

**Child Safety Policy**  
**of the Graystone United Presbyterian Church Corporation**  
**commonly known as the Graystone Presbyterian Church**  
**(collectively hereinafter the “church”)**

The church has implemented this policy in an effort to maximize the safety of the children whom it seeks to nurture and bring to a saving knowledge of Jesus Christ.

The church strives to provide the safest possible environment for its congregation, children, youth, employees, staff, volunteers and visitors, to uphold the reputation and integrity of the church, and to preserve the church’s resources. This Policy supports the church’s efforts to minimize institutional risks, provide a safe environment and assist hiring authorities in making sound hiring decisions.

Background checks shall be completed for all individuals, age 18 and over, who are engaged by the church as Tier 2 Workers or Tier 3 Workers as defined in this Policy in the “Definition” section attached hereto. Additionally, as part of this Policy, it is required that all Tier 2 Workers or Tier 3 Workers, including those engaged prior to, as of, or after the effective date of this policy, must be in compliance with this Policy and also self-disclose criminal arrests and/or convictions as outlined herein.

**Background Checks**

Individuals subject to background checks shall be all Tier 2 Workers and Tier 3 Workers engaged by the church on or after the date of this policy.

**Tier 1 Worker:**

No background check shall be required for any Tier 1 Worker.

**Tier 2 Worker:**

A successful online background check must be completed prior to any Tier 2 Worker’s first day of work/engagement with the church.

Said online federal background check for Tier 2 Workers to be performed by/through ProtectMyMinistry.com or other similar organization that will perform, at a minimum, Social Security Number Verification, National Criminal Records Search and Sexual Predator/Offender Registries Search. This online background check shall be performed at no cost to the Tier 2 Worker.

### **Tier 3 Worker:**

All Tier 3 Workers shall be required to have completed and provided to the church a background check and/or verification of successful completion of Pennsylvania Act 34 (Background Check), Act 151 (Child Abuse Clearance), and an Act 114 Federal Criminal History Record Information (CHRI) clearance, in compliance with Pennsylvania Act 153 of 2014. These three (3) background checks/clearances must be successfully completed prior to any Tier 3 Worker's first day of work, and shall be performed at no cost to the Tier 3 Worker.

Any Tier 3 Workers who are Volunteers that have been a Pennsylvania resident continuously for the past 10 years are not required to complete a Federal CHRI clearance, provided however that they swear or affirm in writing that they are not disqualified from service based upon a conviction of an offense under §6344. This may be accomplished by using the attached Form Affidavit.

### **Additional Requirements for Tier 2 Workers & Tier 3 Workers:**

All Tier 2 Workers and Tier 3 Workers must have the required clearances renewed every 36 months to continue in vocational or volunteer service. The cost of future checks/clearances shall be paid by the church.

Criminal convictions for any Tier 2 Worker or Tier 3 Worker will be reviewed with respect to the nature and gravity of the offense(s); time since conviction; completion of sentence or any other remediation; relevance to the position for which the candidate is being considered or is performing; and discrepancies between the background check and what the candidate self-reported. When a finding adversely impacts eligibility to be engaged by the church in a specific position, the candidate will be notified of the decision and given associated information required by law.

Background checks will be used solely to evaluate a Tier 2 Worker's or Tier 3 Worker's eligibility to be engaged by the church, and will not be used to discriminate on the basis of race, color, national origin, ancestry, gender, disability or handicap, age, veteran's status,

### **Pennsylvania Reporting Requirements**

Any Tier 3 Worker who, in the course of his/her work capacity with the church, comes into contact with children shall report or cause a report to be made in accordance with 23 Pa.C.S. § 6311 (relating to reporting procedure) when the person has reasonable cause to suspect, on the basis of medical, professional or other training and experience, that a child under the care, supervision, guidance or training of that person, or of an agency, institution, organization or other entity with which that person is affiliated, is a victim of child abuse.

In addition to those persons and officials required to report suspected child abuse, any Tier 1 Worker or Tier 2 Worker should make such a report if that person has reasonable cause to suspect that a child is an abused child.

The current PA Department of Welfare statewide toll-free telephone hotline number to report suspected abuse, commonly known as “ChildLine,” is 1-800-932-0313. Online reports can be made at <http://www.compass.state.pa.us/cwis/public/home>.

Under the Pennsylvania Child Protective Services Law, mandated reporters are required to immediately make a report when they have reasonable cause to suspect that a child under their care, supervision, guidance or training is being abused. This requirement also applies when the child is under the care of the mandated reporter’s agency.

Mandated reporters include many professionals, for example: doctors, nurses, psychiatrists, school officials, *clergy*, court personnel, child care workers, county caseworkers and hospitals. Significantly, this group has been expanded effective January 1, 2015 to also include church staff and volunteers who regularly work with children, *i.e.*, Tier 3 Workers.

The law requires that mandated reporters must immediately make a report. If they work in an institution, they must notify a person in charge, who is in turn responsible to make the report. They do not have to know for certain that abuse has occurred, however, a person in charge or the designee must report suspected abuse to ChildLine.

The Pastor or CPPO (as defined in this Policy in the “Definition” section attached hereto) shall notify any reporter of the time and date the report of suspected abuse was made to ChildLine.

Mandated reporters can learn more about their obligations to report child abuse by printing an informative brochure on the department’s website. To read the brochure, visit [www.dpw.state.pa.us](http://www.dpw.state.pa.us) and click on For Children, then Child Welfare Services.

Any allegation of abuse or any situation which appears to be inappropriate or abusive must be moved forward to the appropriate civil, criminal, or ecclesiastical authority within twenty-four (24) hours of receipt of the information.

### **Lines of Reporting**

If an allegation is made against a Minister of the Word and Sacrament, it shall be reported to the Clerk of Session who will refer the matter to the stated Clerk of the Presbytery. In the absence of the Clerk of Session, the report will be made directly to the Chairperson of the Personnel Committee who will refer the matter to the stated Clerk of Presbytery.

If an allegation is made against any Tier 3 Worker, other than a Minister of the Word of Sacrament, it shall be reported to the Church Protection Policy Official or “CPPO.”

If an allegation is made against a Tier 2 Worker, it shall be reported to the Director of Children’s or Youth Ministries who shall immediately bring the report to the attention of the CPPO.

Should an allegation of abuse be made against any other member of the church, a Tier 1 Worker, or person on church property, it shall be reported to the CPPO.

## **Church Response Team**

Following receipt of a report of alleged abuse or inappropriate behavior, the Pastor or CPPO shall immediately constitute a Response Team and offer pastoral care to the abused and family. The Response Team is encouraged to consult with legal counsel to ensure appropriate action is taken.

The Pastor or CPPO shall select four members of Session, two men and two women, as potential members of a Response Team should an allegation of abuse of a child or youth be reported. One man and one woman from this group, along with the Pastor or CPPO and one member as selected by the Pastor or CPPO from the Personnel Committee, shall serve as the Response Team (4 members total). The Response Team will take all precautions not to do anything which might compromise either a civil, criminal, or ecclesiastical investigation.

The sequence of actions taken by the Response Team will vary according to each situation, and the responsibilities of the Response Team may include, if appropriate, some of the following:

- Although it is recognized that false accusations may sometimes be made, the Response Team shall not assume any accusation(s) to be false.
- The church shall report and/or refer the matter as required by law to the proper civil, criminal and/or church authority for investigation and adjudication.
- Notifying the church's legal counsel that an allegation of abuse has been made.
- Notifying the church's insurance carrier that an allegation of abuse has been made.
- Engaging Resource Persons (as defined in this Policy in the "Definition" section attached hereto).
- Maintaining and preserving all information gathered in a confidential manner with the exception of such information to be forwarded and/or disclosed to the appropriate investigative authorities.
- Meeting with the reported victim, his/her family and any witnesses and making a timely and thorough inquiry into the circumstances of the alleged offense, gathering detailed information related to the allegation. One member of the Response Team shall be designated to keep accurate documentation of all interviews conducted by the Response Team.
- Informing the victim that regardless of any action taken, or not taken, by the church, a victim retains the right to file a complaint of alleged abuse directly with civil or criminal authorities, and in such instance, the church will cooperate fully with any investigation.
- Inquire if the victim may benefit from and/or need any type of additional support and/or professional counseling.

- Determining if the accused should immediately be suspended from his/her position based upon the gravity of the situation. The Pastor, or CPPO acting as team leader, shall have the authority to suspend any non-ministerial Worker from his/her position. Any suspension must be reported to Session for review and final disposition.
- If necessary, meeting with the accused to notify him/her of the accusation made, to impose a suspension of duties if warranted, and to provide appropriate spiritual support.
- If a meeting with an accused occurs, at the beginning of each and every meeting with the person against whom an allegation has been made, the accused shall be informed of his/her right to remain silent and to be represented by his/her own counsel or designated representative.
- If such a meeting occurs, the accused shall be advised that the allegation has been or will be reported to the appropriate legal authorities and that the church will cooperate fully with any investigation(s).
- If appropriate, designate a Spiritual Support Team (“SST”) (as defined in this Policy in the “Definition” section attached hereto).

### **Miscellaneous Provisions**

Third party organizations and/or groups that are approved to use church facilities (*i.e.* Seeds of Faith Christian Academy, Boy Scouts, Book Clubs, etc.) are not covered by this Policy, and any use of the facility shall be per the terms and conditions provided in the Facilities-Usage Agreement.

Should a charge of abuse be made against any Worker by an organization or group participant, the complaint will be referred to the CPPO for review and further action.

Tier 3 Workers responsible for children’s programs shall make every effort to insure that children are not placed in a position where possible abusive behavior can occur.

It is required that, at a minimum, two adult Tier 3 Workers and/or other Workers be present or in a position to observe behavior while children’s church programs are occurring within or outside the church.

In cases where a child needs to be separated from his/her peers for unacceptable behavior or other reason, no Worker shall be permitted to be alone with the child in a non-public area.

Any Worker’s failure to report child abuse may be cause for sanctions and/or termination from the individual’s work capacity with the church.

The church will ensure that any good faith report made pursuant to this Policy does not and cannot lead to any retaliation, of any form whatsoever, against the individual who makes such a report.

### **Ongoing Requirements**

When a new position is created or the title of an existing position is changed, the position description shall specify that the position is covered by the clearance requirements of the Child Protective Services Law.

If there is a lapse in any Tier 2 Worker's or Tier 3 Worker's service of thirty-six (36) months or more, the appropriate Background Check(s) as required hereinabove must be secured when the individual is again recruited.

If any Tier 2 Worker or Tier 3 Worker is placed on the inactive member roll, or has failed to attend corporate worship for twelve (12) consecutive months or more, the appropriate Background Check(s) as required hereinabove must be secured when the individual is again recruited.

Any Tier 2 Worker or Tier 3 Worker must provide the administrator or their designee with written notice not later than 72 hours after the arrest, conviction or notification that the person has been listed as a perpetrator in a state wide database.

### **Implementing Policies/Procedures**

The Personnel Committee, on behalf of the Session, will be responsible for general oversight of this Child Safety Policy.

This Policy will be implemented with all new Workers as part of the application/hiring process. The standards developed for the church will also be provided to and discussed with all organizations and groups using the facility, posted in appropriate locations, and shall be available at the church office.

A designated Employee will be responsible for seeing to the collection and storage of the clearance/information sheet documents.

Photocopies of clearance documents will be retained in all Tier 2 Workers' and Tier 3 Workers' personnel files. A notation will be made on the copy, with date and initials of the witness, that the original was seen.

All clearance documents provided under the Child Protective Services Law are to be retained for as long as the Tier 2 Worker or Tier 3 Worker holds a position with the church, and for five years thereafter.

All Workers will be provided with a copy of this policy.

## Definitions

1. **Adult** – any person 18 years of age or older.
2. **Child, Children or Youth** - any individual(s) who has/have not yet reached the chronological age of eighteen (18) years.
3. **Child abuse** - a term meaning any of the following:
  - (i) A recent act or failure to act by a Worker which causes non-accidental, serious physical injury to a child.
  - (ii) A recent act or failure to act by a Worker which causes non-accidental, serious mental injury to or sexual abuse or sexual exploitation of a child.
  - (iii) A recent act, failure to act or series of acts or failures to act by a Worker which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child.
  - (iv) Serious physical neglect by a Worker constituting prolonged or repeated lack of supervision or the failure to provide adequate care and/or supervision, which endangers a child's life or development or impairs the child's functioning.
4. **Church Protection Policy Official or "CPPO"** – the Pastor shall act as the designated church representative to whom all reports of alleged abuse, as defined below, inappropriate behavior or concerns with children or youth are to be made. In the event of a conflict or if the Pastor is unavailable, the Associate Pastor or the Chairperson of the Personnel Committee shall act as the designated church member to whom all reports of inappropriate behavior or concerns with children or youth are to be made.
5. **Employee** – any person who is hired for a wage, salary, fee or payment to perform work for the church. However, this definition shall not include independent contractors.
6. **Recent acts or omissions** - Acts or omissions committed within 2 years of the date of the report.
7. **Resource Persons** – individuals whose services would be valuable to a church in the context of child abuse, for example, a trained pastor, a Committee on Ministry representative knowledgeable in polity and the effects of child abuse, a consultant or therapist with knowledge and experience in dealing with child abuse, an attorney who can discuss legal aspects of a case, an insurance agent who can advise the church about its exposure to liability or coverage, or any other individual whose experience and expertise may be beneficial.
8. **Serious mental injury** —A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment that does one or more of the following:
  - (i) Renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened.

(ii) Seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

**9. Serious physical injury** - An injury that causes a child severe pain or significantly impairs a child's physical functioning, either temporarily or permanently. Striking a child at any time for any reason is not acceptable behavior within the scope of this definition. Physically restraining a child who might be a danger to him/herself or others is not prohibited.

**10. Sexual abuse or exploitation**—The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another person to engage in sexually explicit conduct or a simulation of sexually explicit conduct for the purpose of producing a visual depiction, including photographing, videotaping, computer depicting or filming, of sexually explicit conduct or the rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, statutory sexual assault or other form of sexual exploitation of children. In addition to this Policy, any matter involving alleged sexual abuse or exploitation of a child shall also be governed by the current Sexual Misconduct Policy of the church.

**11. Spiritual Support Team or "SST"** – a team appointed by the Response Team. Its purpose will be to attempt to address and aide the specific spiritual and emotional needs of the victim(s) and their families (if any), the accused and his/her family (if any) and the congregation. The SST shall ***not*** investigate the allegation(s) or in any way function as an investigating team.

**12. Tier 1 Worker** - any Worker who in such capacity is ***not*** directly involved with and/or comes into contact with children as part of his/her service/duties, and as such would not have contact with children, or involvement with any children or any children's activity or program, on more than one occasion in any given calendar year, and would never be with a child overnight.

**13. Tier 2 Worker** - any Worker who in such capacity is ***not*** directly involved with and/or comes into contact with children as part of his/her service/duties, but who may have extremely limited contact with children, or involvement with children or any children's activity or program, not more than on three (3) total occasions in any given calendar year, and would never be with a child overnight.

**14. Tier 3 Worker**- any Worker who in such capacity is directly involved with children and/or has contact with children on more than three (3) occasions in any given calendar year as part of a regularly scheduled program, activity, and/or service which is part of his/her service/duties or would ever be with a child overnight.

**15. Volunteer** - shall mean any person who freely undertakes or performs services and/or duties on behalf of the church without being under any legal obligation to do so and without being promised (or receiving) any remuneration for his/her services.

**16. Worker** - refers to any Employee, Elder, Deacon, Stephen Minister, Usher, or Volunteer of the church, and when used without a preceding adjective, shall include all Tier 1, Tier 2, and Tier 3 Workers.

**17. Work Capacity** – refers to the performance of any duties and/or services in association with and/or on behalf of the church as a Worker.