

APPENDIX 48

CONGREGATIONAL BACKGROUND CHECK SAMPLE POLICY

SAFE SANCTUARIES POLICY

[Adopted and commended to the congregations, August 4, 2015]

I. THEOLOGICAL AFFIRMATIONS

As Presbyterians, we affirm that the great ends of the church include “the shelter, nurture, and spiritual fellowship of the children of God. We believe that we are called to love one another and to be the family of God. Scripture tells us to value the worth of all children, helping them develop healthy self-esteem and identity (Genesis 1:27; Matthew 19:14). It tells us to stand against injustice and oppression (Micah 6:8). Our Confessions tell us that “The moral law doth forever bind all, as well justified persons as others, to the obedience thereof; and that not only in regard of the matter contained in it, but also in respect of the authority of God the Creator who gave it. Neither doth Christ in the gospel any way dissolve, but much strengthen, this obligation.” (Westminster Confession of Faith 6:105). In the Brief Statement of Faith (lines 65-71), we affirm, “In a broken and fearful world the Spirit gives us courage to pray without ceasing, to witness among all peoples to Christ as Lord and Savior, to unmask idolatries in Church and culture, to hear the voices of peoples long silenced, and to work with others for justice, freedom and peace.”

II. POLICIES

A. Overall Safety

1. A Safe Sanctuaries Committee shall be appointed by [group]. It shall consist of at least [number (3 or more)] members, of whom one shall be a current member of the session, one a current member of trustees, the pastor or moderator, and [others].

2. All staff members and adults (18 years or older) working with the children of youth of the [name] Presbyterian Church will have on file at the church a processed up-to-date clearance for Pennsylvania Criminal Record Check and a Pennsylvania Child Abuse History Clearance.

- a. All staff must additionally have an FBI National Criminal Database check with fingerprints.
- b. All volunteers must have either an FBI National Criminal Database Check with fingerprints, or, if eligible, may submit a notarized affidavit of national clearance. Only individuals who have lived in the state of Pennsylvania continuously for at least the last ten years are eligible to submit a notarized affidavit. All others must submit the FBI fingerprint check.

These clearances must be updated every five years.

3. Training requirements [Each session to set its own requirements that meet state minimums.

- a. Staff must take PA-approved Mandated Reporter Training.
- b. Volunteers must meet requirements set by the session. Insert those requirements here.]

4. Whenever possible, two or more adults will be present at all times working with children or youth.
5. Volunteers must be at least five (5) years older than the oldest child in the group.
6. Whenever possible, “windowless” doors should be kept open.
7. “Roamers,” (Adults who periodically check on caregivers or supervisors) may be used when necessary and shall have access to all rooms used by children and youth.

B. Overnight Policies

1. All adults spending the night as chaperons must have submitted processed clearance checks prior to the night of the event.
2. Suggested adult-child or adult/youth ratio is one adult per every five children or youth.
3. If the overnight is a sleepover, boys and girls will reside in separate rooms with an appropriate number of adult chaperones. Adults will never sleep adjacent to youth and children.
4. Adults will share rooms with adults only, unless the adult is the parent of the child. Children will share rooms with other children only; youth will share rooms with other youth only.
5. All overnight functions hosted or sponsored by the church must be cleared by the session in advance.
6. Any exceptions to the above must be specifically approved by the session prior to the event.

C. Transportation Policies

1. No drivers under the age of 21 will be used to transport children/youth
2. All drivers shall have the proper credentials in the state of residence. Drivers must give church a copy of their driver’s license and proof of insurance, which shall be kept on file in the church office.
3. All drivers should be safe drivers. Drivers with a D.U.I., an excessive number of speeding tickets, or other violations will be evaluated by the Safe Sanctuaries Committee on a case by case basis.
4. All drivers must have adequate insurance coverage and current background checks.

5. Church will confirm that church also carries insurance on volunteer drivers and passengers, including hired and non-owned auto coverage. Church will follow requirements of church's insurance carrier.
5. Every driver should have instructions and directions and the ability to communicate with other drivers and/or a central location, but drivers should not attempt to caravan.
6. No adult should transport a single child or youth by him or herself.
7. There should be adequate space for all passengers and for all luggage and equipment.
9. Any exceptions to the above requirements will be negotiated with the adult leaders of the event prior to the event and/or the Safe Sanctuaries Committee.

D. Policies for Recruiting and Screening of Staff and Volunteers who will have oversight of children [Session may impose additional or separate requirements for either staff or volunteers, but list here.]

1. All potential staff and volunteers must complete an application form to be kept on file by the church.
2. Every potential volunteer must include personal references from three unrelated adults who could speak to their ability to work with children or youth. These references must be received prior to approval as a volunteer, preferably with the application.
3. Every potential volunteer must have attended worship and/or Sunday School at [Name of Congregation] Presbyterian Church on a regular basis for six months prior to applying to work as a volunteer with children or youth.
4. All potential volunteers must be willing to submit to an interview with the Safe Sanctuaries Committee upon request of the Committee.
5. All potential staff and volunteers must have completed up-to-date clearances on file at the church. See section II.A. 2 for requirements.
6. Every potential staff and volunteer shall receive a copy of the Safe Sanctuaries policies and guidelines. Training sessions and information about how to recognize abuse and/or misconduct and how to report it shall be provided by [the Safe Sanctuaries Committee or name other acceptable providers]. The Safe Sanctuaries Committee reserves the right to require attendance at such training prior to or during work or volunteering with children and youth.
7. Records
 - a. All records of applications, clearances, licenses, shall be kept in a locked file cabinet.

- b. Only [members of the Safe Sanctuary Committee? Clerk of session? Chair of trustees? Or ? list specific individuals by role,] will be authorized to access the individual files.

E. Policies for Reporting Misconduct or Abuse

1. Mandated reporters are now required to report immediately to the Child Abuse Hotline (800) 923-0313, either by telephone or by a written report using electronic technologies approved by PA law and shall immediately thereafter notify the person in charge of the facility or the designated agent [or other individual/role named by the church].

Upon notification the person in charge or the designated agent shall facilitate the cooperation of the institution, school, facility or agency with the investigation of the report. The individual making an oral report of suspected child abuse shall also make a written report, which may be submitted electronically, within 48 hours to the department or county agency assigned to the case in a manner and format prescribed by the department.

2. State Law defines a mandated reporter as including: a school employee; an employee of a child care service who has direct contact with children in the course of employment; clergyman or woman, or spiritual leader of any regularly established church or other religious organization; 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, accepts responsibility for a child; an individual supervised or managed by a person listed under the above who has direct contact with children in the course of employment; and an independent contractor.

3. The Book of Order [G-4.0302] requires all teaching and ruling elders, deacons, and certified Christian Educators in the PCUSA to report to ecclesiastical and civil legal authorities knowledge of harm or the risk of harm, related to the physical abuse, neglect, and/or sexual molestation or abuse of a minor or an adult who lacks mental capacity when such information is gained outside of privileged communication; or she or he reasonably believes that there is risk of future physical harm or abuse

- a. The ecclesiastical authorities are [Safe Sanctuaries Committee and any other named positions]
- b. The civil legal authorities are Pennsylvania Child Abuse Hotline:
(800) 923-0313

APPENDICES
COVER LETTERS TO STAFF AND TO VOLUNTEERS

LOCAL PRESBYTERIAN CHURCH
MAIN STREET
OUR TOWN, PA

Date:

To: All of our Christian Education staff

Greetings in the name of Jesus Christ, who gave His life so that we might be saved and enjoy eternal life with Him! I praise God for your willingness to serve Christ and Christ's church through your employment here. May God continue to bless you personally and us communally as we work together in His name.

Enclosed you will find two copies of our Safe Sanctuaries Policy, adopted by the session at its [date] meeting. The Presbytery of Huntingdon is requiring that we develop and implement such policy for the safety of all children and youth. This complements our own desire to maintain [name] Presbyterian Church a safe, secure, and nurturing place, where children may grow, and where teachers and leaders are equipped to minister to the needs of children and youth. As a church, it is our religious, moral and ethical obligation to take steps to prevent and respond to child abuse and neglect in any form. In that light, this policy is adopted to set and enforce behavior consistent with Scripture; to maintain a safe environment; to provide for investigation and response; and to define a procedure by which employees and volunteers are recruited and supervised when working with children and youth.

We are confident that even those among you who have worked with children for many years will want to help our congregations provide safeguards to protect all of our children. Therefore, we ask all of you to do the following:

1. Take time to read the policy thoroughly. If you have questions or need help, please call [name] at [number] or the church office [staff name, and number].
2. Sign one copy of the policy, date it and submit it to the church office as soon as possible. Keep the other copy for your reference.
3. Obtain a Pennsylvania State Police, a Pennsylvania Child Abuse History Clearance, and an FBI National Criminal Database Background Check with fingerprints, and submit COPIES of these checks to the church office. Checks and clearances must be renewed every five years. If you have a current check or clearance, you may submit a copy of that clearance to fulfill the church request.

[4. Complete a PA-approved Mandated Reporter training course]

Thank you for your service to Christ's church and your determination to make [name of congregation] a place where children and youth are cared for, taught love and respect by example, and are introduced to the marvelous love of God.

In Christ's love,
[Name]

LOCAL PRESBYTERIAN CHURCH
MAIN STREET
OUR TOWN, PA

Date:

To: All of our Christian Education volunteers

Greetings in the name of Jesus Christ, who gave His life so that we might be saved and enjoy eternal life with Him! I praise God for your willingness to serve Christ and Christ's church through your volunteerism here. May God continue to bless you personally and us communally as we work together in His name.

Enclosed you will find two copies of our Safe Sanctuaries Policy, adopted by the session at its [date] meeting. The Presbytery of Huntingdon is requiring that we develop and implement such policy for the safety of all children and youth. This complements our own desire to maintain [name] Presbyterian Church a safe, secure, and nurturing place, where children may grow, and where teachers and leaders are equipped to minister to the needs of children and youth. As a church, it is our religious, moral and ethical obligation to take steps to prevent and respond to child abuse and neglect in any form. In that light, this policy is adopted to set and enforce behavior consistent with Scripture; to maintain a safe environment; to provide for investigation and response; and to define a procedure by which employees and volunteers are recruited and supervised when working with children and youth.

We are confident that even those among you who have volunteered for many years will want to help our congregations provide safeguards to protect all of our children. Therefore, we ask all of you to do the following:

1. Take time to read the policy thoroughly. If you have questions or need help, please call [name] at [number] or the church office [staff name, and number].
2. Sign one copy of the policy, date it and submit it to the church office as soon as possible. Keep the other copy for your reference.
3. Obtain a Pennsylvania State Police Criminal Background Check, a Pennsylvania Child Abuse History Clearance, and [Session option: either require all volunteers to obtain an FBI national Criminal Database background check with fingerprints, and submit COPIES of these checks to the church office. Or require volunteers who have lived continuously in the state of Pennsylvania less than ten years to obtain an FBI national Criminal Database background check with fingerprints but permit volunteers who have lived continuously in the state of Pennsylvania ten years or more to substitute a notarized affidavit of no criminal behavior and submit either a COPY of the check or submit the signed affidavit to the church office.] Checks and clearances must be renewed every five years. If you have a current check or clearance less than twelve months old, you may submit a copy of that clearance to fulfill the church request.
- [4. Complete training [Insert your session's requirement here. Session determines what that training will be. State law does not require training of volunteers, but presbytery strongly encourages training, because the volunteers are mandated reporters of child abuse and need to know what child abuse is and how to report it.]

Thank you for your service to Christ's church and your determination to make [name of congregation] a place where children and youth are cared for, taught love and respect by example, and are introduced to the marvelous love of God.

In Christ's love,
[Name]

**APPLICATION TO VOLUNTEER WITH CHILDREN OR YOUTH
AT
[NAME OF CHURCH]**

Date _____ Full Name _____

Any previous names _____

Present address: _____

How long have you lived there? _____

Other addresses in last ten years _____

Current Home Phone _____ Cell Phone (if any) _____

Email _____

Are you a member of [Name] Presbyterian Church? _____

When did you begin attending [Name] Presbyterian Church? _____

List current or previous work or volunteer service with children and youth?

List three non-related references who can tell us about your ability to serve in ministry with children or youth. Please include the name, address, and phone number where they can be reached.

I have read the Safe Sanctuaries Policy of the [Name] Presbyterian Church and agree to abide by provisions

Signature _____ (Date) _____

Name (printed) _____

INSTRUCTIONS FOR BECOMING A CHURCH VOLUNTEER WITH CHILDREN OR YOUTH AT [NAME] PRESBYTERIAN CHURCH

1. Read the enclosed Safe Sanctuaries Policy. Sign one copy of the form and return it to the church office. This will start the process. The copy will be kept on file.
2. Fill out the Volunteer Application Form, and return it to the church office. If you drive the church van or transport children/youth, please send us a copy of your driver's license.
3. Complete the Request for PA Criminal Record Check form.
Go online to epatch.state.pa.us Follow instructions. Submit a copy of the report to the church office when received. Do not send the original. or

4. Complete the Request for Pennsylvania Child Abuse History Clearance form at www.compass.state.pa.us/cwis/public/home

In the section labeled "Purpose of Clearance," check "Volunteers"

In the section labeled "Previous Addresses since 1975," write the complete address, or if unknown, the city and state. If it is a military or mission address, you must include the city and country.

In the section labeled "Household Members," you should include parents, grandparents, children, buddies, any relative, ex-spouse, foster parents, or whoever raised you and lived in your household since 1975.

5. Complete the request for FBI Criminal Database & Fingerprint Check
This check costs [list current cost here]. You will need to request the clearance and pay for it online, then go to [Church lists places in the area which will do the actual fingerprinting]

Retain originals of all reports, but submit copies to the church.

[Sessions, in their discretion may offer the following alternative for volunteers: If the applicant will be a volunteer (not an employee), and the applicant has lived continuously in the Commonwealth of Pennsylvania, the applicant may submit the attached notarized affidavit of national clearance. This affidavit does NOT eliminate the need to provide proof of PA Criminal Database and PA Child Abuse Clearance checks.]

6. Complete Training [State law does not require training of volunteers. Presbytery strongly encourages sessions to require or provide training specific to its local situation. Insert your session's policy on training here.]

PROGRAM / COACH/ VOLUNTEER AFFIDAVIT SAMPLE MODEL

I, _____, being duly sworn according to law, do depose and state the following:

1. That I have resided in Pennsylvania for the entire previous ten (10) years and have not been convicted, of any of the following offenses:

(a.) An offense under one or more of the following provisions of Title 18 of the Pennsylvania Consolidated Statutes:

- Chapter 25 (relating to criminal homicide).
- Section 2702 (relating to aggravated assault).
- Former section 2709(b) (relating to stalking).
- Section 2709.1 (relating to stalking).
- Section 2901 (relating to kidnapping).
- Section 2901 (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).
- A felony offense under section 5902(b) (relating to prostitution and related offenses).
- Section 5903(c) or (d) (relating to obscene and other sexual materials and performances).
- Section 6301 (relating to corruption of minors).
- Section 6312 (relating to sexual abuse of children).

(b.) The attempt, solicitation, or conspiracy to commit any of the above offenses.

(c.) An offense designated as a felony under the act of April 14, 1972 (P.L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act."

(d.) An offense similar in nature to those crimes listed in Clauses (a) and (b) above under the 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 the Commonwealth.

2. That I have never been named as the perpetrator of a founded report or named as the individual responsible for injury or abuse in a founded report. The term "Founded Report" means a child abuse report involving a perpetrator, if any of the following applies:

(a.) There has been a judicial adjudication based on a finding that a child who is a subject of the report has been abused and the adjudication involves the same factual circumstances involved in the allegation of child abuse. The judicial adjudication may include any of the following:

- i. The entry of a plea of guilty or nolo contendere;
- ii. A finding of guilt to a criminal charge;

- iii. A finding of dependency if the court has entered a finding that a child who is the subject of the report has been abused; or
- iv. A finding of delinquency if the court has entered a finding that the child who is the subject of the report has been abused by the child who was found to be delinquent;

(b.) There has been an acceptance into an accelerated rehabilitative disposition program and the reason for the acceptance involves the same factual circumstances involved in the allegation of child abuse;

(c.) There has been a consent decree entered in a juvenile proceeding, the decree involves the same factual circumstances involved in the allegation of child abuse and the terms and conditions of the consent decree include an acknowledgment, admission or finding that a child who is the subject of the report has been abused by the child who is alleged to be delinquent; or

(d.) A final protection from abuse order has been granted, when the child who is a subject of the report is one of the individuals protected under the protection from abuse order and:

- i. Only one individual is charged with the abuse in the protection from abuse action;
- ii. Only that individual defends against the charge;
- iii. The adjudication involves the same factual circumstances involved in the allegation of child abuse; and
- iv. The protection from abuse adjudication finds that the child abuse occurred.

I verify that the statements made herein are true and correct. I understand that false statements herein are made subject to immediate termination of my services to the district and to the penalties of 18 Pa.C.S.A. §4904, relating to unsworn falsification to authorities.

Signature

Date

Print Name _____

Commonwealth of Pennsylvania

County of _____

On this, the _____ day of _____, 20 __, before me a notary public, the undersigned officer, personally appeared _____,

known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained, and swore that the statements contained in this instrument are true to the best of his/her knowledge and belief.

In witness hereof, I hereunto set my hand and official seal: _____
Notary Public