

FIRST PRESBYTERIAN CHURCH IN PHILADELPHIA

CHILD, YOUTH, AND VULNERABLE ADULT PROTECTION POLICY

I. INTRODUCTION AND PURPOSE

This Child, Youth, and Vulnerable Adult Protection Policy (the “Policy”) seeks to provide a safe and welcoming atmosphere for Children, Youth, and Vulnerable Adults at First Presbyterian Church in Philadelphia (“FPCP”). Through this Policy we intend to:

- A. be faithful to our baptismal vows as we seek to welcome Children, Youth, and Vulnerable Adults, and to serve as a witness against Abuse;
- B. provide a code of conduct and procedures to maintain a safe and secure environment for Children, Youth, and Vulnerable Adults, consistent with the requirements of the Pennsylvania Child Protective Services Law; and
- C. safeguard children, youth, and vulnerable adults in their interactions with representatives of FPCP-sponsored programming and events.

II. SCOPE

- A. This Policy shall apply to any adult who participates with FPCP approval at an FPCP Event (“Responsible Adult”) including, but not limited to:
 1. All paid staff members (whether full-time or part-time);
 2. Volunteers who work with Children at FPCP, including but not limited to all Sunday School teachers and nursery volunteers;
 3. Independent Contractors who have direct supervision of Children at FPCP (“Contractors”); and
 4. Third Party users renting or using FPCP facilities (“Outside Users”).
- B. This Policy shall cover any activity or event sponsored by FPCP on and off FPCP premises involving Children, Youth, and Vulnerable Adults (“FPCP Event”), and includes, but is not limited to:
 1. Children’s Programming;
 2. Youth Programming;
 3. Child Care;

4. Church sponsored retreats and Mission Trips; and
5. Summer Camp.

III. DEFINITIONS

For the purposes of this Policy, the following definitions apply:

- A. Abuse/abuse: Any act or failure to act that results in the physical, sexual, psychological, or emotional mistreatment, neglect, or exploitation of a minor or vulnerable adult.
- B. Minor: Any Child or Youth (any person under the age of 18 years).
- C. Child(ren): A person under the age of 12 years.
- D. Youth: A person 12 through 17 years old.
- E. Vulnerable Adult: Any person 18 years old or older without the developmental or cognitive capacity to consent.
- F. Responsible Adult: Any adult who is approved by FPCP to supervise or perform services at an FPCP Event, including all paid staff members and all regular volunteers (including but not limited to all Sunday School/Christian education teachers and nursery volunteers) who participate in any FPCP Event.

All Responsible Adults are considered to be Mandated Reporters.
- G. Mandated Reporter: Any person who is defined under Pennsylvania Law as a Mandated Reporter (see Exhibit "A" to this Policy), required by the Pennsylvania Child Protective Services Law (CPSL) Section 6311 to report Abuse under Pennsylvania law).
- H. FPCP Event: Any activity or event sponsored by FPCP for children, youth, or vulnerable adults.

IV. GUIDELINES FOR INTERACTIONS WITH MINORS AND VULNERABLE ADULTS

FCPC expects that all Employees, Volunteers, and Contractors who work with Minors and Vulnerable Adults will exemplify Christ's love of Children in all that they do and will serve as healthy and positive role models:

All Adults subject to this Policy are expected to:

- A. Provide proper supervision and exercise sound judgment in maintaining a safe and secure environment for Minors and Vulnerable Adults.
- B. Ensure that the interiors of the Classrooms are visible from the hallways and that Classroom doors remain unlocked while Minors and Vulnerable Adults are present.
- C. Be alert to possible signs of Abuse of Minors and Vulnerable Adults participating in FPCP Events and immediately report any suspicions to a Responsible Adult. The appropriate staff person shall report the situation to the appropriate agency within 24 hours.
- D. Use physical restraint only when necessary to protect the Minor or Vulnerable Adult from harm and report the circumstances to the Minor or Vulnerable Adult's parent and guardian and the responsible staff person.
- E. Only release Minors or Vulnerable Adults to an authorized parent, guardian, or to adults designated by the Minor or Vulnerable Adult's parent or guardian, or a court with appropriate jurisdiction.
- F. Not abuse Minors or Vulnerable Adults verbally, emotionally, physically, sexually, or spiritually.
- G. Not discipline Minors or Vulnerable Adults by use of physical punishment or withholding the necessities of care.
- H. Not possess or use illegal drugs or smoke or use tobacco or e-cigarettes while responsible for the Children or Vulnerable Adults during FPCP Events.
- I. On overnight trips with Minors or Vulnerable Adults, observe reasonable boundaries to respect the privacy, safety, and security of each person.

V. SCREENING AND EDUCATION OF RESPONSIBLE ADULTS, CONTRACTORS AND OUTSIDE USERS

- A. No staff member, Volunteer, or Contractor may work with Minors or Vulnerable Adults if he or she has a past conviction for, or a pending proceeding alleging, any of the following: Abuse; pedophilic behavior; incest; rape, assault, indecent exposure, pornography, neglect or exploitation of a Minor or Vulnerable Adult.
- B. Before participating in any FPCP Event, each Responsible Adult, Contractor and Outside User shall be screened, educated, and the following documentation to the Church Administrator, with filing/administrative expenses for obtaining the same to be paid by FPCP, as follows:

1. Full-time and Part-time Staff:

- a) a written acknowledgment that the individual has reviewed the current policy , understands it and agrees to comply with it, to be renewed annually;
- b) either a criminal record check from the Pennsylvania State Police or a statement from the Pennsylvania State Police that the State Police central repository contains no information, as set forth in V(A), above, relating to that person, which shall be done every five years;
- c) a current clearance from the Pennsylvania Department of Human Services that the person has not been named in the statewide database as the alleged perpetrator in a pending child abuse investigation or as the perpetrator of a founded report or an indicated report;
- d) certification of participation in a training program, selected by FPCP and subject to change from time to time, concerning recognizing and reporting child abuse; and
- e) a report of Federal criminal history record information (with submission of fingerprints); and

2. Volunteers:

- a) a written acknowledgment that the individual has reviewed the current policy , understands it and agrees to comply with it, to be renewed annually;
- b) either a criminal record check from the Pennsylvania State Police or a statement from the Pennsylvania State Police that the State Police central repository contains no information, as set forth in V(A), above, relating to that person, which shall be done every five years;
- c) a current clearance from the Pennsylvania Department of Human Services that the person has not been named in the statewide database as the alleged perpetrator in a pending child abuse investigation or as the perpetrator of a founded report or an indicated report;
- d) certification of participation in a training program, selected by FPCP and subject to change from time to time, concerning recognizing and reporting child abuse; and
- e) a report of Federal criminal history record information (with submission of fingerprints); UNLESS:

- i. the person been a resident of this Commonwealth during the entirety of the previous 10-year period; OR if the person has not been a resident of this Commonwealth during the entirety of the previous 10-year period, he or she has received the certification required by this subsection at any time since establishing residency in this Commonwealth and provides a copy of the certification to the person responsible for the selection of volunteers; AND
- ii. the person swears or affirms in writing that he or she is not disqualified from service pursuant to 23 Pa.C.S. § 6344; or the person has not been convicted of an offense similar in nature to those crimes listed in 23 Pa.C.S. § 6344(c) 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.

3. Contractors and Outside Users:

- a) Provide a written acknowledgment that the contractor/outside user has reviewed the current policy , understands it and agrees to comply with it, to be renewed annually;
- B. The Church Administrator shall be responsible for coordinating the completion of the above screening requirements and for maintaining the results of background checks and related information in confidential, secured files.
- C. The checks and certifications described above shall be repeated at least every 60 months, unless otherwise noted above.
- D. The documentation requirements of this Section may be satisfied by the presentation of certifications obtained for other employment as permitted by Pennsylvania law.
- E. If a report required under Section V.B. discloses a founded report of abuse or a conviction for any felony or a misdemeanor relating to abuse of a minor, violence, or sexual assault, the Church Administrator shall refer the background check to the Head of Staff, who, after consultation with the Personnel Committee, shall make a determination as whether the individual in question may serve in the capacity of a Responsible Adult. As indicated above, *in no event shall a person who has been identified as the perpetrator of a founded report of abuse as described in 23 Pa.C.S. §*

6344(c) or of an offense described in 23 Pa.C.S. § 6344(c) be a Responsible Adult.

VI. SUPERVISION OF FPCP EVENTS

- A. At least one Responsible Adult shall be present at each FPCP Event.
- B. Additional adults, including parents, may also be present at FPCP Events as necessary and appropriate based on the type of event, but the FPCP Event will be supervised by the Responsible Adult(s) in attendance.

VII. REPORTING ABUSE

A. REPORTING ABUSE OR SUSPECTED ABUSE OF MINORS:

Abuse or suspected abuse of a minor is to be reported by calling the Pennsylvania Child Abuse Hotline, ChildLine at 1-800-932-0313 and also reporting the Abuse to the Head of Staff (unless the Head of Staff is implicated, in which case the Clerk of Session and/or the Chair of the Personnel Committee shall be notified) as follows:

- 1. Any Responsible Adult/Mandated Reporter must report, as set forth above;
- 2. Any other adult is urged to report, as set forth above, when that person has knowledge or suspects abuse that has occurred at FPCP or at an FPCP event;
- 3. Members of the FPCP congregation shall be reminded on a periodic basis by the Head of Staff and/or Chair of the Personnel Committee, that if they suspect or have any knowledge of abuse or suspected abuse, they are urged to report, as set forth above.

B. REPORTING ABUSE OR SUSPECTED ABUSE OF A

VULNERABLE ADULT: *Abuse or suspected abuse of a Vulnerable Adult is to be reported by calling the Pennsylvania Protective Services Hotline at 1-800-480-8505 and also reporting the Abuse to the Head of Staff (unless the Head of Staff is implicated, in which case the Clerk of Session and/or the Chair of the Personnel Committee shall be notified) as follows:*

- 1. Any adult is urged to report, as set forth above, when that person has knowledge or suspects abuse that has occurred at FPCP or at an FPCP event;
- 2. Members of the FPCP congregation shall be reminded on a periodic basis by the Head of Staff and/or Chair of the Personnel Committee, that if they suspect or have any knowledge of abuse or suspected abuse, they are urged to report, as set forth above.

VIII. SAFETY OF MINORS AND VULNERABLE ADULTS AT FPCP EVENTS

- A. Each Responsible Adult shall, at least every 2 years, complete a first aid and CPR (including child CPR) training course selected and paid for by FPCP, subject to change from time to time.
- B. FPCP will request that a form be completed at least annually by parents or guardians of minors and vulnerable adults who participate in FPCP Events. The form shall request information concerning any medical or safety concerns that would require attention from a Responsible Adult during an FPCP Event and emergency contact information and be treated as confidentially as possible for the purpose of protecting the minor or vulnerable adult.

IX. COMMUNICATIONS WITH MINORS

- A. Responsible Adults shall not use any form of communication, including e-mail or social media, such as, but not limited to, Facebook, Twitter, and Instagram, for personal interactions (whether by exchange of text, photographs, or otherwise) with FPCP Minors or Vulnerable Adults other than as described in the following section.
- B. If a FPCP-affiliated Child, Youth, or Vulnerable Adult initiates a personal communication, including e-mail or social media, to a Responsible Adult, the Responsible Adult shall notify the parent(s) or guardian(s) of the Child, Youth, or Vulnerable Adult that he or she was contacted by the Child, Youth, or Vulnerable Adult, unless the Child, Youth, or Vulnerable Adult is reporting a claim of Abuse against his or her parent or guardian. Under any scenario, the nature and content of the communication initiated by the Child, Youth, or Vulnerable Adult need not be disclosed to the parent or guardian.

EXHIBIT A

Persons required to report suspected child abuse under 23 Pa.C.S. § 6311:

- A. **Mandated Reporters.** – The following adults shall make a report of suspected child abuse, subject to subsection (B), if the person has reasonable cause to suspect that a child is a victim of child abuse:
1. A person licensed or certified to practice in any health-related field under the jurisdiction of the Department of State,
 2. A medical examiner, coroner or funeral director,
 3. An employee of a health care facility or provider licensed by the Department of Health, who is engaged in the admission, examination, care or treatment of individuals,
 4. A school employee,
 5. An employee of a child care service, who has direct contact with the children in the course of employment,
 6. A clergyman, priest, rabbi, minister, Christian science practitioner, religious healer or spiritual leader of any regularly established church or other religious organization,
 7. An individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, is a person responsible for the child's welfare or has direct contact with children,
 8. An employee of a social services agency, who has direct contact with children in the course of employment,
 9. A peace officer or law enforcement official,
 10. An emergency medical services provider certified by the Department of Health,
 11. An employee of a public library, who has direct contact with children in the course of employment,
 12. An individual supervised or managed by a person listed under paragraphs (1), (2), (3), (4), (5), (6), (7), (8), (9), (10), (11), (13) who has direct contact with children in the course of employment,
 13. An independent contractor,
 14. An attorney affiliated with an agency, institution, organization or other entity, including a school or regularly established religious organization that is responsible for the care, supervision, guidance, or control of children,
 15. A foster parent,
 16. An adult family member who is a person responsible for the child's welfare and provides services to a child in a family living home, community home for individuals with an intellectual disability or host home for children which are subject to supervision or licensure by the department under Articles IX and X of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

B. Basis to Report. –

1. A mandated reporter enumerated in subsection (A) shall make a report of suspected child abuse or cause a report to be made in accordance with Section 6313 (relating to reporting procedure), if the mandated reporter has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:
 - i. The mandated reporter comes into contact with the child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity of service,
 - ii. The mandated reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization, or there entity that is directly responsible for the care, supervision, guidance or training of the child,
 - iii. A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse,
 - iv. An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.
2. Nothing in this section shall require a child to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse,
3. Nothing in this section shall require the mandated reporter to identify the person responsible for the child abuse to make a report of suspected child abuse.
- 4.

C. Staff members of institutions, etc.-

Whenever a person is required to report under subsection (B) in the capacity as a member of the staff of a medical or other public or private institution, school, facility or agency, that person shall report immediately in accordance with section 6313 and shall immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge. Upon notification, the person in charge or the designated agent, if any, shall Facilitate the cooperation of the institution, school, and facility or agency with the investigation of the report. Any Intimidation, retaliation or obstruction in the investigation of the report is subject to the provisions of 18 Pa.C.S. § 4958 (relating to intimidation, retaliation or obstruction in child abuse cases). This chapter does not require more than one report from any such institution, school, facility or agency.