understand that if I willfully fail to disclose information required above, I commit a misdemeanor of the third degree and shall be subject to discipline up to and including denial of a volunteer position.

I understand that certifications obtained for the volunteering purposes can only be used for that purpose and cannot be used for employment purposes.

I understand that the person responsible for employment decisions or the administrator of a program, activity or service is required to maintain a copy of my certifications.

I hereby swear/affirm that the information as set forth above is true and correct. I understand that false swearing is a misdemeanor pursuant to Section 4903 of the Crimes Code.

Name: _____ Signature: _____

Witness: _____ Signature: _____

Date: _____

Acknowledgement

I hereby acknowledge that I have received a copy of the Monaghan Presbyterian Church Child Protection Policy on _____(date). I have read the policy, understand its meaning, and agree to conduct myself in accordance with this policy.

I have enclosed the following required documents (please check)

- _____ Pennsylvania State Police Criminal Record Check
- _____ Child Abuse History Clearance from the Pennsylvania Department of Human Services
- _____ Federal Bureau of Investigation (FBI) Criminal Background Check - - OR
- _____ Affidavit – Exemption from FBI Clearance
- _____ Certificate of completion for the Mandated Reporter Training

Name: _____ Signature: _____

Witness: _____ Signature: _____

Date: _____