

**THE FIRST PRESBYTERIAN CHURCH OF  
ELIZABETH**

**411 South 3<sup>rd</sup> Ave.**

**Elizabeth, PA 15037**

**[FPCElizabeth.org](http://FPCElizabeth.org)**

**Child and Youth Protection Policy**

**Approved September 2022**

## INTRODUCTION

### Purpose

The First Presbyterian Church of Elizabeth ("FPCE") seeks to provide a safe and secure environment for the children who participate in our programs and activities. By implementing the policies and procedures outlined in this document, our goal is to protect children involved in FPCE events from incidents of misconduct or inappropriate behavior while also protecting our staff and volunteers from false accusations.

### Scope

This child protection policy ("Policy") applies to FPCE workers while involved in FPCE programs and activities.

### Definitions

For the purposes of this policy, the following terms shall have the listed definitions:

"Child" or "children" includes all persons under the age of (18) years.

"Child abuse" means intentionally knowingly or recklessly doing any of the following:

- Causing bodily injury to a child through any recent act or failure to act;

- 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;

- Causing were subsequently contributing to serious mental and injury to a child through any act or failure to act or a series of such acts or failure to act;

- Causing sexual abuse or exploitation of a child through any act or failure to act;

- Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act;

- Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act;

- Causing serious physical neglect of a child;

- Causing the death of a child through any act or failure to act;

- Engaging a child in a severe form of trafficking in a persons or sex trafficking; or engaging in any of the following acts;

- Engaging in any of the following acts;

  - Beating , burn, bruise , bite, welt, strangulation, broken bones;

- Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement;

Forcefully shaking a child under one year of age;

Interfering with the breathing of a child;

Leaving a child unsupervised with an individual other than the child's parent, who the worker knows or reasonably should have known was required to register as a Tier II or Tier III sexual offender or has been determined to be a sexually violent predator or sexually violent delinquent.

"Workers" include both employees and those volunteers who work with children.

## **Employment**

### **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 the children must complete and sign a written application in the form to be supplied by the FPCE. The application shall include but not to be limited to:

- Basic contact information;

- Previous experience with children;

- Reference and employment information;

- Voluntary disclosure of any prior accusations investigations or convictions related to child Abuse

- References which should be of an institutional nature as opposed to personal and family references (profitably from organizations where the applicant has worked with children in the past); and necessary background checks (as outlined later in this document).

The completed application will be maintained in confidence on file in the FPCE office.

#### **Personal Interview**

Upon completion of the application and 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 one of the applicant's references may be checked.

#### **Background clearances**

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

- Those who will be involved in child care at FPCE activities;

- Those who will be involved in overnight activities with children and

Those who will be vehicle drivers or chaperones for children's events

Employees must submit the following:

1. Pennsylvania State Police criminal record check,
2. Child Abuse History Clearance from the Pennsylvania Department of Human Services
3. Federal Bureau of investigation ("FBI") Criminal Background Check.

Volunteers who will provide direct care supervision guidance or control of children must submit the following:

1. Pennsylvania State Police criminal record check,
2. child abuse history clearance from the Pennsylvania department of Human Services
  - a. Has been a resident of Pennsylvania for the previous consecutive 5-year period, And
  - b. Swears or affirms in writing (using the form attached to this policy) that he/she has not within the past five years:
    - i. Been named as a perpetrator in a statewide child abuse database
    - ii. Been convicted of 1 or more of certain offenses (see 23 Pa. C.S. § 6344. (c) (relating to crimes and offences) 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 five years from the date of the previous clearance. Any worker whose clearances lapse will not be permitted to work with the children until acceptable clearances are submitted. Any employee whose clearances lapse may also be subjected to discipline, up to and including termination.

All documents related to background clearances will be maintained in confidence at the FPCE.

The FPCE will reimburse the cost of obtaining new background clearances for all employees and those volunteers who work with children on a routine basis provided the clearances are not required for their employment elsewhere.

### **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 Moderator. The Moderator and the Children's Committee chairperson will determine the same for volunteers seeking to work with children if the disqualifying event is associated with the moderator the personnel committee will make the determination on the moderators ability to work with children each decision will be made on a case by case basis in light of the surrounding circumstances and will be in compliance with the relevant state law and regulations.

### **Subsequent Arrests or Convictions**

Any worker other than the Moderator subject to the policies shall provide written notices to the Moderator within 72 hours of the following events:

- \* Being arrested for, or convicted of, an offence listed in 23 PA. C.S. § 6344 ( c) or an equivalent crime under Federal law or the law of another state;

- \* Being arrested for or convicted of a felony offense under the Controlled Substances, Drugs, Device and Cosmetic Act: or

- \* Being named as a perpetrator in his state child abuse database.

The Moderator shall provide written notice to the Clerk of Session within 72 hours of any of the following events;

- \* Being arrested for or convicted of an offense listed in 23 PA . C.S. § 6344 (C) (or an equivalent crime under Federal Law or the Law of another state);

- \* Being arrested for or convicted of a felony offense under the Controlled Substance, Drug, Device and Cosmetic Act or

- \* Being named as a perpetrator in the state child abuse database.

### **Teenage Workers**

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

- \* Must be at least age 16;

- \* Must be screened and obtained background clearances as specified above; and

- \* Must be under the supervision of an adult and must never be left alone with children.

### **Training**

The Personnel Committee, in conjunction with the Children's Committee and the Moderator will periodically review the policy with workers. Workers will be asked to sign and acknowledgement (attached) indicating that they have read the policy and are committed to abiding by it. Opportunities for additional training classes or events will be offered on an annual basis. All workers are strongly encouraged to attend these training events

### **No Discrimination Against Reporters of Child Abuse**

The FPCE will not discriminate against a worker making a report of subjected child abuse with respect to the workers term and conditions of employment.

## **CARE OF CHILDREN**

### **Discipline Policy**

It is the policy of FPCE not to administer corporal punishment to children under our care. There should be no spanking, grabbing, hitting, or other physical discipline of children. Workers should consult with the Children's Committee if assistance is needed with disciplinary issues.

### **Transportation Policy**

If FPCE provides transportation in private vehicles. All drivers must be at least 22 years of age, licensed and insured. Pick-up/drop-off will occur at FPCE church or other designated location no child would be left unattended at the time of drop-off/pick up.

### **Off-site/Overnight Activities Policy**

In instances when the FPCE conducts programs or activities for children off-site or overnight, 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.

### **Medications Policy**

The FPCE will not administer either prescription or nonprescription medication to children. Medication should be administered by a parent at home. Exceptions to the medication 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 Children's Committee to develop a plan of action.

### **Accidental Injuries to Children**

If 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 parents or guardian of the injury at the time the child is picked up from our care.
2. For injuries requiring medical treatment beyond simple First Aid the parent and or guardian will immediately be notified in addition to the Moderator if warranted by circumstance, an ambulance will be called.
3. Once the child has received appropriate medical attention, an incident report will be completed in case of injuries requiring treatment by a medical professional.

## **Two Adult Goal**

It is our goal that a minimum of two adult workers will be in attendance at all times when children are being supervised during our programs and activities.

## **CHILD ABUSE**

### **Mandated Reporters**

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

In the event that a worker involved in the care of children at the FPCE has responsible cause to suspect abuse of a child **the individual must make an immediate and a direct report of suspected child abuse to child line either electronically at [www.compass.state.pa.us/](http://www.compass.state.pa.us/) cwis or by calling 1-800-932-0313.** A mandated reporter making an oral report of suspected child abuse should also make a written report to ChildLine, which may be submitted electronically, within 48 hours. Additionally, the worker must immediately report suspected abuse to the Moderator, but if the Moderator is not available or is allegedly involved, the report must be made to the Clerk of Session.

### **FPCE Response to an Alleged incident of Child Abuse**

In the event that alleged incident of child abuse is reported to the Moderator and/or the Clerk of Session, the following procedures should be followed:

1. The parent or guardian of the child will be notified.
2. The worker (if any ) alleged to be the perpetrator of the abuse or misconduct will immediately be placed on leave from working with children pending an investigation by the Children's Committee in consultation with the Moderator and/ or the Clerk of Session. Upon the conclusion of the investigation the Children' Committee in consultation with the Moderator and/or Clerk of Session will determine whether the event disqualifies a worker from working with children, using the procedure described above under Disqualifying Events.
3. Civil authorities will be notified, and the FPCE a will comply with the state requirements regarding mandatory report of abuse as a law then exists. The Moderator in conjunction with the Children's Committee will fully cooperate with the investigation of the incident by civil authorities.
4. The FPCE's insurance company will be notified, and the FPCE will complete an incident report. Pertinent documents received related to the incident and/or allegation will be forwarded to the insurance company.
5. the Moderator and or Clerk of Session may seek legal advice.
6. The Moderator is a designated spokesperson to the media concerning the incidence of abuse and neglect unless he or she is alleged to be involved. All other representatives of the FPCE should refrain from speaking to the media if the situation is such that the Moderator

cannot act as a designated spokesman then the Clerk of Session and or legal counsel will serve as a designated spokesperson.

7. A pastoral visit will arrange for those who desire it.

### **Miscellaneous**

#### **Convicted Sex Offenders**

If it becomes known that it convicted sex offenders attending FPCE events or participating in FPCE programs and activities, the Moderator should immediately be informed. The Moderator 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.



## Resources

### Pennsylvania Child Protective Services Law

23 Pa. C.S. §§ 6301-6386

#### Websites offering clearances and certifications

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

#### For Questions Regarding Clearances:

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

### Affidavit - Exemptions from FBI Clearance

I swear/affirm that I am seeking a volunteer position and **Am Not** required to obtain his 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 five-year period.

I understand that if I have not been a resident of Pennsylvania during the entirety of the previous five-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 an additional FBI certification.

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 offensive similar in nature to those crimes under the laws or former laws of the United States or one of his territories or possessions, another state 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 offences)

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 should 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 offense is 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 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 upper perpetrator in a founded or indicated report, I must provide the administrator or designee with written notice not less than 72 hours after the arrest, conviction or notification that I have been listed as a perpetrator in a Statewide database.

I understand that if the person responsible for employee decisions or the administrator of a program, activity or service has a responsible belief that I was arrested or convicted for an offense that would constitute grounds for denying participation in a program activity or service under Child Protection 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 Department of Human Services, the Pennsylvania State Police, and the Federal Bureau of investigation as appropriate. The costs of this certifications should 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 the certifications obtained for the volunteering purposes can only be used for the 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 is set forth above is true and correct. I understand that false swearing is a misdemeanor pursuant to section 4903 of the crime code.

NAME \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

WITNESS: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

**Acknowledgement**

I hereby acknowledge that I have received a copy of the FPC child protection policy on \_\_\_\_\_ (date). I have read the policy, understanding 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

NAME: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

WITNESS: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_