

COMPLIANCE PACKAGE
CONCERNING PENNSYLVANIA'S CHILD PROTECTION LAWS
AND MINISTRY TO AND WITH CHILDREN

Enclosed You will find:

A Checklist

Voucher for Reimbursements of Clearance Fees

Information about PA Child Protection Laws Relating to Church Volunteers

Mandated Reporter Information and Obligations

How to Obtain Clearances Related to Child Protection Laws

Optional Mandated Reporter Training

Affirmation of 10 year PA Residency and compliance to §6344 form

CHECK LIST

Mandatory by State Law

_____ PA-164 State Police Request for Criminal Record Check Form

_____ Copy of Record Check provided to the Church Office

_____ CY-113 PA Child Abuse History Clearance Form

_____ Copy of Clearance provided to the Church Office

_____ FBI Fingerprinting OR Affirmation of 10 Year PA Residency and Compliance with §6344.

_____ Copy of one of these provided to Church Office

Not Mandatory by State Law but Strongly Recommended

_____ Mandated Reporter Training

Date by which background checks must be renewed _____

Cut-----Cut

VOUCHER FOR REIMBURSEMENT OF CLEARANCE FEES

PA-164 State Police Request for Criminal Record Check Form / \$10 _____ On file with church office

CY-113 PA Child Abuse History Clearance Form / \$10 _____ On file with church office

FBI Cogent Fingerprinting / \$27.50 _____ On file with church office

Make Check Payable to: _____

For \$ _____

Address _____

Authorizing Signature _____

It is hoped that members will pay for the clearances but the church will refund the cost of the fees if it is a financial burden for you.

The Church Secretary will sign the voucher when all three needed items are on file in the church office.

INFORMATION ABOUT PA CHILD PROTECTION LAWS RELATING TO CHURCH VOLUNTEERS
All this information and more can be found at <http://keepkidssafe.pa.gov>

Who needs clearances?

Beginning July 1, 2015, an adult applying for an unpaid position as a volunteer responsible for the welfare of a child or having direct contact with children.

What is the definition of child?

For purposes of clearances, a child is an individual under 18 years of age.

How is direct contact with children defined?

Direct contact with children is defined as the care, supervision, guidance or control of children or routine interaction with children.

Which clearances are needed?

All volunteers must obtain the following clearances:

- Report of criminal history from the Pennsylvania State Police
- Child Abuse History Clearance from the Department of Human Services.

Additionally, an FBI fingerprint based federal criminal history is required if:

- A volunteer has lived outside the Commonwealth of Pennsylvania in the last 10 years.

Volunteers who are not required to obtain the FBI Clearance because they are applying for an unpaid position and have been a continuous resident of Pennsylvania for the past 10 years must swear or affirm in writing that they are not disqualified from service based upon a conviction of an offense relating to homicide, aggravated assault, stalking, kidnapping, unlawful restraint, rape, sexual assault, indecent assault, indecent exposure, incest, concealing the death of a child, endangering the welfare of a child, corruption of minors or sexual abuse of a child.

Is it mandatory that volunteers receive training?

While not required by law, it is strongly recommended that volunteers complete the free online training for Mandated Reporters.

When are clearances needed?

Beginning July 1, 2015, prospective volunteers must submit clearances prior to the commencement of service.

What is the renewal requirement for clearances?

Beginning July 1, 2015, all volunteers will be required to obtain clearances every 36 months.

How much do the clearances cost?

- The Pennsylvania State Police Criminal Record Check costs \$10.
- The Pennsylvania Child Abuse History Clearance costs \$10.
- The FBI Criminal Background Check costs \$27.50

Who pays for clearances?

The volunteer is responsible for paying the cost of the required clearances. (If this causes an undue hardship on anyone the church will reimburse you your expenses.)

Can my clearances be transferred?

Yes, any person who obtained their clearances within the previous 36 months may serve in a volunteer capacity for any program, activity or service. (If you have clearances from your job or another volunteer position all you need to do is to provide a copy of each to the church.)

MANDATED REPORTER INFORMATION AND OBLIGATIONS

All this information and more can be found at <http://keepkidssafe.pa.gov>

Who is a Mandated Reporter in the context of the Church?

- A clergyman, priest, rabbi, minister, Christian Science practitioner, religious healer 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.

What is Child Abuse?

Child abuse, according to the CPSL, means intentionally, knowingly or recklessly doing any of the following:

- Causing bodily injury to a child through any *recent act or failure to act.
- 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.
- 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.
- Causing sexual abuse or exploitation of a child through any act or failure to act.
- Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
- Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
- Causing serious physical neglect of a child.
- Causing the death of the child through any act or failure to act.

Child abuse also includes certain acts in which the act itself constitutes abuse without any resulting injury or condition. These recent acts include any of the following:

- Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
- Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
- Forcefully shaking a child under one year of age.
- Forcefully slapping or otherwise striking a child under one year of age.
- Interfering with the breathing of a child.
- Causing a child to be present during the operation of a methamphetamine laboratory, provided that the violation is being investigated by law enforcement.
- Leaving a child unsupervised with an individual, other than the child's parent, who the parent knows or reasonably should have known was required to register as a Tier II or III sexual offender or has been determined to be a sexually violent predator or sexually violent delinquent.

*Recent is defined as an abusive act within two years from the date the report is made to ChildLine. Sexual abuse, serious mental injury, serious physical neglect and deaths have no time limit.

When must a mandated reporter make a report?

A mandated reporter must make a report of suspected child abuse if they have reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

- 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 or service.
- 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.
- A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.
- An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

Must I report suspected abuse if I learn of the abuse from someone other than the child who was allegedly abused?

Yes. Nothing requires the mandated reporter have direct contact with the child in order to make a report.

How does a mandated reporter make a report if they suspect child abuse?

Mandated reporters must make an immediate and direct report of suspected child abuse to ChildLine either electronically at www.compass.state.pa.us/cwis or by calling 1-800-932-0313.

Do I need to notify anyone within my institution, school, facility or agency after I make a report?

Yes, after making the report to ChildLine, you are required to immediately thereafter notify the person in charge of the institution, school, facility or agency or the designated agent of the person in charge. In the case of our Church you should notify the Pastor and Clerk of Session.

What if a mandated reporter fails to follow the law?

The penalties for a mandated reporter who willfully fails to report child abuse range from a misdemeanor of second degree to a felony of the second degree.

Am I protected from civil and criminal liability if I make a report of suspected child abuse?

Yes, persons making a report of suspected child abuse are immune from civil and criminal liability as long as the report was made in good faith.

If I make a report is my identity protected?

The identity of the person making the report is kept confidential with the exception of being released to law enforcement officials or the district attorney's office.

How does a mandated reporter learn what happened on the report they made and what the agency is doing to protect the child from further abuse?

Mandated reporters will receive information from the Department regarding the final status of the report, whether it was unfounded, indicated or founded, and the services planned or provided to protect the child.

HOW TO OBTAIN CLEARANCES RELATED TO CHILD PROTECTION LAWS

Background Check #1

Report of criminal history from the Pennsylvania State Police - Cost \$10.00

If you would prefer to submit the request on-line then do the following:

1. Access the Pennsylvania Access to Criminal History (PATCH) at <https://epatch.state.pa.us/Home.jsp> or go to home page of church website for a link.
2. Click on "Submit a New Record Check" and follow the instructions.
3. You will need a credit card to complete the check.

If you would prefer to submit the request by mail then do the following:

1. Download a copy at the home page of the First United Presbyterian website or pick up a copy of the request at the church office.
2. Mail in the completed form with your processing fee in the form of with a money order or certified check for payable to the Commonwealth of Pennsylvania.

Give a copy of the completed report you receive to the church office.

Background Check #2

Child Abuse History Clearance from the Department of Human Services. – Cost \$10.00

In order to fill out the form by hand or on-line, you will need the following information:

1. All previous addresses you have lived at since 1975.
2. A list of the names and current ages (if known) of all persons with whom you have lived since 1975.

If you would prefer to submit the request on-line then do the following:

1. Access the Child Welfare Portal at www.compass.state.pa.us/cwis/public/home or go to home page of church website for a link.
2. Click on "Create New Account"
3. Once you have created an account you will be given directions how to complete.
4. You will need an email address and a credit card to complete the process.

If you would prefer to submit the request by mail then do one of the following:

1. Download a copy at the home page of the First United Presbyterian website or pick up a copy of the request at the church office
2. Mail in the completed form with your processing fee in the form of with a money order payable to Commonwealth of Pennsylvania.

Give a copy of the completed report you receive to the church office.

Affirmation of 10 Year PA Residency and Compliance with §6344

1. See the last page of this document.
2. Fill in your name, sign and date.

Give a copy to the church office

Background Check #3 (If Applicable i.e. you have lived outside of PA during the last 10 years)

FBI Cogent Finger Print Check - Cost \$27.50

1. You **MUST** pre-register on the Cogent fingerprint website before going to be fingerprinted.
2. Access the Cogent Applicant Fingerprinting Services Online www.pa.cogentid.com/index_dpw.htm or at the home page of the First United Presbyterian website
3. Under “Registration” on the right side of the screen, click on “Register Online” and follow the directions. You may also register by phone at 1-888-439-2486.
4. When you go to be fingerprinted you must bring receipt of registration and a valid form of photo ID.
5. Payment may be made online at the time of registration using a debit or credit card. Payment may also be made with a Money Order or Cashiers Check at the fingerprint site. Money Orders and Cashiers Checks must be made payable to 3M COGENT. **NO CASH, PERSONAL CHECKS and NO ELECTRONIC PAYMENTS** for background checks will be accepted at the fingerprint sites.

6. Carlisle
Fingerprint

The UPS Store 6300 1755 W Trindle RD Carlisle , PA 17015 Monday – Friday 9AM to 6PM Saturday 9AM to 2PM

Sites

The UPS Store #2878 950 Walnut Bottom Road Carlisle, PA 17015 Mon – Fri 9AM to 5:30PM Sat 9AM – 1PM

7. Additional information is available at the Cogent fingerprint website.

Give a copy of the completed report you receive to the church office

Optional but Strongly Recommended FREE Online Mandated Reporter Training

1. Access the link on the First United Presbyterian Website
2. Register
3. Follow the directions for the training.
4. Local in person training may be available from time to time in the area. If so the church will make members aware of such training.

AFFIRMATION OF 10 YEAR PA RESIDENCY AND COMPLIANCE TO §6344

FIRST UNITED PRESBYTERIAN CHURCH
111 W. BIG SPRING AVE.
NEWVILLE PA 17241

I, (print name) _____, do hereby attest that I have lived in the state of Pennsylvania for a minimum of ten (10) continuous years AND that I am not disqualified from service with and to children based upon a conviction of an offense under §6344 as stated below:

- 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).
 - 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).
- The attempt, solicitation or conspiracy to commit any of the offenses set forth in this paragraph.

Signed

Date