

CHILD, YOUTH AND VULNERABLE ADULT (CYVA)

PROTECTION POLICY The Presbytery of Los Ranchos

1. INTRODUCTION

The Presbytery of Los Ranchos (“Presbytery”) is called by God to provide and maintain a safe and nurturing environment for all Children, Youth and Vulnerable Adults (CYVA) while in its care during any Presbytery sponsored event. The Presbytery is to be a place for CYVA to grow and thrive in their faith, and for parents or guardians to be assured that their CYVA are safe with high quality childcare at Presbytery events.

This CYVA Protection Policy (this “Policy”) is guided by the Book of Order (W-3.0403) that reminds us that children are baptized into community and commits to provide for their ongoing nurture and formation for baptismal life in the world. One of the Great Ends of the Church directs us to “the shelter, nurture, and spiritual fellowship of the children of God.” We are called to “welcome” children as we would “welcome” Jesus (Matthew 18:5). We are instructed by Jesus’ words to “let the little children come to me, and do not stop them; for it is to such as these that the kingdom of heaven belongs” (Matthew 19:14). Additionally, we are reminded in Matthew 25:40, that “truly I tell you just as you did it to one of the least of these who are members of my family, you did it to me.”

Where the Presbytery is involved (even if only tangentially, such as coordinating sign-ups of participants) to events sponsored by any organization other than the Presbytery (from a member church of the Presbytery, to higher PC(U.S.A.) councils, to camp and conference systems, and any other events to which our CYVA might choose to participate with encouragement from the Presbytery), the person coordinating Presbytery involvement is responsible for confirming that any such other sponsoring organization has in place a CYVA policy that is adequately protective of the CYVA participants.

Capitalized terms used in this Policy are defined within this Policy.

2. PURPOSE¹

The primary purpose of this Policy is to establish a culture of safety for our CYVA, as well as fulfill our faith-based and legal obligations to report promptly suspected Abuse, including reporting “suspected incidents of child abuse to persons or entities outside of” the Presbytery (*See*, California Business & Professions Code § 18975(c)(1). Reporting suspicion of such wrongdoing is a legal requirement for any Mandated Reporter as defined in the Child Abuse and Neglect Reporting Act (“CANRA”, California Penal Code §§ 11164-11174.3). It is critical for all to be aware that all Activity Workers should be alert to potential victims of child abuse whether or not the alleged abuser is within our community or from outside of our community.

The secondary purpose of this Policy is to provide guidance to Activity Workers by defining a child protective culture and to assure that, if abuse is suspected, that such information is brought to the attention of a Mandated Reporter promptly.

¹ This Policy of the Presbytery is intended to comply with *Book of Order* provision G-3.0106 that mandates each presbytery adopt and implement a child and youth protection policy, *Book of Order* G-4.0302 that mandates reporting of abuse, and California statutory child abuse prevention and reporting requirements.

The parameters of prohibited acts and omissions under this Policy in some respects are more expansive than what may be a reportable reasonable suspicion under CANRA, and it is critical to keep these distinctions in mind to assure that a reportable reasonable suspicion is properly reported under CANRA, while prohibited acts or omissions not constituting a reportable reasonable suspicion under CANRA are properly handled otherwise under this Policy.

3. SCOPE

This Policy applies to those situations in which the persons involved (either as one who becomes aware of suspected abuse or as an alleged abuser) are accountable to the Presbytery, either formally or as a result of involvement in Presbytery Activities. As such, the responsibilities under this Policy are limited to those persons who are either continuing members of the Presbytery, employees, elected officials, members of various Presbytery committees, or volunteers for the Presbytery (who may, in turn, be members, employees or others associated with particular churches of the Presbytery). Examples of those to whom this policy applies include:

- Ordained clergy on the Presbytery rolls.
- Inquirers² and ordination candidates³ under care of the Presbytery's Committee on Preparation for Ministry.
- Certified Christian Educators under the jurisdiction of the Presbytery.
- Leaders of Presbytery-sponsored events, while they are planning, attending or in transit to or from such events. Leaders may include Teaching Elders, Presbytery staff, and volunteers who provide services for governing bodies and entities of the Presbytery. Volunteers include persons elected, appointed, or selected to serve on boards, committees, and other groups working with CYVA in Presbytery Activities.
- Professional lay persons employed by the Presbytery in both exempt and non-exempt positions.
- Commissioned Ruling Elders commissioned by the Presbytery.

4. DEFINITIONS

4.1 CANRA & Definitions of Abuse

The **California Child Abuse and Neglect Reporting Act (CANRA), California Penal Code §§ 11164-11174.3**, includes detailed definitions of abuse and neglect. What is reportable under CANRA will always be a violation of this policy (if the perpetrator is subject to this Policy), but some prohibitions in this policy may be broader than those reportable under CANRA. As used within CANRA, the term "child" refers to

² One who is trying to discern whether they are called to ordained ministry in the PC(USA) and working with the Presbytery during this process. See the "Committee on Preparation for Ministry: Student Guide" of the Presbytery.

³ Ordination Candidates are those who have progressed beyond Inquirer status and are in the process of completing Ordination Exams to achieve ordained ministry within the PC(USA). See Committee on Preparation for Ministry: Student Guide" of the Presbytery.

any person under the age of 18. The following summarizes some of the key terms utilized in CANRA; any Mandated Reporter needs to be familiar with all the details of CANRA.

- Physical abuse (PC § 11165.6) is defined as a physical injury inflicted by other than accidental means on a child, or intentionally injuring a child but does not include a mutual, physical altercation between minors.
- Sexual abuse within the meaning of CANRA (PC § 11165.1) includes sexual assault or sexual exploitation of anyone under the age of 18.
- Sexual assault (PC § 11165.1) includes sex acts with children, intentional masturbation in the presence of children, and child molestation.
- Sexual exploitation (PC § 11165.1) includes preparing, selling, or distributing pornographic materials involving children, any performances of a child involving obscene sexual conduct, and child prostitution.
- Willful cruelty or unjustified punishment (PC § 11165.3) includes a situation where a person willfully causes, inflicts or permits unjustifiable physical pain or mental suffering, or the endangerment of the child's person or health.
- "Mental Suffering" in and of itself is not required to be reported; however, it may be reported (PC § 11166.05).
- Unlawful corporal punishment or injury (PC § 11165.4) includes a situation where any person willfully inflicts any cruel or inhuman corporal punishment or injury resulting in a traumatic condition.

Neglect of a child (PC § 11165.2), whether "severe" or "general," must also be reported if the perpetrator is a person responsible for the child's welfare. It includes both acts and omissions that harm or threaten to harm the child's health or welfare. General neglect means the failure of a caregiver of a child to provide adequate food, clothing, shelter, medical care, or supervision, where no physical injury to the child has occurred. Severe neglect means the intentional failure of a caregiver to provide adequate food, clothing, shelter, or medical care where injury has occurred or is likely to occur. Severe neglect also includes those situations of neglect where any person having the care or custody of child willfully abuses or permits the person or health of the child to be placed in a situation such that his or her person or health is endangered.

Sexual Abuse: In the Book of Order, sexual abuse is defined as, "Sexual abuse of another person is any offense involving sexual conduct in relation to (1) any person under the age of eighteen years or anyone over the age of eighteen years without the mental capacity to consent; or (2) any person when the conduct includes force, threat, coercion, intimidation, or misuse of ordered ministry or position" (Book of Order, D-10.0401c)

Reports to protective services are required if there is reasonable suspicion of past, current or future abuse. California Law describes responsible suspicion as situations "when it is objectively reasonable for a person to entertain such suspicion based upon facts that could cause a reasonable person in a like position drawing, when appropriate, on his/her training and experience to suspect child abuse." (PC § 11166(a)(1)).

4.2 Other Definitions

Activity Workers: Any person, including a volunteer, Regular Volunteer, or Employee who is responsible for the care of CYVA at any level at Presbytery sponsored or co-sponsored events or activities. This includes childcare providers, activity supervisors, and activity chaperones (both paid or voluntary). All Activity Workers must (a) be at least eighteen years old and four years older than the oldest Youth whom they are serving, (b) have acknowledged receipt of this Policy, and (c) have completed CYVAPP training

available through the State of California (*See* § 13 of this policy). Last minute volunteers to serve as an Activity Worker at a Presbytery sponsored or co-sponsored event must be approved by the Stated Clerk.

If an Activity Worker suspects abuse or neglect as defined under this policy, the Activity Worker should confer with the Mandated Reporter assigned to that CYVA event promptly. Alternatively, the Activity Worker should contact the Presbytery's Office of the Stated Clerk (Telephone 714-956-3691, ext 130 or 122) promptly and ask that a Mandated Reporter be assigned to assist the Activity Worker. The Activity Worker should review the circumstances with the Mandated Reporter for the event or assigned by the Presbytery. Then, the Mandated Reporter will determine whether a report to a protective services agency or the Presbytery is appropriate under this policy, and make the report themselves or assist the Activity Worker in making the report.

Child⁴ or Children: A child or children for the purposes of this Policy will be defined as a person aged 0 through 11 years.

Corporal Punishment is the use of physical force, including spanking, which results in a child being hit or struck by a person who is not that child's parent or guardian and is in a position of authority or responsibility at a Presbytery-sponsored event.

CYVA refers to "Child, Youth or Vulnerable Adult", collectively, as each term is defined in this Policy.

Employee refers to an individual who was hired or called by the Presbytery to work for salary or wages.

Mandated Reporters include (1) clergy, (2) Employees who have direct responsibilities for children and youth at Presbytery events or facilities, which includes but is not limited to: pastors, directors, coordinators, teachers, camp counselors, administrators or employees for day camps or youth recreational programs, supervisors of child welfare and care, presenters of child abuse prevention programs, and those aides or helpers trained in child abuse reporting, and (3) others within the California statutory definition of Mandated Reporters. *See* CANRA § 11165.7(a).

Mandated Reporters shall undergo a background check meeting the standards of California Penal Code § 11105.3, which includes the requirement that the applicant's fingerprints be provided along with information required by the California Department of Justice on its approved form. Additionally, Mandated Reporters shall complete Mandated Reporter Training provided by the State of California (*See* <https://mandatedreporter.ca.com/>) on the schedule established by the State of California (every two years for some segments), and those Mandated Reporters who are Employees of the Presbytery will provide a certificate of training completion to the Presbytery. *See* PC § 11165.7(c).

Misuse of Technology is harassing or abusing a CYVA through technology and/or sending suggestive messages and images, and is included within **Abuse** as covered by this Policy. Adults are not to have any technological contact with a CYVA that has not been approved by the responsible parent or legal guardian with a signed waiver. This does not include contact through an open public forum such as a church website or other Social Media in a manner consistent with Section 15.2 below.

New Worship Communities (NWCs) are worship communities in contact with the Presbytery regarding the potential of becoming, or actively in the formal process of becoming, an organized congregation of the PC(USA) within the Presbytery's geographic region.

Presbytery refers to the Presbytery of Los Ranchos

⁴ Note that, as used in CANRA, abuse of a "child" refers to acts against anyone under the age of 18.

Presbytery Activity refers to any activity, program or event involving CYVA which is planned, organized, and/or conducted by the Presbytery or any of its officers, staff members, committees, or boards.

Regular Volunteer refers to an Activity Worker who is 18 years of age or older and who has direct contact with or supervision of Children and/or Youth at Presbytery sponsored or co-sponsored events or activities for more than 16 hours per month or 32 hours per year. Regular Volunteers shall undergo a background check meeting the standards of California Penal Code § 11105.3, which includes the requirement that the applicant's fingerprints be provided along with information required by the California Department of Justice on its approved form. *See* BP § 18975(b).

Social Media refers to electronic communication through which users share information, personal messages and other content within online communities.

Vulnerable Adult: Any person eighteen years old or older without the developmental or cognitive capacity to consent, and replaces the formerly used term "Dependent Adults."

Weapon: Any item used to threaten, intimidate, or harm a person or animal, including but not limited to firearms.

Youth: A Youth under this Policy will be defined as a person aged 12 through 17 years.

5. CIVIL REPORTING PROCEDURES UNDER CANRA

5.1 Who Reports:

Abuse and/or neglect of CYVA is against the law in California (*see* CANRA)

If a Mandated Reporter (which includes all Clergy, but also includes many others) suspects abuse or neglect, a report to a protective services agency or the appropriate law enforcement agency is required under CANRA. (*See* PC § 11164(a)).

The reporting mandates are individual and cannot be delegated to another individual except under circumstances explained later in this policy. The duty to report child abuse is an individual duty and no supervisor, director, or pastor may impede or inhibit such reporting duties. It is in the best interest of our CYVA that any and all known or suspected child abuse be reported immediately.

When two or more persons who are required to report have joint knowledge of a suspected instance of child abuse, and when they so agree, the telephone report may be made by either of them with the following written report made and signed by the same person. However, if any person knows or should know that the designated person failed to make the report, that person then has a duty to make the report.

Reminder for CANRA Reporting: When a report is made under CANRA, no Presbytery representative should investigate. A Mandated Reporter shall contact a protective agency such as child protective services. Determining whether or not the suspected abuse actually occurred is not the responsibility of the Presbytery representative or individual making the report. No Presbytery representative should confront a person cited in a report or suggest any suspicion of child abuse to the CYVA in question. Rather, any suspicion should be communicated confidentially to county protective services (as described below) and the Stated Clerk. No other third party will be told any details of any reported matter, unless that person has a legal, business,

or ministerial reason to be informed of the results of any investigation, or any actions taken in response to such investigation.

5.2 When to Report:

Mandated Reporters are required by CANRA, PC § 11166 to make an initial child abuse report via telephone immediately with a follow-up via written or electronic means within 36 hours.

5.3 How to Report:

- a) *Initial Report by Telephone:* In Orange County, call California Child Protective Services (CPS) at 714-940-1000 or 800-207-4464 (24 hour hotline, 7 days a week) to make a verbal report. In Los Angeles County, call The Los Angeles County Department of Children and Family Services (DCFS) (24 hour hotline, 7 days a week) or outside of California (800) 540-4000. The person calling (reporter) the hotline should take the name of the hotline worker answering the phone and the reporter should include the hotline worker's name in the reporter's notes of the call.

Before you call, make notes of any pertinent observations, child's comments, and other information that led to a reasonable suspicion of abuse. This written information about individuals involved and the description of the incident will be of value in making the oral report on the phone and can then be easily transferred to a reporting form and sent to CPS or DCFS within 36 hours.

- b) *Follow up Written or Electronic Report:* Please note, in order to access the written/electronic report, you first need to make your Initial Telephone child abuse report as outlined above. The Registry worker who takes your telephone call will provide information on how to complete the mandated follow-up report.

Any person who intends to file a report with civil authorities shall alert the Stated Clerk who will help in making a report. Only if civil authorities allow such communication can a representative of the Presbytery (or anyone else) speak with the principals in an alleged incident (including the parents) immediate after a report is made. Often pastors are advised that any contact with principals may affect the investigation.

Complete form DOJ SS8572 (Appendix A), available at:
https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf

- c) *Instructions for Completing the Form (in supplement to the instructions provided with the form):*
 - 1) Type or print legibly in black ink
 - 2) Fill in every space on the form
 - 3) If you do not know certain requested information, write "Unknown"
 - 4) In the "Narrative" section, give detailed information. If you have additional information beyond what you have given by phone, please indicate this on the written report. If necessary, please continue your narrative on an additional sheet of paper, identifying the minor and indicating it is page 2 of the referral.
 - 5) Submit Form SS 8572 within 36 hours after receiving the information that gives rise to the reasonable suspicion being reported.

County of Orange Social Services Agency
Child and Family Services/Child Abuse Registry

P. O. Box 14102
Orange, CA 92863-1502

OR

Los Angeles County Department of Children & Family Services (DCFS)
Child Protection Hotline
1933 S. Broadway, 5th Floor
Los Angeles, CA 90007

Keep a copy of Submitted Form SS 8572 in a confidential locked file in the Stated Clerk's office.

6. IMMEDIATE RESPONSE BY THE PRESBYTERY

In the event of a suspected incident of Abuse against a CYVA at a Presbytery Activity, Activity Workers must remove the accused (if involved in the Presbytery Activity) from direct contact with the CYVA. Activity Workers must provide immediate medical attention to the CYVA as well as appropriate care to all CYVA participants. Activity Workers will follow the CANRA procedures described above.

7. ACTIONS TO BE TAKEN BY PRESBYTERY UPON SUBMISSION OF A REPORT

If involved in the Presbytery Activity, the accused will be immediately removed from ~~child~~ CYVA oversight responsibilities, pending resolution of the allegations. Where the accused is a clergy member or employee of Presbytery, the Stated Clerk shall also follow any applicable provisions of the Rules of Discipline and/or the applicable provisions of the Presbytery's Response Policy: Sexual Misconduct and/or the applicable provisions of the Presbytery's Employee Handbook. In the event the reporting party believes the Stated Clerk may not be impartial regarding the accused or the Stated Clerk believes he/she may not be impartial regarding the accused, the reporting party or the Stated Clerk may refer the matter to the Presbytery's Executive Staff. [But see §5.1 of this policy regarding nondisclosure of a CANRA report.]

Any inquiries from the media regarding an incident of alleged child abuse must be directed to the Stated Clerk. (If the matter has been referred to the Presbytery's Executive Staff, media inquiries shall be directed to the designated member of the Executive Staff.) No other person shall respond to media questions or discuss the allegations outside of the reporting and investigative procedure.

It is important for Activity Workers to remember that they are not to take on the role of investigator when gathering information about an abuse incident potentially reportable under CANRA. Their job is to record and report the incident to civil authorities. Information in **Appendix B** provides guidance in establishing a Safe Child Response Team. If the abuse incident does not rise to being under the prohibitions articulated by CANRA, then the remaining aspects of this Policy shall apply.

8. PROHIBITIONS REGARDING CERTAIN PHYSICAL INTERACTIONS WITH CYVA

Certain forms of physical contact with a CYVA are inappropriate and, therefore, prohibited by this policy, even if it is not in violation of interactions proscribed by CANRA; this conduct will not be tolerated. Prohibited interactions include intentionally touching a CYVA in a personal/private area of the body, lying

down in private with a CYVA outside the presence of other Presbytery Activity Workers, and/or intentionally hitting, slapping or punching a CYVA for punishment or correction.

Other forms of physical contact with a CYVA may be appropriate under some circumstances but inappropriate under other circumstances. For example, holding a child in your lap, or carrying a child, may be appropriate as a necessary means of calming, comforting, or reassuring the child, or rendering assistance when walking is difficult or impossible. However, holding a child in your lap, or carrying a child, solely based on your own desire to do so, would be inappropriate. Similarly, any other form of physical contact with a CYVA that is based solely on the adult's own desire to do so, rather than an applicable contemporaneous need, would be inappropriate.

Activity Workers must establish clear lines and boundaries with CYVA. Statements such as “that’s not appropriate”, “that’s not acceptable”, and “that’s not respectful”, are helpful.

9. OTHER PROHIBITED BEHAVIORS INVOLVING CYVA

The following acts or omissions in interactions with CYVA, at or in transit to or from Presbytery sponsored or co-sponsored CYVA activities or programs, are violations of this Policy and will not be tolerated (even if not in violation of the proscribed acts or omissions under CANRA):

- Verbally abusive language such as belittling, derogatory name-calling, bullying or harassing remarks.
- Any display or demonstration of sexual activity, abuse, insinuation of abuse or abusive conduct.
- Sexual advances or sexual activity of any kind between a Presbytery worker and a CYVA.
- Physically abusive behavior or infliction of bodily injury to a CYVA.
- Mental or emotional injury to a CYVA caused or exacerbated by a Presbytery representative.
- Physical neglect of a CYVA, including failure to provide adequate supervision in relation to the activities and programs of the Presbytery.
- The presence or possession of obscene or pornographic materials at any church-sponsored event.
- The presence, possession or being under the influence of any drugs not prescribed by a medical professional.
- Consumption of or being under the influence of alcohol while serving as an Activity Worker or Mandated Reporter at CYVA activities or programs sponsored or co-sponsored by the Presbytery sponsored.
- Other acts of CYVA abuse, sexual abuse or the misuse of technology are strictly prohibited and must be reported immediately.

10. POLICY REQUIREMENTS FOR CYVA ACTIVITIES SPONSORED OR CO-SPONSORED BY THE PRESBYTERY

When working directly with CYVA at any CYVA activity sponsored or co-sponsored by the Presbytery, there must be at least one Activity Worker certified in first aid and CPR.

Whenever a Presbytery church organized (serves as lead for) an activity that includes CYVA from other Presbytery churches, the lead church must have a CANRA and Book of Order compliant CYVA policy in place. Presbytery churches participating in the activity shall abide by the policies of that lead church.

Presbytery churches shall NOT send a person to act as a CYVA Activity Worker who the Church knows has violated the provisions of the Book of Order or policy of a local congregation or Presbytery.

Presbytery churches at all levels of church life who are assisting in organizing Presbytery Activities for CYVA or sending CYVA to these events are required to abide by screening, training, and background check standards at least as rigorous as those mandated in this policy for the Presbytery.

This policy applies to the Presbytery activities and Presbytery member churches. Activities involving churches outside of Presbytery are beyond the scope of this policy, unless there is some form of joint sponsorship and participation.

11. SCREENING AND BACKGROUND CHECKS FOR ACTIVITY WORKERS

Before an Activity Worker participates in any CYVA event or activity conducted, sponsored, or co-sponsored by the Presbytery of Los Ranchos, (1) the applicant must submit to the Presbytery a completed and signed form authorizing the Presbytery to perform a background check, and (2) the applicant must have cleared the Presbytery's background check for service as an Activity Worker.

Activity Workers who, based on their volunteer hours monthly or annually with the Presbytery, meet the definition of Regular Volunteer, as set forth in this policy, shall undergo a background check meeting the standards of PC § 11105.3, which provides that the applicant's fingerprints be provided along with information required by the California Department of Justice on its approved form. *See* BP § 18975(b).

An Activity Worker who, based on his or her service under § 14.3 of this policy, serves where a Mandated Reporter is not available to supervise or staff a CYVA activity, shall have completed, prior to that service, a background check meeting the standards of PC § 11105.3, which provides that the applicant's fingerprints be provided along with information required by the California Department of Justice on its approved form. *See* BP § 18975(b).

When congregations are responsible for providing Activity Workers to a Presbytery event or activity involving CYVA, the specific congregation is responsible for assuring that all required screening for the Activity Workers it provides has been completed and shall confirm to the Presbytery that the screening has occurred.

12. CONVICTIONS OR PRACTICES PRECLUDING SERVICE AS AN ACTIVITY WORKER

No person may serve as a CYVA Activity Worker who has a conviction on their record of certain felonies or misdemeanors, or engages in the listed practices in the presence of a CYVA, including, but no limited to, any of the following:

- A. Violent Acts and/or Crimes
 - Criminal Homicide
 - Aggravated Assault
 - Use of Physical Force
- B. Sexual Acts and/or Crimes
 - Sexual Abuse, Misconduct, or Assault
 - Incest

- Indecency with a CYVA
 - Inducement of sexual conduct or performance with or by a CYVA
 - Possession or promotion of child pornography
 - Sale, distribution or display of harmful material to a CYVA
- C. Threatening Acts, Inappropriate Practices, and/or Crimes
- Employment harmful to a CYVA
 - Abandonment or endangerment of a CYVA
 - Injury to a CYVA
 - Kidnapping or unlawful restraint
- D. Substance & Weapon Misuse and/or Crimes
- Driving Under the Influence
 - Selling and/or distributing illegal drugs or controlled substances
 - Distributing alcohol, illegal drugs, controlled substances, tobacco products, e-cigarettes, and/or vaping products to a CYVA
 - Consuming alcohol, illegal drugs, controlled substances, tobacco products, e-cigarettes, and/or vaping products with a CYVA
 - Misusing a Weapon
 - Distributing a Weapon to a CYVA

In addition, if the Presbytery is aware that a CYVA Activity Worker has a prior conviction for one of the aforementioned crimes, or a related crime, the CYVA Activity Worker shall automatically be ineligible to attend a CYVA Presbytery Activity in any capacity.

13. ACTIVITY WORKER TRAINING

All Activity Workers shall receive a copy of this policy, and sign a document acknowledging that they have received it and will adhere to the policy.

All Activity Workers, including Regular Volunteers, shall complete the training, available from the State of California at <https://mandatedreporter.ca.com/training/volunteers> to be renewed every two years. Certification of completed training shall be provided by the Activity Worker to the Presbytery.

14. ACTIVITY PROCEDURES & PRACTICES FOR CYVA

14.1. Registration and Attendance

All CYVA must be registered to attend Presbytery Activities by a parent/guardian. Attendance shall be taken using a sign in/sign out sheet.

14.2. Special Accommodations

Parents and guardians are encouraged to notify the event organizers in advance if their CYVA needs any accommodations that would require adaptations to this Policy or to the Presbytery Activity. Activity organizers will work to provide reasonable, appropriate adaptations.

14.3. Adult Supervision Standards

California BP § 18975 provides that “a youth service organization shall develop and implement child abuse prevention policies. . .requiring, to the greatest extent possible, the presence of at least two mandated reporters whenever administrators, employees, or volunteers are in contact with, or supervising, children.” The Presbytery recognizes that compliance with exacting statutory provisions such as these presents challenges in a worship community such as ours. For example, some of the Presbytery’s small or New Worship Communities have only a single Mandated Reporter—their pastor—who must lead worship service so cannot supervise simultaneous Sunday School. Additionally, based on the demographics of the Presbytery’s geographic area, it is likely that some of our worshipers are undocumented and, in certain of our communities, undocumented worshipers may compose a significant percentage of the worship group. Notwithstanding these challenges, the Presbytery strongly supports efforts to keep our Children and Youth safe; this is fundamental to our faith.

- *Two Adult Rule:* All Presbytery events involving contact with or supervision of Children and/or Youth must be staffed by at least two unrelated Activity Workers who are 21 years or older. When reasonably possible, the activity should be staffed by two Mandated Reporters. When two Mandated Reporters cannot be present, a good faith attempt, consistent with our faith, should be made to ensure that at least one of the Activity Workers present at the activity has completed a background check provided to Regular Volunteers and meeting the standards of PC § 11105.3, which provides that the applicant’s fingerprints be provided along with the information required by the California Department of Justice on its approved form. Furthermore, when two Mandated Reporters cannot be present, a Mandated Reporter will be designated as responsible for the CYVA activity and the assigned Activity Workers will be advised of the identity of that Mandated Reporter. Activity Workers sharing responsibility for activities in adjacent rooms should not be related to each other. If any two Activity Workers are related, they should not be the only Activity Workers providing leadership.
- *Conversations in view of others:* If a one-on-one conversation is necessary with a CYVA, it shall be held in view of the others, including during transportation in a vehicle or using the bathroom.
- *Teen-Aged Assistants to Activity Workers:* Activities may include teen assistants under the supervision of two Activity Workers if there is a four-year age difference between the teen and the Children or Youth.
- *Ratios:* During the activities, the ratio of Children up through the age of nine will be one adult to five children (1:5). Youth ages 10 through 17 will have a care provider ratio of one provider to eight youth (1:8).
- *Safety Equipment and First Aid Kit Access:* Activity Workers are responsible for ensuring that proper safety guidelines are followed during activities such as helmets during bike rides and gloves during a construction project, etc. A first aid kit must be accessible to Activity Workers.

14.4. Visibility

All indoor activity rooms or areas must have doors with windows or Dutch doors, or doors must be left open. Window shades are to be open whenever possible. Anyone passing an activity room must be able to see into the room at all times.

14.5. Child and Youth Bathroom Procedures

Activity Workers should make sure any restroom used is not occupied by any unknown individual before allowing CYVA to use the facility. Children should always be sent in pairs with an Activity worker who will stand adjacent to the restroom while children use it. Youth shall request permission to use the restroom from the program or activity leader and shall go in pairs. They shall notify the responsible Activity Worker upon return.

14.6. Transportation

When a person other than the parent or guardian is transporting CYVA to, from, or as part of Presbytery Activities, all authorized drivers must be 25 years or older and have a copy of a valid driver's license and current automobile insurance on file with the Presbytery. The license number of the vehicle and the mobile telephone number of the driver shall be provided to the Supervisor before departing. The number of persons per vehicle should not exceed the number of seatbelts in the vehicle. All occupants must use seat belts at all times.

14.7. Youth Overnight and/or Off-Site Activities

- *Permission Slips and Medical Releases:* At least one of the adults shall be designated as the lead Activity Worker for the overnight or off-site activity; this lead Activity Worker shall carry a duplicate copy of all participants' permission slips and medical releases. Three sets are recommended: (1) one set with the Presbytery, (2) one set with the lead Activity Worker and (3) one set with the driver of the car in which a CYVA will be riding.
- *Additional Overnight Activity Standards:*
 - There shall be no overnight activities for children younger than third grade unless it is a specific parent/child activity. All overnight activities must have at least two unrelated Activity Workers supervising the activities. If the group is coeducational, there must be two adult males and two adult females to accompany and supervise the group. Separate sleeping arrangements for male and female participants are preferred; however, in situations where only one large sleeping room is provided, the room shall be divided by gender of Youth and Activity Workers. Ordinarily, Activity Workers should not share dormitory or hotel rooms with Youth unless the two are related.
 - Leaders must respect the dignity of all Youth attending overnight activities, including any Youth who, to the knowledge of the leader, identify as LGBTQ+. Leaders are encouraged to discuss appropriate accommodations for LGBTQ+ Youth with their parent(s) or guardian(s). Additionally, parents and guardians are encouraged to notify activity leaders if their Youth identifies as LGBTQ+ so that any appropriate accommodations can be made for the overnight activity. Youth overnight activity leaders are expected to use their best judgment regarding appropriate accommodations to be made for the activity or event based on the type of activity, the unique needs of the Youth attending, and the facilities available.
- *Important Reminder regarding Overnight and Multi-Day Activities:* Activity Workers serving on overnight or multi-day activities of more than 16 hours in a month or, as a result of other service, will have served more than 32 hours per year, must comply with the standards applicable to Regular Volunteers under this policy. Regular Volunteers must have a PC § 11105.3-compliant background check, including the submission of fingerprints. See §11 of this policy and BP § 18975(b).

15. ADDITIONAL GUIDANCE FOR ACTIVITY WORKERS

15.1. Proper Display of Affection

Touching is an essential responsibility in nurturing lives. Physical contact with CYVA should be developmentally appropriate. Be aware of and sensitive to differences in sexual development, cultural differences, family backgrounds, individual personalities, and special needs. The following guidelines are promoted for pure, genuine and positive displays of God's love.

- *Hugs:* Avoid initiating full contact, body-to-body hugs/kisses with the CYVA
- *Lap-sitting:* Children five years or younger may sit on an Activity Worker's lap so long as at least one other Activity Worker is present. Discourage lap sitting with school-age children. Encourage them to sit beside the Activity Worker. Youth should not be permitted to sit in an Activity Worker's lap.
- *Casual Touch:* Gentle contact during activities may occur in the form of pats on the head, shoulders, arms, or hands so long as the CYVA is receptive to casual touch.

15.2. Inappropriate Relations in Communications with CYVA

At no time shall any adult working with CYVA pursue a dating, sexual, or romantic relationship in person, through technology or social media with a CYVA. Activity Workers working with any CYVA shall not post to social media any information about a CYVA involved in a church activity and shall not "Friend" or add to contacts through social media. If social media or electronic communication are used to provide information about Presbytery Activities to any CYVA, written approval must be given by their parent/guardian in advance. Preferably, written or electronic communications from an adult working with a CYVA shall be sent to their parent/guardian. This provision shall not prohibit communication between staff or volunteers to a Youth elected to a board or ministry team relating to events, meetings, agendas, and activities of said board, ministry team, or committee with respond to relevant communications to that position.

15.3. Activity Workers Shall be Alert and Unimpaired While Serving

All Activity Workers working with CYVA in a Presbytery Activity shall be alert and unimpaired throughout their CYVA service at the event. No Activity Worker shall have access to or use alcohol or other behavior-altering substances, tobacco, vaping devices, or weapons⁵ during the Presbytery activity.

Similarly, CYVA attending Presbytery events are prohibited from bringing the aforementioned items to a Presbytery event or while on Presbytery premises; in the event of noncompliance by a CYVA, the offending person will be sent home at their family's expense.

15.4. Technology Use

Technology shall not be used to bully others; nor shall it be used to allow viewing by or sending to CYVA explicitly violent, sexual, obscene or pornographic material. In the event of a CYVA's noncompliance during a Presbytery Activity, the offender will be sent home at their family's expense.

15.5. Medications

If medications are needed during a Presbytery Activity, parents/guardians must provide written consent and instructions. Medication needs to be in the original container. Any medication provided by parents/guardians must stored in a safe place inaccessible to CYVA.

15.6. Gifts

Activity Workers shall not give gifts to an individual CYVA. Gift giving should be done on a group basis for special occasions only. Gifts should not be elaborate and should be appropriate to the occasion.

⁵ Activity Workers who are also law enforcement officers required to have access to service revolvers, firearms, or other weapons and have advised the Presbytery of this fact are exempted from this provision regarding weapons.

15.7. Discipline

Discipline is intended to develop self-control through practice and instruction. A covenant of behavioral expectations should be outlined at the beginning of the CYVA event. Any interactions regarding inappropriate behavior by a CYVA need to consider carefully a CYVA's dignity and well-being. Gentleness, respect and understanding must guide all actions and words. Discipline will be carried out through instruction, correction and positive reinforcement. Good and appropriate behavior should be reinforced with praise and thanks. Should a discipline problem arise, the following should be kept in mind:

- Physical punishment and humiliation shall never be used.
- Inappropriate behavior is defined as any action that causes harm or shows disrespect to self or others, or damage to the contents of the room.
- Upon observing inappropriate behavior, Activity Worker(s) should identify that behavior and explain why it is inappropriate. Suggest an alternative behavior.
- Activity Works should remind the CYVA engaging in inappropriate behavior that if the action continues, consequence will ensue.
- For second offenses, follow through with the consequence. After taking action, remind the CYVA of an alternative behavior.
- For third offenses, the CYVA should be removed from the activity and the parent/guardian contacted.

In extreme cases where the CYVA becomes a threat to him/herself or others, remove the CYVA from the room. Do not leave the CYVA unattended. When preventing a child from harming others, physical contact should be limited.

16. POLICY OVERSIGHT

The Sexual Misconduct Report Team (the "SMRT") established under the Presbytery Sexual Misconduct Prevention and Response Policy (the "Presbytery Sexual Misconduct Policy") will be responsible for the posting of this Policy on the Presbytery's website. The Stated Clerk shall be responsible for ensuring that required screening has been completed.

17. RECEIPT AND ACKNOWLEDGEMENT OF POLICY

At the time of training, every Activity Worker will be given a copy of this policy and will confirm receipt of same in writing.

18. CONFIDENTIALITY OF RECORDS

The Presbytery shall maintain all CYVA Activity Worker applications, results of background checks, and related information in confidential, secured file.

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SUSPECTED CHILD ABUSE REPORT (Pursuant to Penal Code section 11166)

Print Form Clear Form

To Be Completed by Mandated Child Abuse Reporters
PLEASE PRINT OR TYPE

CASE NAME: _____

CASE NUMBER: _____

A. REPORTING PARTY	NAME OF MANDATED REPORTER		TITLE		MANDATED REPORTER CATEGORY				
	REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS			Street	City	Zip	DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO		
	REPORTER'S TELEPHONE (DAYTIME)		SIGNATURE			TODAY'S DATE			
B. REPORT NOTIFICATION	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION		AGENCY						
	<input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services)		ADDRESS		Street	City	Zip	DATE/TIME OF PHONE CALL	
	OFFICIAL CONTACTED - NAME AND TITLE					TELEPHONE			
C. VICTIM One report per victim	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS		Street	City	Zip	TELEPHONE			
	PRESENT LOCATION OF VICTIM			SCHOOL	CLASS	GRADE			
	PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER DISABILITY (SPECIFY)			PRIMARY LANGUAGE SPOKEN IN HOME			
	IN FOSTER CARE? <input type="checkbox"/> YES <input type="checkbox"/> NO	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE:			TYPE OF ABUSE (CHECK ONE OR MORE):				
		<input type="checkbox"/> DAY CARE	<input type="checkbox"/> CHILD CARE CENTER	<input type="checkbox"/> FOSTER FAMILY HOME	<input type="checkbox"/> PHYSICAL	<input type="checkbox"/> MENTAL			
	<input type="checkbox"/> FAMILY FRIEND	<input type="checkbox"/> GROUP HOME OR INSTITUTION	<input type="checkbox"/> RELATIVE'S HOME	<input type="checkbox"/> SEXUAL	<input type="checkbox"/> NEGLECT	<input type="checkbox"/> OTHER (SPECIFY) _____			
RELATIONSHIP TO SUSPECT			PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO		DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK				
VICTIM'S SIBLINGS	NAME		BIRTHDATE	SEX	ETHNICITY	NAME	BIRTHDATE	SEX	ETHNICITY
	1. _____	2. _____				3. _____	4. _____		
D. INVOLVED PARTIES PARENTS/GUARDIANS	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS		Street	City	Zip	HOME PHONE	BUSINESS PHONE		
	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS		Street	City	Zip	HOME PHONE	BUSINESS PHONE		
SUSPECT	SUSPECT'S NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY			
	ADDRESS		Street	City	Zip	TELEPHONE			
	OTHER RELEVANT INFORMATION								
E. INCIDENT INFORMATION	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/> IF MULTIPLE VICTIMS, INDICATE NUMBER: _____								
	DATE/TIME OF INCIDENT		PLACE OF INCIDENT						
	NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incident's involving the victim(s) or suspect)								

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code section 11169 to submit to DOJ a Child Abuse or Severe Neglect Indexing Form BCIA 8583 if (1) an active investigation was conducted and (2) the incident was determined to be substantiated.

SUSPECTED CHILD ABUSE REPORT (Pursuant to Penal Code section 11166)

DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM BCIA 8572

All Penal Code (PC) references are located in Article 2.5 of the California PC. This article is known as the Child Abuse and Neglect Reporting Act (CANRA). The provisions of CANRA may be viewed at: <http://leginfo.legislature.ca.gov/faces/codes.xhtml> (specify "Penal Code" and search for sections 11164-11174.3). A mandated reporter must complete and submit form BCIA 8572 even if some of the requested information is not known. (PC section 11167(a).)

I. MANDATED CHILD ABUSE REPORTERS

Mandated child abuse reporters include all those individuals and entities listed in PC section 11165.7.

II. TO WHOM REPORTS ARE TO BE MADE ("DESIGNATED AGENCIES")

Reports of suspected child abuse or neglect shall be made by mandated reporters to any police department or sheriff's department (not including a school district police or security department), the county probation department (if designated by the county to receive mandated reports), or the county welfare department. (PC section 11165.9.)

III. REPORTING RESPONSIBILITIES

Any mandated reporter who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse or neglect shall report such suspected incident of abuse or neglect to a designated agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof **within 36 hours** of receiving the information concerning the incident. (PC section 11166(a).)

No mandated reporter who reports a suspected incident of child abuse or neglect shall be held civilly or criminally liable for any report required or authorized by CANRA. Any other person reporting a known or suspected incident of child abuse or neglect shall not incur civil or criminal liability as a result of any report authorized by CANRA unless it can be proven the report was false and the person knew it was false or made the report with reckless disregard of its truth or falsity. (PC section 11172(a).)

IV. INSTRUCTIONS

SECTION A – REPORTING PARTY: Enter the mandated reporter's name, title, category (from PC section 11165.7), business/agency name and address, daytime telephone number, and today's date. Check yes/no whether the mandated reporter witnessed the incident. The signature area is for either the mandated reporter or, if the report is telephoned in by the mandated reporter, the person taking the telephoned report.

IV. INSTRUCTIONS (*continued*)

SECTION B – REPORT NOTIFICATION: Complete the name and address of the designated agency notified, the date/time of the phone call, and the name, title, and telephone number of the official contacted.

SECTION C – VICTIM (One Report per Victim): Enter the victim's name, birthdate or approximate age, sex, ethnicity, address, telephone number, present location, and, where applicable, enter the school, class (indicate the teacher's name or room number), and grade. List the primary language spoken in the victim's home. Check the appropriate yes/no box to indicate whether the victim may have a developmental disability or physical disability and specify any other apparent disability. Check the appropriate yes/no box to indicate whether the victim is in foster care, and check the appropriate box to indicate the type of care if the victim was in out-of-home care. Check the appropriate box to indicate the type of abuse. List the victim's relationship to the suspect. Check the appropriate yes/no box to indicate whether photos of the injuries were taken. Check the appropriate box to indicate whether the incident resulted in the victim's death.

SECTION D – INVOLVED PARTIES: Enter the requested information for Victim's Siblings, Victim's Parents/Guardians, and Suspect. Attach extra sheet(s) if needed (provide the requested information for each individual on the attached sheet(s)).

SECTION E – INCIDENT INFORMATION: If multiple victims, indicate the number and submit a form for each victim. Enter date/time and place of the incident. Provide a narrative of the incident. Attach extra sheet(s) if needed.

V. DISTRIBUTION

Reporting Party: After completing form BCIA 8572, retain a copy for your records and submit copies to the designated agency.

Designated Agency: **Within 36 hours** of receipt of form BCIA 8572, the initial designated agency will send a copy of the completed form to the district attorney and any additional designated agencies in compliance with PC sections 11166(j) and 11166(k).

ETHNICITY CODES

1 Alaskan Native	6 Caribbean	11 Guamanian	16 Korean	22 Polynesian	27 White-Armenian
2 American Indian	7 Central American	12 Hawaiian	17 Laotian	23 Samoan	28 White-Central American
3 Asian Indian	8 Chinese	13 Hispanic	18 Mexican	24 South American	29 White-European
4 Black	9 Ethiopian	14 Hmong	19 Other Asian	25 Vietnamese	30 White-Middle Eastern
5 Cambodian	10 Filipino	15 Japanese	21 Other Pacific Islander	26 White	31 White-Romanian

APPENDIX B

What to do when responding to allegations of sexual misconduct involving Children, Youth and Vulnerable Adults.

Be present:

- Always treat the person as if you believe the accusation. Never say or do anything that communicates you don't believe what they've reported.
- Provide Active Listening to both the alleged victim and alleged person during this traumatic time. That is, provide each party a non-judgmental presence and remind them they are not alone.
- Do not lead or speak for either party. Let each share their narrative with you as a witness to their story.
- Protect the confidentiality of all involved.

Take action:

- Pray for wisdom, discernment, calmness, compassion.
- Provide safety for the alleged victim.
- Separate alleged person and ensure the alleged person is given appropriate support and supervision.
- Write down all the details of the situation so you have them at hand when needed and so you don't forget details.
- Inform parents/guardians of alleged victim.
- Report allegation to civil authorities whether or not you are sure of the allegation and let them advise.
- Inform Stated Clerk and be advised on the possibility of the formation of Child Safe Response Team.
- Inform insurance provider that an allegation has been reported.
- Offer pastoral counseling for all involved.
- Identify professional counseling for all involved.