

# UUCY Policy and Procedures Manual



925 South George Street  
York, Pennsylvania 17403

Policy Title: Children and Youth Protection Program

Policy Number: C1

Date Effective: August 1, 2013

## Children and Youth Protection Program

1.	<b>Purpose</b>	<p>To help prevent and protect UUCY children and youth from sexual abuse when in the presence of unsupervised paid staff and volunteers. It is important that all UUCY paid staff and volunteers understand and implement these guidelines to help prevent sexual abuse against children. The following includes the Policy guidelines, procedures for Protection and Prevention, and an Acknowledgement to be signed by those people working with children.</p> <p>This program is designed to reduce the risk of child sexual abuse in order to:</p> <ol style="list-style-type: none"> <li>1. Provide a safe and secure environment for children, youth, adults, members, volunteers, visitors, and paid staff.</li> <li>2. Assist UUCY in evaluating a person's suitability to supervise, oversee, and exert control over the activities of children and youth.</li> <li>3. Satisfy the concerns of parents and staff members with a screening process for paid staff and volunteers.</li> <li>4. Provide a system to respond to alleged victims of sexual abuse and their families, as well as the alleged perpetrator.</li> <li>5. Reduce the possibility of false accusations of sexual abuse made against volunteers and paid staff.</li> </ol>
2.	<b>Scope</b>	<p>This is a UUCY congregation wide policy. It applies to all UUCY sponsored activities/events whether on campus or off, whenever children and youth are being supervised by UUCY paid staff or adult volunteers other than the children/youth's parent/guardian.</p>
3.	<b>Definitions</b>	<p>For purposes of this policy, unless otherwise stated, the following definitions shall apply:</p> <ol style="list-style-type: none"> <li>1. Paid Staff: Any pastor, minister, preacher, cleric, or employee who is paid.</li> <li>2. Child/Youth/Minor: Any person who has not reached his/her 18th birthday or the age of majority as defined by state law. "Primary age" applies to children up to and including third grade.</li> <li>3. Adult: Any person who has reached his/her 18th birthday or as defined by state law.</li> </ol>

		<p>4. Volunteer: Means any unpaid person engaged in or involved in activities and who is entrusted with the care and supervision of minors.</p> <p>5. Sexual Abuse or Exploitation (from PA Code 3490.4): Any of the following if committed on a child by a perpetrator:</p> <ul style="list-style-type: none"><li>(A) The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another person to engage in sexually explicit conduct.</li><li>(B) 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.</li><li>(C) Any of the following offenses as defined by the crimes code:<ul style="list-style-type: none"><li>(1) Rape as defined by section 3121 (relating to rape).</li><li>(2) Statutory sexual assault as defined by section 3122.1 (relating to statutory sexual assault).</li><li>(3) Involuntary deviate sexual intercourse as defined by section 3123 (relating to involuntary deviate sexual intercourse).</li><li>(4) Sexual assault as defined by section 3124.1 (relating to sexual assault).</li><li>(5) Aggravated indecent assault as defined by section 3125 (relating to aggravated indecent assault).</li><li>(6) Indecent assault as defined by section 3126 (relating to indecent assault).</li><li>(7) Indecent exposure as defined by section 3127 (relating to indecent exposure).</li><li>(8) Incest as defined by section 4302 (relating to incest).</li><li>(9) Prostitution as defined by section 5902 (relating to prostitution and related offenses).</li></ul></li><li>(D) Exploitation which includes any of the following:<ul style="list-style-type: none"><li>(1) Looking at the sexual or other intimate parts of a child for the purpose of arousing or gratifying sexual desire in either person.</li><li>(2) Engaging or encouraging a child to look at the sexual or other intimate parts of another person for the purpose of arousing or gratifying sexual desire in any person involved.</li><li>(3) Engaging or encouraging a child to participate in sexually explicit conversation either in person, by telephone, by computer or by a computer aided device.</li></ul></li></ul> <p>6. Sexual Offender: an individual identified on the Pennsylvania State sex offender registry or an individual, whether identified on that registry or the sex offender registry of some other state, who meets the criteria of the Pennsylvania State sex offender registry.</p> <p>7. Child Emotional Abuse: Verbal or nonverbal conduct including mental exploitation, degrading communication, or humiliating or threatening conduct that may or may not include bullying or as defined by state law.</p>
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<p>4.</p>	<p><b>Policy Guidelines</b></p>	<p><b>Eligibility</b> Before working with minors, all volunteers will be required to have been a UUCY pledging Friend or Member for six months. All paid staff and volunteers must review and sign (a) the Code of Ethics for Adults and Older Youth Working with Children and Youth, and (b) Religious Educators and Youth Group Leaders Agreement to Teach. The Six-Month Rule may be waived for good cause on a case-by-case basis in the sole discretion of the RE Committee.</p> <p><b>Employee and Volunteer Screening</b> UUCY will maintain and comply with procedures that assure paid staff and volunteers supervising minors are sufficiently screened. UUCY will conduct a criminal background check and screen all paid staff and volunteers prior to entrusting them with the care and supervision of minors. Criminal background checks will be updated bi-annually.</p> <p><b>Confidentiality</b> General Information obtained through the employment or volunteer application process will be kept confidential in the individual employment files for paid staff and in the volunteer files of the RE Committee for RE volunteers. However, the documents related to the criminal background check (CBC) will be kept in confidence, unless otherwise required by law. The CBC information will be used exclusively for the purpose of conducting a background check. This information will be available only to those responsible for screening staff or volunteers or participating in a response team formed to respond to claims of abuse, or as required by law. All CBC information discovered or obtained through the above-referenced means will be kept in a secure location at UUCY and access to it will be restricted to those with a need-to-know. These materials will be archived by the Director of Religious Education (DRE) for 20 years from the date acquired.</p> <p><b>Disqualification</b> No person may be entrusted with the care and supervision of minors or may directly oversee or exert control or oversight over minors if that person has been convicted of the offenses outlined below, been on a probated sentence or received deferred adjudication for any offense outlined below, or has presently pending any criminal charges for any offense outlined below until a determination of guilt or innocence has been made, including any person who is presently on deferred adjudication, unless the conviction is more than ten (10) years in the past, and the person served less than a year's time for such offense. The following offenses meet the definition of a SEXUAL OFFENDER and disqualify a person from care, supervision, control, or oversight of minors:</p> <ol style="list-style-type: none"><li>1. Any offense against minors as defined by state law.</li><li>2. A misdemeanor or felony offense as defined by state law that is classified as sexual assault, indecency with a minor or adult, assault of a minor or adult, injury to a minor or adult, abandoning or endangering a minor, sexual performance with a minor or adult, possession or promoting child pornography,</li></ol>
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		<p>enticing a minor, bigamy, incest, drug-related offenses, or family violence.</p> <p>3. A prior criminal history of an offense against minors.</p> <p><b>Supervision of Children and Youth</b>  UUCY will maintain and comply with procedures that assure that:</p> <ol style="list-style-type: none"> <li>1. Adequate numbers of screened and responsible paid staff or volunteers are present at events involving minors.</li> <li>2. Two, screened adults are present in a room wherever minors are present or offsite at UUCY sanctioned activities.</li> <li>3. Prior, written parental permission for offsite activities is obtained.</li> </ol> <p><b>Behavioral Guidelines for Paid Staff &amp; Volunteers</b>  UUCY shall maintain behavioural guidelines and assure that all paid and volunteer staff comply with these guidelines when supervising minors.</p> <p><b>Sexual Offender at UUCY</b>  UUCY shall maintain and comply with procedures that specify under what conditions a person known to be a sexual offender may remain or become a member of the congregation.</p> <p><b>Response to Sexual Abuse Allegations</b>  UUCY shall maintain and comply with procedures that specify how the organization will investigate any accusation of sexual abuse. All accusations of sexual abuse will be taken seriously.</p> <p><b>Minor Changes</b>  Minor changes to this policy and/or its appendices may be made without UUCY Board of Director approval.</p>
5.	<b>References</b>	<ol style="list-style-type: none"> <li>1. First Advantage Employment Advantage. (n.d.). Retrieved April 3, 2014, from <a href="https://employment.fadv.com/pub/">https://employment.fadv.com/pub/</a></li> <li>2. PA Family Support Alliance Protecting Children from Abuse. (n.d.). Retrieved April 3, 2014, from <a href="http://www.pa-fsa.org/about_child_abuse_neglect.aspx">http://www.pa-fsa.org/about_child_abuse_neglect.aspx</a></li> <li>3. PA Family Support Alliance Winter 2014.pdf. (n.d.). Retrieved from <a href="https://www.pa-fsa.org/assets/files/Winter%202014.pdf">https://www.pa-fsa.org/assets/files/Winter%202014.pdf</a></li> <li>4. Pennsylvania Code Chapter 3490 Protective Services. (n.d.). Retrieved April 3, 2014, from <a href="http://www.pacode.com/secure/data/055/chapter3490/chap3490toc.html#3490.11">http://www.pacode.com/secure/data/055/chapter3490/chap3490toc.html#3490.11</a>.</li> </ol>
6.	<b>Appendices</b>	<ol style="list-style-type: none"> <li>A. Children and Youth Protection Program Procedures</li> <li>B. Paid Staff and Volunteer Application form</li> </ol>
7.	<b>Approval</b>	UUCY Board of Directors
8.	<b>Approval Dates</b>	<p>This policy was approved on: 13 May 2014</p> <p>This version takes effect from: 08 Aug 2013</p> <p>This policy will be reviewed by: 08 Aug 2016</p> <p>This policy was last reviewed:</p>
9.	<b>Policy Owner</b>	Program Council, Operations, Safety Committee

## Appendix A Protection and Prevention Procedures

### Volunteer and Employee Screening Procedure

The following screening procedures are to be used with paid staff and volunteers who are entrusted with the care and supervision of minors or a person who directly oversees or exerts control or oversight over minors.

1. *Employment Application and Volunteer Application:* Any paid staff and volunteers who will work with a minor must complete either an Employment Application or a Volunteer Application, as applicable. The release statement attached to the Application must be signed by the individual completing the Application to apply for and qualify for service.

Our Employment Application will usually include questions regarding:

- Current and previous residence addresses.
- Current and previous employment, including addresses, dates, duties, titles, and reasons for leaving.
- Names and addresses of schools attended and degree(s) earned.
- Identity of previous employers.
- Past criminal convictions.
- Criminal history information.

Our Volunteer Application will usually include questions regarding:

- Current address.
- Volunteer experience.
- Criminal history information.
- Personal references.

Applications will include a statement, which the applicant should acknowledge in writing, certifying that statements provided in the application are true and complete, and any misrepresentation or omission may be grounds for rejection of the applicant or for dismissal if he or she is employed. This statement authorizes UUCY to contact any individual or organization listed in the application.

2. *Review Applications.* Review all statements made in the application, paying specific attention to any gaps in time and irregular employment patterns or unexplained absence. Pursue these gaps with employers listed and in a subsequent interview.
3. *Interviews.* Conduct interviews with qualified applicants for paid staff positions.

If detrimental information is uncovered but the applicant remains desirable, discuss this information with the applicant. In the event the applicant is ultimately hired, the reasons for disregarding the detrimental information must be documented.

Whenever possible, UUCY will have two church representatives participate in the interview with the applicant.

4. *Contact References.* Attempt to contact all listed references and employers for paid staff. Inquire as to the reason the applicant left and ask for any information that might help determine the applicant's suitability for the position.

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5. *Criminal Background Check:* UUCY will conduct a criminal background check via First Advantage on all paid staff and all volunteers who are entrusted with the care and supervision of minors. All criminal background checks will be updated bi-annually on or before the anniversary of their previous background check. A database shall be maintained by the DRE) to facilitate this oversight. The DRE will periodically review the database and update lapsing background checks appropriately.
6. *Six-Month Rule:* All volunteers will be required to a pledging Friend or Member of UUCY for six months and have reviewed and signed (a) the Code of Ethics for Adults and Older Youth Working with Children and Youth, and (b) Religious Educators and Youth Group Leaders Agreement to Teach. The Six-Month Rule may be waived for good cause on a case-by-case basis in the sole discretion of the RE Committee.

### **Supervision of Children and Youth Procedure**

Subject to normal limitations of funding and availability, and unless an extenuating situation exists, UUCY:

1. Will have adequate number of screened and responsible paid staff or volunteers present at events involving minors. Supervision will increase in proportion to the risk of the activity.
2. Will monitor facilities during activities involving children.
3. Will release primary age minors only to a parent or guardian or a person authorized by the parent or guardian.
4. Will obtain written parental permission, including a signed medical treatment form and list of emergency contacts, before taking minors on trips.
5. Will provide information to parents or guardians before any trips off church property.
6. Will require that young children be accompanied to the restroom and the paid staff or volunteer wait outside the restroom facility to escort the child back to the activity. Whenever possible, the escort will be the same sex as the minor.
7. Will encourage minors to use a "buddy system" whenever minors go on trips off of UUCY property.
8. In compliance with the screening procedures set forth herein, UUCY will screen all paid staff and volunteers and approve those individuals in advance of any overnight activities.

### **Behavioral Guidelines for Paid Staff & Volunteers**

All volunteers and paid staff will observe the following guidelines:

1. Do not provide alcoholic beverages, tobacco, drugs, contraband, or anything that is prohibited by law to minors.
2. To the extent possible, UUCY events that are co-educational will have both male and female chaperones.
3. At least two paid staff or volunteers will be in the room when minors are present. With the exception of the nursery room, doors will be left fully open if one adult needs to leave the room temporarily and during arrival to the class or event before both adults are present.

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4. Avoid all inappropriate touching with minors. All touching shall be based on the needs of the individual being touched, not on the needs of the volunteer or paid staff. In the event a minor initiates inappropriate touching, inform the minor that such touching is inappropriate.
5. Never engage in physical discipline of a minor. Volunteers and paid staff shall not abuse minors in any way, including but not limited to physical abuse, verbal/mental abuse, emotional abuse, and sexual abuse of any kind.
6. If you recognize an inappropriate relationship developing between a minor and adult, maintain clear professional boundaries and refer the minor and adult to the DRE for appropriate investigation and action.
7. When one-on-one pastoral care is necessary, avoid meeting in isolated environments.
8. If you observe abuse of a minor or inappropriate conduct, report it to the Minister, Director of Religious Education, or the President of the UUCY.

### Sexual Offender at UUCY Procedure

UUCY may allow a person known by the minister or DRE to be a sexual offender to remain or become a member of the congregation but they must adhere to specific guidelines.

A person known by the minister or DRE to be a sexual offender must report in to the minister or DRE on every separate visit and be assigned to an escort chosen by the minister or DRE who will accompany him or her at all times, provided, however, that sexual offenders whose underlying offenses did not involve violence or crimes against minors may seek dispensation from this provision from the Board of Directors.

### Response to Sexual Abuse

UUCY will attempt to respond promptly to investigate any accusation of sexual abuse made known to UUCY. All accusations of sexual abuse will be taken seriously. It is important to be appropriately respectful to the needs and feelings of those who allege sexual abuse and those who have been accused of sexual abuse.

When an allegation is made involving sexual abuse, the person reporting the complaint is to be told about the guidelines and the procedures to be followed. The Minister will then make an initial assessment of credibility. If the Minister is the individual accused of sexual abuse, then the Chair of the Board of Directors will make the assessment of credibility. If, after reasonable inquiry, the existence of an incident of sexual abuse is suspected, then the steps below shall be followed:

1. Where required by law, the minister<sup>1</sup> or other mandated reporter shall report the incident to appropriate authorities in accordance with the state mandatory reporting laws.<sup>2</sup> Should the

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<sup>1</sup> § 3490.14. Privileged communication.

Except with respect to confidential communications made to an ordained member of the clergy which are protected under 42 Pa.C.S. § 5943 (relating to confidential communications to clergymen), privileged communication between a required reporter and the person's patient or client does not apply to situations involving child abuse and may not constitute grounds for failure to report as required by this chapter.

<sup>2</sup> If you suspect that a child is being abused, abandoned, or neglected, contact the Pennsylvania Department of Public Welfare, call your local child protective services agency, or call 9-1-1. Here is a link to the Pennsylvania state agency for children services and the telephone number to report child abuse and neglect in Pennsylvania:

**Pennsylvania Department of Public Welfare**

Toll-Free: (800) 932-0313 TDD: 866-872-1677

If you do not get an answer at the above number, call Childhelp (800-422-4453) for assistance.

The UUCY Ministers, and Director of Religious Education are mandatory reporters.

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Minister or the Chair of the Board of Directors believe that a crime involving sexual abuse has occurred, the Minister or the Chair of the Board of Directors, as applicable, shall report the suspected crime to the authorities, whether or not they are so mandated by state mandatory reporting laws.

2. Report the matter to UUCY's insurance carrier.
3. Cooperate with authorities and the insurance carrier.
4. UUCY shall suspend any paid staff or volunteer who is an alleged offender, (with pay for paid staff) during any investigation or any legal proceeding, beyond the initial assessment of credibility.
5. The DRE and Minister shall meet with the Board of Directors of UUCY and present a report on the initial assessment of credibility, any actions taken, and any recommendations for further action in response to any allegation of abuse.
6. A representative of the Board of Directors of UUCY may meet with the alleged perpetrator and notify him/her of the results of the initial assessment of credibility and recommendations for actions by the Board of Directors, provided such meeting does not interfere with any pending criminal proceeding.
7. The Minister or DRE of UUCY, or both, may meet with the alleged victim, along with his/her parents or guardians, and notify them of the results of the initial assessment of credibility and recommendations for actions.
8. During the investigation and any subsequent legal proceedings, the Minister or DRE of UUCY may maintain contact with the alleged victim and his/her parents or legal guardian, and inform them of the actions taken and assist them in their process of healing.
9. The Minister of UUCY (and legal counsel or other consultants) may meet with the alleged perpetrator, the alleged victim, and any others with knowledge of relevant facts, provided such meetings do not interfere with any pending criminal proceedings.
10. The Minister, DRE, Board and members of UUCY may communicate with legal counsel of UUCY.
11. Inappropriate personal conduct that does not rise to the level of or clearly fall within the definition of sexual abuse described in the section DEFINITIONS above, if observed by ANY PERSON, shall always be promptly reported to the DRE and to the Minister. The minister and DRE will take appropriate action to address and correct such conduct and may report or not report such matters to the Board of Directors at their complete discretion.