

ST. MARK'S EVANGELICAL LUTHERAN CHURCH
PROTECTION OF MINORS AND BACKGROUND CHECK POLICY

Updated February 2016

Introduction

Children are a most precious gift from God and members of St. Mark's Evangelical Lutheran Church (St. Mark's) are committed to being the best possible stewards of this precious gift. St. Mark's seeks to provide a safe and secure environment for all people, especially the children and youth who participate in our programs and activities. By implementing this policy, our goal is to protect the children and youth of St. Mark's from incidents of misconduct or inappropriate behavior while also protecting our staff and volunteers from false accusations.

For purposes of this policy, the terms "children", "youth" and "minors" may be used interchangeably. This policy specifically covers minors (those under age 18) and any person over the age of 18 with diagnosed diminished physical, mental or emotional capacities, a "vulnerable adult." The same care and moral duty to report abuse or neglect applies to vulnerable adults as is described in the standards and procedures for protecting minors.

The key individuals for the creation, implementation, and enforcement of this policy are: the Church Council, Legal Counsel, Sunday School Coordinator, Christian Education Committee, St. Mark's insurance carrier, and the Pastor.

1. Selection of Workers:

Anyone seeking to work with children at St. Mark's must be affiliated with, or a member of, the church for a minimum of six (6) months prior to beginning the volunteer process. During this time, interested volunteers will be educated about St. Mark's policies and trained according to this policy statement. All employees and volunteers who desire to work with the children participating in our programs and activities will be screened at the beginning of their service, and again every 60 months, according to Pennsylvania law, or as necessary, for changes in responsibility. Screening includes:

a. Written Application

All persons seeking to work with children must complete and sign an Employee And Volunteer Application Form to be supplied by St. Mark's Lutheran Church. The application will request basic information from the applicant and will inquire into previous experience with children, previous church affiliation, reference and employment information, as well as disclosure of any previous criminal convictions. The application form will be maintained in confidence and secure on file at the church.

b. Criminal Background Checks

A national criminal background check is required for all employees (regardless of position) and for the following categories of volunteers, but not limited to:

- Anyone who has "Direct contact with children: The care supervision, guidance or control of children, or routine interaction with children". (PA Senate Bill 21, 2013 Session),

- Those who will be involved in our nursery, Sunday school and youth group leaders and teachers,
- Vacation Bible School leaders and teachers,
- Those who will be involved in overnight activities with minors, especially the annual Youth Mission Trip,
- Those involved in one-on-one mentorship of minors,
- Leaders of outside, youth-related events such as sports, Girl, and Boy Scouting.

All employees and volunteers will have the following checks:

- Pennsylvania Child Abuse Clearance
- Pennsylvania State Police Background Check
- Pennsylvania Disclosure Statement
- University of Pittsburgh Online Training
- FBI Fingerprint Check (Employees only)

The online links to these background checks will be provided by St. Mark's to all who wish to have the checks completed. Some employees and volunteers will also have a Motor Vehicle record check. If an individual declines any of the above checks, s/he will not be allowed to work with children.

Employees will be required to renew background checks every 36 months. All applicable background checks are required for rehires and returning volunteers, regardless of the amount of time passed between the termination date of last employment/volunteerism and the rehire/return date. All materials related to the background checks will be maintained securely, in confidence, at the church.

It is the responsibility of all employees and volunteers to notify the Pastor and Council President within 24 hours if he/she is charged, pleads guilty to, or is convicted of any felonies or misdemeanors. Convictions for an offense involving children and/or for offenses involving violence, dishonesty, illegal substances, indecency and any conduct contrary to our mission will be reviewed by legal counsel before being permitted to work with children. Failure to disclose a criminal conviction on the application form will also be a disqualifying event.

2. Two Adult Policy

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 youth classes may have only one adult teacher in attendance during the class session; in these instances doors to the classroom will remain unlocked and open.

3. Responding to Allegations of Child Abuse

For purposes of this policy, “child abuse” is any action (or lack of action) which endangers or harms a child’s physical, psychological or emotional health and development. Child abuse occurs in different ways and includes, but is not limited to:

- Physical abuse – any physical injury to a child which 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 their essential needs, such as adequate food, water, shelter, and medical care.

Child care workers may have the opportunity to become aware of abuse or neglect of the children under our care. In the event that an individual involved in the care of children at St. Mark's becomes aware of suspected abuse or neglect of a child under his/her care, this information must be reported immediately to **Childline - 1-800-932-0313, Northampton County - 610-252-9060, or 911 in the case of emergency.** Information should also be reported to the Pastor.

All those subject to a background check (as listed above) and working with children and youth are considered mandatory reporters in the Commonwealth of Pennsylvania. A volunteer in a periodic program, such as Vacation Bible School, should also consider themselves a mandatory reporter. Ethically, we should all think of ourselves as mandatory reporters. As a church of Jesus Christ, if someone is being abused, victimized, or neglected in some way, we have an obligation to report. Our church policy and practice reflects this.

In the event that an incident of abuse or neglect is alleged to have occurred at St. Mark's or during our sponsored programs or activities, or abuse or neglect is discovered while a child is at St. Mark's, the following procedure shall be followed:

1. The proper authorities are notified. **ChildLine must be contacted immediately: 1-800-932-0313, Northampton County: 610-252-9060, or 911 in the case of emergency. In addition, a written report must be submitted using the Commonwealth electronic reporting system which is found at www.keepkidssafe.pa.gov**. Anyone at St. Mark's who suspects abuse should immediately report this to ChildLine. You are NOT to serve as an investigator, questioner, or determine if the report is credible. If a child makes a report to you, you must report. County and State authorities will determine if the claim is credible. Failure to report is punishable under the law.
2. Mandatory Reporters are protected in Pennsylvania. Reports are confidential and the names of reporters are not revealed. However, no reporter can be shielded from possible subpoena in a legal action.
3. If a church worker alleged to be the perpetrator of the abuse or misconduct, they will immediately be placed on leave from all duties pending an investigation from authorities and the church.

4. Our insurance company will be notified, and an incident report will be completed immediately.
5. We will comply with the Commonwealth's requirements regarding mandatory reporting of abuse.
6. We will cooperate with any investigation of the incident by state or local authorities. In the event there is no finding of the incident by state or local authorities, an outside, independent, 3rd party team will be formed, after the completion of the county and state investigations, to investigate the circumstances of the incident for the purpose of church discipline. The team will be in consultation with our insurance company and/or attorney.
7. Any church employee or volunteer who engages in abuse or misconduct will be removed from their position in the church.
8. All questions concerning incidents of abuse or neglect will be referred to St. Mark's official spokesperson, as appointed by the Church Council. All other employees and volunteers should refrain from speaking to the media.
9. A pastoral visit(s) will be arranged for those who desire it.

4. Teenage Workers

We recognize that there may be times when it is necessary or desirable for babysitters (paid or volunteer) who themselves are under age 18 to assist in caring for children during programs or activities. The following guidelines apply to such workers:

- Teenage workers should be at least age 14, and must complete the background checks.
- Teenage workers will receive training and must be under the supervision of an adult and must never be left alone with children.

5. Check-in/Check-out Procedure

For children below age 12, for Sunday School and Vacation Bible School,¹ parents must escort children into the church at drop off times, and physically enter the church to retrieve children at pick up time. Children will be released only to a parent or guardian who is designated on enrollment forms. The sign-in and sign-out procedure will be used at every event. A parent/guardian will sign in/out the name of each child and time arrived/departed.

6. Sick Child Policy

It is our desire to provide a healthy and safe environment for all of the children at St. Mark's. Parents are encouraged to be considerate of other children when deciding whether to place a child under our care. In general, children with the following symptoms should not be dropped off:

¹ There are additional rules for nursery care which are to be distributed to all parents who use the church nursery.

- Fever, diarrhea, or vomiting within the last 48 hours
- Green or yellow runny nose
- Eye or skin infections
- Other symptoms of communicable or infectious disease, especially if the child has not been immunized.

A child should not attend a church activity if the child is ill to the point that the child would miss school. Consult your school district's Parent Handbook for illness guidelines. Children who are observed by our workers to be ill will be separated from other children and the parent or guardian will be contacted to request that the child be picked up and returned home.

7. Medications Policy

It is the policy of St. Mark's not to administer either prescription or nonprescription medications to the children under our care. Medications should be taken at home and not brought to the church property or to a church event off-site. If medications must be taken during a church event, medication should be in the custody of a parent or guardian and administered by that person. Parents of such children should address their situation with the adult who is charged with supervising their child for a specific activity to develop a plan of action.

8. Discipline Policy

It is the policy of St. Mark's not to administer corporal punishment under any circumstances. There is no spanking, grabbing, hitting, or other physical discipline of

children. Workers and volunteers should consult with the parents if assistance is needed with disciplinary issues.

9. Restroom Guidelines

Children five years of age and younger should be escorted to the restroom by a parent or an adult who has had a background check. The worker[s] should check the bathroom first to make sure that it is empty 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, prop open the bathroom door and leave the stall door open as the child receives assistance.

For the protection of all, workers/volunteers should never be alone with a child in a bathroom (or any room) 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 at home or prior to each class.

10. Accidental Injuries to Children

The parents of participating children will complete the Parent Or Guardian Of A Minor Consent And Hold Harmless Form and the Parent Consent To Treat A Minor Form. In the event that a child or youth is injured while under our care, the following steps should be followed:

1. For minor injuries, scrapes, and bruises, workers will provide First Aid 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.

2. For injuries requiring medical treatment beyond simple First Aid, professional medical personnel will be notified, and the parent and/or guardian will immediately be contacted.

3. When the child has received appropriate medical attention from a medical professional, an incident report will be completed.

11. Technological Safety

As the availability and use of technology grows in the church, guidelines should be observed in the use of technology hardware and software.

1. No driver for any church event should use any technological device except for the purpose of GPS navigation to the destination. No driver should use handheld devices while driving.

2. Children are discouraged from bringing electronic devices to church unless asked to by a teacher or adult.

3. All electronic devices are the responsibility of the owner. St. Mark's is not responsible for their safety or security.

4. No one should view explicit pictures or videos using church devices or the wireless Internet access. No one should use gambling or illegal websites using church devices or the wireless Internet access. Employees doing so will face disciplinary action.

5. Church members should act on social media, and in all technology interactions, as though they are representing the Body of Christ and the people of St. Mark's congregation.

6. Staff and volunteers should not have private contact with minors on social media or other technological platforms. Public messages to conduct the business of the church are permitted.

7. The Pastor and Church Council will address disparaging or negative remarks about members or the St. Mark's congregation. Members who are perpetrating negative speech or actions will be addressed using the course of discipline as outlined in the church Constitution.

12. Training

St. Mark's will provide training on this child protection policy to all childcare workers/volunteers and will provide opportunities for additional training classes or events twice each year, with every volunteer and employee expected to attend one event per year. Training shall address, but not be limited to, recognition of the signs of child abuse and the reporting requirements for suspected child abuse in this Commonwealth. *From PA House Bill 431.*

For purposes of clarity, PA Senate Bills 21 & 33, and PA House Bills 431 & 436 are available at St. Mark's. These statutes clearly explain the definition of a mandatory reporter, how to contact authorities, and the penalties for non-compliance.