

# **Mennonite Children's Choir of Lancaster Student Safety Policy**



*... training children and youth to glorify Jesus Christ through excellent choral singing.*

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## **Background and Purpose**

The Mennonite Children's Choir of Lancaster (MCCL) Student Safety Policy enhances the safety of students participating in the MCCL program. The spiritual, emotional and physical well-being of choir members is vital.

This policy is established to protect students served by MCCL and its programs from child abuse and to provide guidance to facilitate compliance with current Pennsylvania's Child Protective Services Law (CPSL). This policy is applicable to MCCL employees, board members, contractors, and volunteers/chaperones and is meant to apply and be followed at any MCCL sponsored activity, event or program. Anyone with specific questions concerning the CPSL should consult with an attorney.

Child abuse includes physical injury, neglect, sexual molestation, emotional abuse and child-on-child sexual abuse and bullying (for CPSL definition of child abuse see Exhibit A). Annually, MCCL staff will address the choir and parents regarding the organization's position on student safety, sexual abuse and other forms of bullying.

## **Definitions (CPSL)**

Child	Any person under 18 years of age
Direct Contact	The care, supervision, guidance or control of children <b>or</b> routine interaction with children.
Direct Volunteer Contact	The care, supervision, guidance or control of students and routine interaction with children
Routine Interaction	Regular and repeated contact that is integral to a person's employment or volunteer responsibilities

## **Definitions (MCCL)**

Student	Any person under 18 years of age who is participating in or attending any MCCL sponsored activity, event or program
Employee	A person hired by MCCL on a full, part time, or seasonal employment basis
Contractor	A person engaged by MCCL to provide services and/or goods, but is not an employee
Volunteer/Chaperone	A person who donates his/her time and/or expertise without compensation by MCCL and has direct contact and/or routine interaction with MCCL students
MCCL agent	Artistic Director and/or MCCL Board President

## **Staff and Volunteer Recruiting**

Background checks on all prospective employees, contractors and volunteers will be conducted in accordance with legal requirements of CPSL, documented, and filed prior to employment or engagement in volunteer activities.

Background checks for employees are monitored by and filed at Lancaster Mennonite School. Background checks for volunteers and contractors are monitored by MCCL staff and filed at Lancaster Mennonite School.

## **Employees**

All required clearances must be obtained or, as applicable, recertified every five years (60 months).

## **Volunteers, Chaperones and Contractors**

All required clearances must be obtained or, as applicable, recertified every 5 years (60 months). A clearance obtained for volunteer purposes cannot be used for employment purposes, but clearances obtained for employment purposes may be transferred for use in other employment or volunteer settings.

## **Required Background Clearances**

### **Employees**

All MCCL employees must obtain and maintain, at their expense, the following clearances, as a condition of employment:

1. PA State Police Criminal History Report
2. PA Department of Human Services Child Abuse History Certification
3. FBI Criminal History Report

### **Contractors**

All contractors who have direct contact with students in the course of their service to MCCL must obtain, at their expense, the following clearances as required by CPSL before being allowed to work for MCCL:

1. PA State Police Criminal History Report
2. PA Department of Human Services Child Abuse History Certification
3. FBI Criminal History Report or completed Disclosure Statement Application for Volunteers (Exhibit B)

### **Volunteers**

Board members and volunteers, age 18 and older, who have direct volunteer contact with students in the course of their service to MCCL must obtain, at their expense, the following clearances as required by CPSL before being allowed to volunteer:

1. PA State Police Criminal History Report
2. PA Department of Human Services Child Abuse History Certification
3. FBI Criminal History Report or completed Disclosure Statement Application for Volunteers (Exhibit B)

## **Obtaining Background Checks (Volunteers)**

### PA State Police Criminal History Report

Dated within the past 57 months - free for volunteers

1. Go to: <https://epatch.state.pa.us/Home.jsp>
2. As a non-registered user you can use a credit card by clicking on the "Record Check" tool bar.
3. Select "New Record Check (volunteers only)"
4. Enter all Required Information Fields
5. Submit copy to [mcclchoirmanger@lancastermennonite.org](mailto:mcclchoirmanger@lancastermennonite.org)

### PA Department of Human Services Child Abuse History Clearance

Dated within the past 57 months-free for volunteers

1. Go to the Child Welfare Portal  
URL: <https://www.compass.state.pa.us/CWIS/Public/Home>
2. The PA Child Welfare Portal requires you to create an account in order to request a PA Child Abuse Certification. The Keystone ID, which you will be asked to create, then becomes your username in the application process.
3. You will receive a temporary password by email. Later in the process when you are asked to create a permanent password, it must include a capital letter, a special character, lowercase and at least one number for a total of 8-10 characters.
4. An email will appear in your inbox within 14 days informing you how to access your check. Follow the instructions and print the check.
5. Submit copy to [mcclchoirmanger@lancastermennonite.org](mailto:mcclchoirmanger@lancastermennonite.org)

### FBI Criminal History Report

Needed if volunteer has not resided in Pennsylvania continuously for a period of 10 years prior to becoming a volunteer or applying for volunteer status

1. Go to <https://www.pa.cogentid.com> to find fingerprint locations and register for an appointment.
2. Choose the PA Dept. of Public Welfare option. Note: Check "What to Bring" page.
3. There is a cost of \$23.00 for volunteers (as of April 2017)
4. Clearance certification will be sent in the mail.
5. Submit copy to [mcclchoirmanger@lancastermennonite.org](mailto:mcclchoirmanger@lancastermennonite.org)

### Disclosure Statement Application for Volunteers

1. The FBI Criminal History Report is not required for incumbent or prospective volunteers who have resided in Pennsylvania continuously for a period of 10 years prior to becoming a volunteer or applying for volunteer status and who sign a Disclosure Statement Application for Volunteers (Exhibit B) affirming that they have not been convicted of certain crimes that otherwise would prohibit them from being a volunteer responsible for the welfare of a child or having direct contact with children.
2. Submit signed form to [mcclchoirmanger@lancastermennonite.org](mailto:mcclchoirmanger@lancastermennonite.org)

Staff and volunteers must provide written notice if they are arrested for or convicted of an offense that would constitute grounds for denying employment or participation in a church program, activity or service, or are named as a perpetrator in a founded or indicated report of child abuse. Such written notice must be provided within 72 hours of the staff person's or volunteer's arrest, conviction or notification that s/he has been listed as a perpetrator in the statewide database.

### **Student Safety Procedures Applicable to MCCL Rehearsals, Concerts, and Events**

1. During rehearsal times, any unaccompanied Carol and Concert Choir students must sit alone in the back of the auditorium. This guideline is for the safety of our choir students as well as limiting the intended use of the facility.
2. Following rehearsal time, any unaccompanied Carol or Concert Choir students must sit in the fellowship hall. This guideline is for the safety of our choir students as well as limiting the intended use of the facility.
3. Parents are responsible for their students up until the start of rehearsal and when rehearsal ends, including snack time after Tuesday evening rehearsal.
4. Prelude Music and Choristers singers should always be with a parent when not in class.
5. There will be no MCCL sponsored overnight events except on tour or preparing for a tour.
6. MCCL staff, contractors, and volunteers should preferably not work alone with a singer. When this is not feasible, MCCL staff, contractors, and volunteers will work in an open space (e.g.: windows in doors, open door, etc.).

### **Bathroom Guidelines**

#### **Prelude Music, Choristers I, and Carol Choir**

1. MCCL employee or chaperone will accompany any student needing to use the restroom.
2. Employee or chaperone will check to see if the bathroom is unoccupied; if so the student may use the restroom.
3. Employee or chaperone will remain outside the bathroom while student is using the facilities.

#### **Concert Choir, Chamber Choir, and Choristers II**

1. During rehearsal time, students will be dismissed for bathroom use one at a time, when possible.

### **Student Safety Procedures Applicable to MCCL Tours**

1. Students will be lodged in groups with a minimum of two students per host home.
2. Concert Choir singers will be lodged in a host home with a chaperone present. Chaperones will not sleep in the same bedroom as students. If the sleeping area is a large open room, chaperones will set up their sleeping area away from students.
3. The housing assignments will be varied so students will not be housed with the same students for the entire tour.
4. If multiple choirs are traveling together, students will be assigned to host homes with other students from the same choir.
5. A reasonable effort will be made for students in Concert Choir to lodge with other students who are not more than one grade older or younger.
6. A reasonable effort will be made for students in Chamber Choir to lodge with other students who are not more than two grades older or younger.
7. Chamber Choir parents may request that students are lodged in host homes with a chaperone present.

## Recognizing Indicators of Child Abuse

The physical signs of child abuse include bruises, burns, or broken bones. However, not all signs of abuse, even physical or sexual are visible. There are also behaviors that may indicate that child abuse has occurred. Many of these indicators may also occur in children who have not been abused, and they may not be seen in children who have been abused. Use discretion and discernment.

There are a variety of ways the trauma of abuse is experienced. The trauma another person is experiencing can be recognized by the physical indicators seen and the behavioral indicators experienced. The earlier child abuse is identified, the earlier help can be given to help children and families minimize the long-term effects. Early detection can also help avoid additional incidents of child abuse and decrease further traumatization.

The following actions are considered child abuse regardless of the impact upon the child victim:

- Unreasonably restraining or confining a child
- Forcefully shaking a child under one year of age
- Forcefully slapping or striking a child under one year of age
- Kicking, biting, throwing, burning, stabbing, or cutting a child in a manner that endangers a child.

There are four different kinds of abuse: sexual, physical, mental, and neglect. For complete definitions of the ten (10) types of child abuse defined in the CPSL, see Exhibit A. For the different kinds of abuse, there are both physical and behavioral indicators. These are *indicators* and do not always or immediately imply that abuse is occurring.

### Child Sexual Abuse

#### Physical Indicators

Sleep disturbances

Bed wetting

Difficulty in walking or sitting

Difficulty in urinating

Pregnancy

Positive testing STD/HIV

Excessive or injurious masturbation  
male or female

#### Behavioral Indicators

Sexually promiscuous

Developmental age-inappropriate sexual  
play and or drawing

Cruelty to others

Cruelty to animals

Fire setting

Anxiety

Withdrawal

## **Child Physical Abuse**

### Physical Indicators

Unexplained injuries  
Unbelievable or inconsistent explanation of injuries  
Multiple bruises in various stages of healing  
Bruises located on face, ears, neck, buttocks, back, chest, thighs, back of legs and genitals  
Bruises that resemble objects such as hand, fist, belt buckle or rope  
Injuries that are inconsistent with a child's age and developmental level  
Burns

## **Child Mental Abuse**

### Physical Indicators

Frequent complaints  
Nausea, stomachache, headache, etc.  
Bed wetting  
Self-harm  
Speech disorders

### Behavioral Indicators

Fear of going home  
Extreme Apprehension/vigilance  
Pronounced aggression or passivity  
Flinches easily or avoids being touched  
Play includes obscene behavior or talk  
Unable to recall how injuries occurred or account of injuries is inconsistent with nature of injuries

## **Child Neglect**

### Physical Indicators

Lack of adequate medical or dental care  
Often hungry  
Lack of shelter  
Child's weight is significantly lower than what is normal for his/her age and gender  
Developmental delays  
Persistent untreated conditions (lice, diaper rash)  
Exposure to hazards (illegal drugs, rodent/insect infestation, mold)  
Clothing that is dirty, inappropriate for weather, too small or too large

### Behavioral Indicators

Expresses feelings of inadequacy  
Fear of trying new things  
Overly compliant  
Poor peer relationships  
Excessive dependence on adults  
Habit disorders (sucking, rocking, etc.)  
Eating disorders

### Behavioral Indicators

Not registered in school  
Inadequate or inappropriate supervision  
Poor impulse control  
Frequently fatigued  
Delinquent behavior  
Mistrusting



## **Mandated Reporting**

Pennsylvania's Child Protective Services Law identifies as mandated reporters of suspected child abuse many categories of adults including the following: "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."

If a mandated reporter has reasonable cause to suspect that abuse has occurred, they are required by law to report it to the proper authorities immediately.

All MCCL staff, approved volunteers, and contractors are considered mandated reporters. Under the law, they have a personal responsibility and moral obligation to report any and all suspected abuse. MCCL staff and approved volunteers are mandated reporters both within, as well as outside, the MCCL context.

## **Reporting of Abuse**

A child shall never be abused by an employee, volunteer, board member or contractor (hereafter collectively referred to as MCCL Representatives). MCCL has a zero tolerance policy and abuse of any kind may be cause for immediate termination or removal of an employee or volunteer from his/her position.

Any MCCL Representative shall make a report whenever he or she has reasonable cause to suspect a child is a victim of abuse. See Recognizing Indicators of Child Abuse section for reference. This applies regardless whether the law determines MCCL Representative to be a mandated or permissive reporter. A permissive reporter is person who reports child abuse voluntarily.

Instances when a report must be made include situations where MCCL Representative:

- a. A mandated reporter shall make a report of suspected child abuse or cause a report to be made 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 other 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.
- b. 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,
- c. 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.

To make the report:

1. The preferred method of reporting is to file a report online on the Child Welfare Portal at [www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis). This method allows the fastest response time. Note: Before a report can be made, the person must pre-register on the portal ([www.compass.state.pa.us/cwis](http://www.compass.state.pa.us/cwis)). After pre-registering, file a report directly through the portal. There is no follow-up report needed if filing electronically and receiving confirmation that the Department has received the report.
2. The other method available is to call ChildLine at 1-800-932-0313 immediately after the incident occurred or was reported to you. Within two days after filing your report over the phone, follow up with a written report to Children and Youth services in the county where the alleged abuse took place.
3. Immediately thereafter, notify the designated MCCL agent that a report of suspected abuse has been made.

In the event the reported incident involves an employed MCCL staff person, contractor or volunteer, the responsible MCCL agent shall, without exception, suspend the person from all activities involving the supervision of children. Reassignment to administrative functions may be appropriate. Suspension of employed staff will be with pay until the person is cleared or allegations are proven. In these cases the parent of the affected child will always be notified by MCCL agent. Regardless of where or under what circumstances the alleged incident takes place, on duty or off, if a staff person is involved in the alleged abuse, it will be considered as job related and affecting job performance.

Reinstatement of staff person or program volunteer will occur only after all allegations have been cleared to the satisfaction of MCCL agent and/or the investigating agency. All staff and volunteers will be sensitive to the need for confidentiality in the handling of information in this area and will be instructed to discuss matters pertaining to abuse or suspected abuse only with MCCL agent. Staff and volunteers may not contact children or parents involved in an alleged child abuse incident without the permission of MCCL agent.

The CPSL obligates MCCL to protect the identity of any person who makes a report of suspected child abuse or who cooperates in a subsequent investigation, with the exception of being released to law enforcement officials or the district attorney's office.

### **Training**

All new and existing staff must participate in an orientation program including written materials explaining MCCL policies, procedures and regulations. New and existing staff will be made aware of legal requirements and by their signature acknowledge having received appropriate policies, standards and code of conduct. Staff will attend required training and be provided information regularly about the signs of possible child abuse. Staff training will include approved procedures for responding to the suspected abuse.

### **Bullying**

Bullying, although not a term defined in the CPSL, may constitute child abuse as defined in the Law. It is generally understood to be unwanted, aggressive behavior among school-aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, teasing, name calling, embarrassing someone in public, and excluding someone from a group on purpose.

Students or parents should inform staff immediately when any form of bullying is observed. MCCL staff will work with all students involved using restorative practices with the intent of each student owning what was wrong and making things right. Parents may be asked to be a part of this process.

For more information: <https://www.stopbullying.gov/what-is-bullying/definition/index.html>

## Exhibit A

### CPSL Definitions

- (b.1) Child abuse.**--The term "child abuse" shall mean intentionally, knowingly or recklessly doing any of the following:
- (1) Causing bodily injury to a child through any recent act or failure to act.
  - (2) Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
  - (3) Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
  - (4) Causing sexual abuse or exploitation of a child through any act or failure to act.
  - (5) Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
  - (6) Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
  - (7) Causing serious physical neglect of a child.
  - (8) Engaging in any of the following recent acts:
    - (i) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
    - (ii) Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
    - (iii) Forcefully shaking a child under one year of age.
    - (iv) Forcefully slapping or otherwise striking a child under one year of age.
    - (v) Interfering with the breathing of a child.
    - (vi) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.
    - (vii) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:
      - (A) Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.
      - (B) Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.
      - (C) Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).
  - (9) Causing the death of the child through any act or failure to act.
  - (10) Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000

## Exhibit B



### **DISCLOSURE STATEMENT APPLICATION FOR VOLUNTEERS Required by the Child Protective Service Law 23 Pa. C.S. Section 6344.2 (relating to volunteers having contact with children)**

I swear/affirm that I am seeking a volunteer position and **AM NOT** required to obtain a certification through the Federal Bureau of Investigation (FBI), as:

- the position I am applying for is unpaid; **and**
- I have been a resident of Pennsylvania during the entirety of the previous ten-year period.

I understand that if I have not been a resident of Pennsylvania during the entirety of the previous ten-year period, but have received certification from the FBI since establishing residency, I must provide a copy of the certification to my employer and am not required to obtain any additional FBI certifications.

I swear/affirm that, if providing certifications that have been obtained within the preceding 60 months, I have not been disqualified from service as outlined below or have not been convicted of an offense similar in nature to a crime listed below 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.

I swear/affirm that I have not been named as a perpetrator of a founded report of child abuse within the past five (5) years as defined by the Child Protective Services Law.

I swear/affirm that I have not been convicted of any of the following crimes under Title 18 of the Pennsylvania consolidated statutes or of offenses similar in nature to those crimes 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.

Chapter 25	(relating to criminal homicide)
Section 2702	(relating to aggravated assault)
Section 2709.1	(relating to stalking)
Section 2901	(relating to kidnapping)
Section 2902	(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)
Section 5902(b)	(relating to prostitution and related offenses)
Section 5903(c)(d)	(relating to obscene and other sexual material and performances)
Section 6301	(relating to corruption of minors)
Section 6312	(relating to sexual abuse of children), or an equivalent crime under Federal law or the law of another state.

I swear/affirm that I have not been convicted of a felony offense under Act 64-1972 (relating to the controlled substance, drug device and cosmetic act) committed within the past five years.

I understand that I shall not be approved for service if I am named as a perpetrator of a founded report of child abuse within the past five (5) years or have been convicted of any of the crimes listed above or of offenses similar in nature to those crimes 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.

I understand that if I am arrested for or convicted of an offense that would constitute grounds for denying participation in a program, activity or service under the Child Protective Services Law as listed above, or am named as perpetrator in a founded or indicated report, I must provide the administrator or designee with written notice not later than 72 hours after the arrest, conviction or notification that I have been listed as a perpetrator in the Statewide database.

I understand that if the person responsible for employment decisions or the administrator of a program, activity or service has a reasonable belief that I was arrested or convicted for an offense that would constitute grounds for denying participation in a program, activity or service under the Child Protective Services Law, or was named as perpetrator in a founded or indicated report, or I have provided notice as required under this section, the person responsible for employment decisions or administrator of a program, activity or service shall immediately require me to submit current certifications obtained through the Department of Human Services, the Pennsylvania State Police, and the Federal Bureau of Investigation, as appropriate. The cost of certifications shall be borne by the employing entity or program, activity or service.

I understand that if I willfully fail to disclose information required above, I commit a misdemeanor of the third degree and shall be subject to discipline up to and including denial of a volunteer position.

I understand that certifications obtained for the volunteering purposes can only be used for that purpose and cannot be used for employment purposes.

I understand that the person responsible for employment decisions or the administrator of a program, activity or service is required to maintain a copy of my certifications.

I hereby swear/affirm that the information as set forth above is true and correct. I understand that false swearing is a misdemeanor pursuant to Section 4903 of the Crimes Code.

**Check one that applies:**

\_\_\_\_\_ I have been a resident of Pennsylvania during the entirety of the previous ten-year period.

\_\_\_\_\_ I have NOT been a resident of Pennsylvania during the entirety of the previous ten-year period, have received a FBI Fingerprint Check at any time since establishing residency in Pennsylvania and have attached a copy of the certification.

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Witness: \_\_\_\_\_ Signature: \_\_\_\_\_

Date: \_\_\_\_\_