

**FIRST UNITED METHODIST CHURCH OF HERSHEY POLICY  
FOR THE PROTECTION OF  
CHILDREN, YOUTH AND VULNERABLE ADULTS<sup>1</sup>  
(Effective, January 1, 2003)**

**PREAMBLE:**

When the crowd tried to keep the children away from Jesus, he was quick to respond, "Let the children come to me." Jesus taught that children were to be included and provided for within the community of faith. Today, the church may be the only place where some children find the unconditional love and care they so desperately need to grow and thrive. As Christians, we must take our responsibilities to our children very seriously. We fail in our responsibilities if we neglect to take adequate precautions against abuse. It is unlikely that we can completely prevent child abuse in every situation, but it is possible for us to greatly reduce the risk by following a practical policy of prevention. This policy attempts to do just that for our church in dealing with children, youth and vulnerable adults. It is based on our understanding of the widespread problem of abuse throughout our country.

Every 15 seconds a child is abused or neglected. Often abuse occurs in settings where children, youth or vulnerable adults should have been able to feel safe - homes, schools, camps, and most sadly the church. In more than three quarters of the reported incidents of child abuse, the victim was related to or acquainted with the abuser.

It is the purpose of this policy to first protect the children that come to us, the second is to protect our staff both paid and volunteer from the potential allegations of abuse and third to limit the extent of legal liability of our church.

There are four parts to our comprehensive plan. Screening, Supervision, Reporting and a Response Plan.

**DEFINITIONS:**

"Adult" means a person 18 years of age or older

"Child abuse" as defined under Pennsylvania's Child Protective Services Law means any of the following:

- (i) Any recent act or failure to act by a perpetrator which causes non-accidental serious physical injury to a child under 18 years of age.
- (ii) An act or failure to act by a perpetrator which causes non-accidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age.
- (iii) Any recent act, failure to act or series of acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age.
- (iv) Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide essentials of life, including adequate medical care, which endangers a child's life or development or impairs the child's functioning.

No child shall be deemed to be physically or mentally abused based on injuries that result solely from environmental factors that are beyond the control of the parent or person responsible for the child's welfare, such as inadequate housing, furnishings, income, clothing and medical care.

For purposes of this Policy, the foregoing definitions of "child abuse" include vulnerable adults.

"Child" means any persons under the age of 18.

"Children's activities" means any activity or program in which the children are under supervision of staff persons or volunteers.

"Church" means First United Methodist Church of Hershey.

"Conference" means the Central Pennsylvania Conference of the United Methodist Church.

"Staff person" means any person employed by the Conference or the Church who is responsible for children's activities.

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Adapted from the Central Pennsylvania Conference Policy for the Protection of Children, Youth and Vulnerable Adults

“Volunteer” means a person 18 years of age or older who assists in conducting children’s activities under the supervision of a staff person.

“Persons required to report child abuse” means persons, who in the course of their employment, occupation, or practice of their profession<sup>2</sup>, come into contact with children. Such persons include, but are not limited to, medical professionals, school administrators, teachers and nurses, social services workers, day-care center workers, mental health professionals, peace and law enforcement officers.

“Vulnerable adult” means any person 18 years of age or older with diagnosed diminished physical, mental or emotional capacities.

“We” means the First United Methodist Church of Hershey.

### **WHO IS COVERED BY THIS POLICY AND PROCEDURES?”**

All adults, volunteers or staff persons, who have regular and direct contact with children or vulnerable adults.

### **SCREENING PROCEDURES:**

All adults, volunteers or staff persons, who have regular and direct contact with children and vulnerable adults shall be required to:

- a. fill out an application that includes:
  1. standard contact information
  2. experience and qualifications for the position and
  3. voluntary disclosure of past criminal history and agency determinations of inappropriate conduct involving children or vulnerable adults.
  4. waiver of confidentiality allowing the Church or the Conference to secure the background checks necessary for the position being applied for, including listing of three non-related references. This list shall have complete contact information for all references. This portion of the application process is considered incomplete if full contact information for the references is not provided
- e. Complete a PA Child Abuse History Clearance form (CY113 3/95)
- f. Complete a PA request for Criminal Record Check (SP 4-641/97)
- g. Demonstrate an active relationship with our Church of at least six (6) months before being allowed to have regular and direct contact with children in a supervisory role<sup>3</sup>

All confirmation mentors who have regular and direct supervised contact with children and vulnerable adults shall be required to fill out an application that includes:

1. standard contact information
2. experience and qualifications for the position and
3. voluntary disclosure of past criminal history and agency determinations of inappropriate conduct involving children or vulnerable adults.

During the first year of this Policy’s implementation, staff persons and volunteers will submit to the screening procedures prescribed by this Policy. Following the first year of this Policy’s implementation, all new applicants, persons who have a break in service of one or more years and those with five or more years since their last background check shall submit to the screening procedures.

All forms and reference reports shall be kept as a part of an applicant’s personnel file<sup>4</sup>.

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<sup>2</sup> However, Pennsylvania law also includes a “clergy-communicant” privilege, 42 Pa. C.S.A. Section 5943, which states, “No clergyman, priest, rabbi or minister of the gospel of any regularly established church or religious organization...who while in the course of his duties has acquired information from any person secretly and in confidence shall be compelled, or allowed with consent of such person to disclose that information in any legal proceeding, trial or investigation before any government unit.” Those Conference or Church staff persons or volunteers to whom this policy applies who believe they have received information regarding child abuse which might be covered by this section of PA law should seek legal counsel.

<sup>3</sup> This provision shall not apply to those individuals who are being hired as staff members for purposes which include regular and direct contact with children.

<sup>4</sup> Files kept regarding volunteers will be accorded the same status as personnel files of staff persons with any applicable exceptions required by the *Discipline* regarding clergy volunteers.

The staff person in charge of the children's activity(ies) and/or their designee is responsible for reviewing and following up on each application prior to service. All applications and related forms must be completed.

In the event that a reference follow up is accomplished by phone, rather than by a writing being submitted by the reference, detailed notes of the conversation should also be included in the personnel file.

#### **SUPERVISION:**

The second step for providing a holy place of safety for children, youth and vulnerable adults is conscientious and intentional supervision. These procedures are designed to reduce the possibility of abuse to the children or vulnerable adults and to protect staff persons and volunteers from unwarranted accusations.

1. Training is a requirement for all staff persons and volunteers working with children in Church or Conference children's activities. The minimum training shall be an annual orientation that includes information regarding this Policy, procedures for supervision, as well as information on how to identify and report child abuse.
2. Minimum supervisory standards include the "two-adult rule." The two-adult rule will require that no fewer than two adults be present at all times during any church-sponsored program, event or ministry involving children. However, situations may arise when the two-adult rule is not feasible or practical. However, at no time will an adult be alone with a child or group of children in an isolated or closed situation. One-on-one situations should occur in public view. Also, the two-adult rule may be met by using an adult "roamer" who moves in and out of rooms where only one adult is otherwise present.
3. No person shall supervise an age group unless he/she is AT LEAST five (5) years older than the children with whom he/she is working.
4. Each room or space where children are being cared for shall have a window in the door or the door shall be left open. If children must be cared for in locations where meeting the foregoing requirements are not possible or practical, then two adults shall be present in the room and no roamer shall be used. All activities should occur in open view. Should the children's activity be an outdoor program or occur in a setting which makes it difficult to comply with this Policy, the staff person in charge of the activity shall take appropriate measures to make sure that the setting suits the activity, and the children are properly supervised.
5. Registration materials for activities in which children are outside of the direct supervision of their parents/guardians shall require written permission forms which include pertinent health information in order to participate.
6. All participants who can understand a covenant shall sign a participation covenant that they will take part in the ministry, give their best efforts to the ministry, respect the other participants and leaders, and treat others as they would wish to be treated.

#### **REPORTING:**

Once an incident of child abuse occurs or allegation of an incident is made, it is crucial that it be dealt with speedily and in a clearly outlined manner. The staff person or volunteer who observes alleged abuse or signs of alleged abuse or to whom such alleged abuse is reported shall report the incident immediately to the staff person in charge of the children's activity. The staff person in charge of the children's activity in which the alleged abuse was observed or disclosed shall obtain information necessary such as the name of the alleged victim and his or her address and family information.

"This reporting obligation includes not only incidents occurring at Church or involving staff persons or volunteers, but includes an obligation to report abusive situations that are reported to Church personnel or staff persons that may have occurred elsewhere. For example, if a child tells a volunteer, chaperone or staff person about abuse at home or in school, that volunteer, chaperone or staff person has an obligation to following these reporting procedures."

Upon receiving such information, the staff person in charge of the children's activity shall notify the Pastor and/or Associate Pastor<sup>5</sup> of the Church and shall call the Pennsylvania Childline & Abuse Registry (1-800-932-0313) to make a report. The staff person in charge of the children's activity shall then send the completed PA CY47 form to the local Children and Youth Services agency. This line of reporting shall be following in all such incidents.

Other than as required by the Child Protective Services Law or as directed by law enforcement officials, nothing in this reporting procedure shall prevent the Church from conducting its own investigation of an allegation for employment or volunteer participation purposes.

Persons who are the objects of the report will be required to refrain from all activities involving children until the Church's investigation is complete. The Church may choose not to conduct its own investigation, but to rely on the investigation being performed by law enforcement of Children and Youth Services. In such cases, the suspension from participation in activities involving children shall remain in effect until such outside investigation is complete. In any situation where a person is removed from any children's activities, care should be taken to handle the situation in a discreet manner, recognizing that an investigation is still being conducted.

#### **RESPONSE PLAN:**

A quick, compassionate and unified response to an alleged incident of child abuse is expected. All allegations will be taken seriously. In all cases of reported or suspected abuse in a children's or youth activity, the entire staff of the activity shall be at the service of all official investigative agencies.

The Sr. Pastor or his/her designee, is the only person(s) authorized to make statements to representatives of the media. All requests for statements should be directed to the Sr. Pastor. A spirit of cooperation in helping the media find the "official spokesperson" is helpful.

If the allegation is against a Church staff person or volunteer or if it occurred in the course of a Church children's activity, the staff person in charge of the children's activity and the Pastor and/or Associate Pastor shall be contacted immediately. The Pastor or Associate Pastor shall advise the Church's insurance center.

If the allegation is against a Church staff person who would normally be responsible for reporting an incident under, and responding in accordance to, this Policy, the responsibility for reporting and responding in accordance with this Policy shall be immediately assumed by another Church staff person who is not the subject of a report.

In any case, pastoral support will be available to all persons involved with the incident as indicated.

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If the staff person in charge of the children's activity is not able to contact the Pastor and/or Associate Pastor, he/she shall proceed to report the incident without delay.