

Why revise the BYM Youth Safety Policy now?
From the BYM Youth Safety Policy Working Group
3/13/18

The Youth Safety Policy Working Group (YSPWG) is under the care of the Trustees. Members include the General Secretary, Youth Program Manager, Camping Program Manager, Presiding Clerk, and the Clerks or designated representatives of the Trustees, Supervisory, Camping Program, Youth Programs, and Religious Education committees, and Junior Yearly Meeting staff. YSPWG meets at least once per year to review the current Youth Safety Policy, and to discuss any concerns that may have arisen.

The YSPWG and the Trustees recommend the attached revised and updated Youth Safety Policy for Interim Meeting approval. The revisions are based upon BYM's experience over the past five years, input from the above listed committees and staff, review by BYM's attorney, and review by the Trustees. The following summarizes the reasons for the proposed changes.

- 1) In 2016, we asked our attorney to review our policy. She found that state laws had changed significantly since the 2013 version was written. This draft revision incorporates those changes.

Note: BYM program managers keep current and comply with all relevant changes in state laws concerning youth safety as they occur. The changes to state youth safety laws reflected in this revised document have already been incorporated into our program training and practices.

- 2) In 2017, the Camping Program Committee (CPC) raised concerns about the feasibility of implementing the "Two-Adult Guideline." BYM is fully committed to the safety of our campers, and the CPC believes our hiring processes, training, layered supervision, and matrix of support for our counselors offer the best protection possible for both campers and staff. BYM camping programs meet or exceed all state requirements for staff-camper ratios. However, camping program staff report that it is very difficult to uphold BYM's "Two-Adult Guideline". There are numerous instances during the course of any given day during camp when this guideline cannot be upheld for various practical reasons. A more feasible and realistic policy would be to "avoid one adult alone with one child." Camp staff were concerned a) to avoid being put in a situation where they must promise (in writing) to uphold a policy that they knew they often would be unable to implement (staff feel this lacks honesty and integrity); and b) to avoid the potential legal exposure that the failure to implement an unworkable policy may cause for BYM. We asked our attorney to comment on this. This draft revision incorporates her recommended changes to address this concern.
- 3) In 2017, the Youth Programs Committee also raised concerns about the feasibility of implementing the "Two Adult Guideline." BYM offers year-round youth programs at locations across the Mid-Atlantic region. Often times, this involves a single adult volunteer or staff person driving a van full of kids to or from the location of the gathering. Although all other aspects of the Youth Safety Policy are observed, it would be difficult and costly to enforce the "Two-Adult" rule in all such cases. We asked our attorney to comment on whether there was sufficient legal flexibility in the "Two-Adult Guideline" so as to limit potential legal exposure that this may cause. This revision incorporates her recommended changes to address this concern.

Baltimore Yearly Meeting Youth Safety Policy

Originally Approved October 17, 2009 at BYM Interim Meeting

Updated 2018

Purpose Statement

Baltimore Yearly Meeting (BYM) seeks to provide a safe and secure environment for the children and youth who participate in our programs and activities. We strive to provide an atmosphere of openness and trust among children, among adults, and between children and adults. We seek Divine guidance in all aspects of our programming, operations and staffing. We affirm that the adults in our programs have the responsibility for the safety and care of all, but especially the children in our programs. We recognize that youth safety depends fundamentally upon the quality of our hiring and screening processes, the training we provide for our staff and volunteers, layered supervision, and the matrix of support we provide for our staff and volunteers. Beyond written policies, we recognize that careful attention and vigilance needs to be maintained to nurture this atmosphere and provide individuals the opportunity to experience safety in our community.

Commented [NS1]: Sentence added at request of Camping Program Committee

All of our youth programs honor that of God in every person. After research, thought, discussion, and prayer, we have created this policy and procedures to promote the safety of all within the Yearly Meeting community while respecting the Light within each of us. The policy set forth in this document acknowledges that each of our youth programs is unique and has different operating norms. Therefore, this document strives to provide overarching policies and guidelines which allow each program the flexibility needed to operate. These procedures focus on preventing harm, responding in a timely and appropriate way to suspicions or incidents of child abuse, and offering support, clarity and allowing room for healing. By implementing the following practices, our goal is to maintain high-quality care and protection of the children and youth of Baltimore Yearly Meeting. The Yearly Meeting also seeks to protect from false accusations all who work with and support any of the Yearly Meeting's programs.

Definitions

For purposes of this policy, the terms "child," "children," "youth," or "minors" include all persons under the age of eighteen (18) years. "Youth Worker" refers to someone who is working within Yearly Meeting programs for youth, including paid staff, work-grant recipients and volunteers. "Applicant" refers to anyone who is applying to be a youth worker. "Participant" is any individual, regardless of age, who is not working, but participating in a Youth Program.

Support workers are those who assist in various youth programs by doing jobs necessary to such programs, but who are not involved in directly ministering to youth. By way of example, these workers include, but are not limited to, kitchen staff, groundskeepers and bus drivers. For purposes of this policy, these staff and volunteers shall be referred to as "Support Workers."

Within BYM programs - which include, but are not limited to, the Junior Yearly Meeting program, the BYM Youth Programs, and the BYM Camping programs - some "youths" may indeed be "Youth Workers," while some people over the age of 18 may be "participants." Youth Workers who are under the age of 18 shall be referred to in this Policy as "Minor Youth Workers."

Those in charge of those programs shall be referred to in this Policy as "program managers."

Preventive Measures

BYM seeks to prevent the occurrence of child abuse within its programs. Prevention occurs in various ways that include: carefully screening applicants, checking references, conducting criminal background checks, and regularly re-checking criminal records. It also includes training on the signs and symptoms of possible child abuse, regular monitoring of staff during youth activities, ensuring this Policy is disseminated to all who work with youth, training on this Youth Safety Policy, and creating procedures appropriate for each youth program, and monitoring compliance with those procedures, especially those designed to limit situations of one youth meeting with one adult in a closed room that might give rise to the opportunity of child abuse.

Selection of Workers for Positions Supervising Youth

Year-round staff members involved with youth are hired by the General Secretary of BYM using a process that involves but is not limited to a written application, interview, reference checks and criminal background check. These year-round staff members oversee the various BYM programs for youth.

People who oversee the BYM programs serving youth are charged with the responsibility of discerning the suitability of staff and volunteers to work with our youth. All BYM employees and any persons who desire to work directly with the children participating in our programs and activities will be screened using the procedures below:

a. Written application:

All applicants for any Youth Worker position must complete an application. The applications for various BYM youth programs may differ slightly depending upon individual program needs. However, each application will request basic information from the applicant, and will inquire into such matters as previous experience with children and religious affiliation. It will require at least two references, employment information and disclosure of any criminal convictions. (See **Appendix A** for a copy of the application for use with all youth staff and camp staff: BYM staff and JYM volunteers.) Applicants with experience in one or more Quaker programs are encouraged to obtain one of their references from someone associated with that program, or from their Monthly Meeting. This shall not be a requirement.

Access to the completed application forms will be available to those reviewing the application, and to relevant BYM staff and committee clerks.

b. Applicant Interview:

Upon review of the applications, a personal interview will be conducted with all selected applicants to consider their suitability. The Camp Directors conduct interviews for the camp staff; the Junior Yearly Meeting committee clerks interview possible volunteer staff for JYM; and the Friendly Adult Presence (FAP) subcommittee interviews possible staff for BYM Young Friends and Junior Young Friends programs. Procedures for conducting and documenting the interview or training process will be determined by the particular youth program. Any concerns raised during the interview process should be noted in writing on or with the application, and signed and dated by the noting interviewer.

c. Reference Checks:

Before an applicant is permitted to work with children and youth in any BYM program, at least two of the applicant's personal references will be checked. Individuals familiar with the applicant but not identified by that applicant as a reference also may be contacted for input.

d. Six-Month Association Rule:

In an effort to ensure that we know the individuals who will help our youth develop and be asked to serve as role models, no unpaid worker will be considered for any positions involving supervisory contact with minors until they have been known to a Quaker community for a minimum of the previous six (6) months before applying for a position in a BYM youth program. Quaker communities may include Friends schools, Friends camps, Monthly Meetings or other Quaker organizations.

e. Exceptions to the selection process:

We recognize that there are some categories of workers which are not vetted using the above detailed application process, such as occasional workshop leaders and non-program-affiliated bus drivers. Notwithstanding, all such workers are still required to undergo a criminal background check unless program staff will be present at all times during the occasional person's direct contact with youth.

f. Criminal Background Check

A state/district and national criminal background check covering the jurisdiction in which the worker resides is required for all Youth Workers and Support Workers within BYM youth programs, excepting Minor Youth Workers. Until the background check is complete, no adult applicant will be allowed to volunteer or be employed in any of the youth programs. Periodic re-checks will occur, based on the specific youth program's need, but rechecks will occur no less frequently than every three years.

Before a background check is run, a prospective worker will be asked to complete and sign an authorization and release form as well as an information form allowing BYM to access this information and share it with appropriate personnel. (See **Appendix A** for Authorization & Release and Information forms.) A failure to disclose a criminal conviction on the background authorization form and/or declining to sign the authorization form will be a basis for prohibiting the individual from working with children or acting in a support capacity in our youth programs. An applicant will be provided with the opportunity to explain any extenuating circumstances regarding criminal convictions on the application.

Conviction of a crime does not automatically mean that someone could not work with children nor does it mean that they do not have gifts to offer the BYM community. But in order to protect the safety of our youth, individuals convicted of any of the following types of crimes will not be employed nor serve as volunteers in our youth programs:

Any crimes involving children such as, but not limited to, child abuse, sexual abuse, child neglect, child pornography, and human trafficking.

Additionally, in Maryland, employment in youth camps is prohibited to individuals who have been convicted of certain other crimes, including cruelty to animals, domestic violence, a weapon or firearm violation of federal or state laws, felonies, manufacturing, distributing, or dispensing a controlled dangerous substance, perjury, and reckless endangerment.

Commented [NS2]: Paragraph added as per change in Maryland law.

Additionally, applicants convicted of "barrier crimes", as defined by Virginia law, will not be placed in positions working with youth in any BYM programs located in Virginia. All other convictions will be assessed based on the type of crime, numbers of convictions and date(s) of convictions, and any other pertinent information to ascertain whether the individual is suited to working with youth at all, or at the time of the application.

The background check authorization form and results will be maintained in confidence in a locked file and/or in secured digital files at the BYM office or other BYM facility. Should the criminal background check indicate any convictions that would ban or limit the involvement of an applicant, the Yearly Meeting staff will communicate with the applicant and notify them of the reason they are not eligible to work with youth in BYM programs. The applicant has the right to review the report. If the applicant believes that the criminal background report is incorrect, they may go through the appropriate legal channels to correct it and then reapply. BYM staff will notify the person responsible for the appropriate program that the applicant is not currently eligible to work with youth. In these instances, the General Secretary, program manager and the appropriate program committee clerk will be consulted. The Yearly Meeting Presiding Clerk may substitute for the General Secretary, as needed.

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Minor Youth Workers

Because of the difference in legal status between youths and those over 18, the selection process for Minor Youth Workers is somewhat different. We recognize that there may be times when it is necessary or desirable for workers (paid or volunteer) who are under age 18 to assist in caring for children during programs or activities. The following guidelines apply to such workers:

- Minor Youth Workers must be at least age 14; Note, the minimum age may be higher for some BYM youth programs based on the program, job description, location of where the program is conducted and the regulations in that jurisdiction.
- There should be an age gap of at least two years or two grade levels between Minor Youth Workers and the children under their care. Some programs may require a wider age gap.
- Minor Youth Workers must provide at least two references, with one preferably from their Monthly Meeting or another BYM program, or from a person in a position of responsibility concerning such experience at another Quaker or religious institution or other group. It should include information about the applicant's prior experience working with children.
- All Minor Youth Workers must have the express permission of a parent or guardian to engage in this ministry.
- Minor Youth Workers must be under the supervision of an adult at all times.
- Note: Criminal background checks are not available for minors.

Worker-to-Youth Ratios

Given that our Yearly Meeting youth programs serve children from infancy through early adulthood, each youth program will develop guidelines for its programs and events that identify the maximum number of participants that one worker may be responsible for supervising, in accordance with applicable laws. Programs employing workers under the age of eighteen (18) years will include in their guidelines the discernment as to the ages of children a Minor Youth Worker may care for, and the number of participants a Minor Youth Worker may reasonably be expected to work with.

Supervision of Minors

For the protection of all, one-on-one contact between adults and unrelated minors behind closed doors or in a secluded area is prohibited, except as may be required for medical or similar unavoidable purposes. When transporting minors at least two adults must transport a single minor participant, or at least two minors must be present if transported by a single adult, when possible. We encourage any private conversations to be held in public view. Workers are never to be alone with a child in a private bathroom/ or bathroom stall with the door closed. During times when there are not two adults present with a group of youth, another appropriate adult should be assigned to make periodic unannounced site checks to such group.

Deleted: Two-Adult Guideline¶

Deleted: For the protection of all, where possible, there should be at least two adult workers in attendance at all times when minors are being supervised during our programs and activities. One-on-one (adult-child) interactions behind closed doors or in a secluded area are prohibited, except as may be required for medical or similar purposes. Transportation of youth or support workers should conform to this guideline where possible.¶

Open Door Guideline

When a program involving youth uses a classroom or other meeting room, the door to the room should always remain open unless there is an uncovered window in the door or a side window beside it that provides a clear view into the room. Doors are never to be locked while youth are inside the room.

Check-in/Check-out Procedure

All programs which serve youth within BYM will have clear check-in and check-out procedures which ensure that the staff/volunteers can account for the number, identity and whereabouts of the youth under their care from arrival to departure. Each program will provide the particular procedures for these safeguards. Each such procedure should be submitted for approval to the program manager, or the person in charge.

Discipline Policy

BYM strives to create a safe and nurturing environment where youth of all ages can experience the community of Friends. Our program leaders and staff work hard to use conflict resolution familiar to Friends when the need arises. Physical discipline such as spanking, grabbing, or hitting children is unacceptable under any circumstance. Workers should consult with the program director or committee clerk if assistance is needed with disciplinary issues.

Responding to Allegations of Child Abuse

BYM operates in Maryland, Pennsylvania, Virginia, West Virginia and the District of Columbia, and the terms "child abuse," "child neglect" and "child sexual abuse" have different definitions in each such jurisdiction, as well as different reporting requirements. (See **Appendix B** for pertinent laws regarding child abuse for each of these jurisdictions.) Notwithstanding these various definitions, child abuse, neglect or sexual abuse generally include, but are not limited to the following:

- Any treatment, action or behavior or lack thereof to a child by any adult or other child that is not accidental, and that causes physical, sexual or emotional harm or injury to that child. This includes actions or behaviors that are direct as well as indirect through writing, phone calls, texting, instant messaging, via any form of social media or other form of communication or interaction.
- Any act that involves sexual molestation or exploitation of a child by a parent or other person who has permanent or temporary care or responsibility for supervision of a child, or by any household or family member. These acts include incest, rape, sodomy, sexual offense, and unnatural or perverted sexual practices. [These acts by other adults would be defined as sexual crimes and be described in another part of the Law.] This includes actions or behaviors that are direct as well as indirect through writing, phone calls, texting, instant messaging, via any form of social media or any other form of communication or interaction.

- Any action or failure to act that deprives a child of essential needs, such as adequate food, water, shelter, or medical care, by a caregiver who bears responsibility for providing such.

If an individual suspects abuse or neglect of a child participating in any BYM program, whether the abuse is suspected to have occurred in the youth program or elsewhere, s/he will immediately notify 1) the relevant Yearly Meeting program manager or 2) the appropriate committee clerk for further action, AND make an oral report to the civil authorities, and follow that by a written report to the civil authorities within 24-48 hours, as mandated by state law. (See **Appendix C** for Important Contact Information.) The program manager or committee clerk who receives the initial report shall notify the General Secretary as soon as possible.

Any sexual activity between any Youth Worker (including Minor Youth Workers) and a youth participant of a BYM program in which the Youth Worker is involved, is contrary to BYM policy.

Steps in Handling Suspected or Actual Abuse

While our youth programs strive to foster communities of caring and respect for all, we recognize that the possibility exists for abuse or neglect of children during participation in a youth program, as well as the possibility of discovering, during a youth event, evidence of abuse of a child participant that has occurred elsewhere.

In the event that a suspicion of child abuse or neglect is raised at a BYM program event or activity, regardless of where the abuse is alleged to have occurred, the following procedure shall be followed:

1. All youth workers shall comply with state requirements regarding reporting of any suspected child abuse, whether or not the statute includes the youth worker as a mandatory reporter. In Maryland, the duty to report is triggered as follows: "An individual shall immediately report suspected child abuse or neglect to the local department of social services, or report the suspected incident to a local law enforcement agency."
 - a. Report the suspicion or incident to the program manager or committee clerk as soon as possible, AND
 - b. Make an oral report of the suspicion or incident to the local Department of Social Services or Police. (See **Appendix C** for Important Contact Information).
 - c. The youth worker shall follow up by making a written report to the civil authority within 24-48 hours of the oral report. (See **Appendix B** for required forms or list of information to provide if no form required.)
2. Immediate steps will be taken by the program manager or person in charge (PIC) to ensure that all other children and youth in the youth program are safe, as applicable.
3. If applicable, the employee or volunteer alleged to be the perpetrator of the abuse or misconduct will immediately be placed on leave from working with children and will not be permitted to participate in any activities involving children or youth, pending an investigation.

4. The parent or guardian of the youth will be notified by the person in charge as soon as possible, excepting circumstances in which such parent or guardian is the alleged abuser. (If there are multiple people in charge, those people should meet to be informed about the incident as soon as possible and to designate a point person to contact the parent or guardian and report to the authorities.) Information on the suspicion or incident will be provided to the parent or guardian including the requirement that youth workers must report such suspicions or incidents to the program manager, parents, and to the authorities.
5. In situations where the parent or guardian is available and not the alleged abuser, the program manager will assist as requested by the parent or guardian to care for the needs of the child. If the parent or guardian is not immediately available or is the alleged abuser, the program manager will ensure that the child, the alleged victim, receives immediate medical attention, if and as appropriate.
6. Investigation of the suspicion or incident is the responsibility of the civil authorities who are trained for this purpose. BYM officials and all involved are expected to cooperate fully with any investigation. During the course of any investigation, all involved are reminded that confidentiality is important to the alleged victim as well as the alleged perpetrator. Any person ultimately found guilty of abuse by the authorities will be permanently removed from their position with children or youth, and will not be permitted to participate in any activities involving children and youth in the Yearly Meeting.
7. The General Secretary of the Yearly Meeting or their designee will ensure that all required reports to the civil authorities are made and that internal written records are kept regarding the suspicion or incident. The internal records should include, in detail, all steps taken by BYM in compliance with this policy and state law, as well as all actions to foster the healing of everyone involved. These will be kept in a locked [file or secure digital location](#).
8. The Presiding Clerk of the Yearly Meeting and the Yearly Meeting's insurance carrier will be notified by BYM's General Secretary or their designee. If the insurer of the local venue is not the same as BYM's carrier, staff will advise the contact person for that venue that an incident has occurred, and that while BYM carries insurance, it is also appropriate for a representative of that venue to contact its insurer.
9. After consultation with BYM's legal counsel, the Presiding Clerk of the Yearly Meeting or their designee will determine whether, to what extent and by whom internal announcements or reports will be made within BYM to Friends.
10. After consultation with BYM's legal counsel, the Presiding Clerk of Yearly Meeting or their designee will be the spokesperson to the media, if that is deemed necessary, concerning incidents of abuse or neglect. However, if that person is alleged to be involved, the Interim Meeting Clerk or their designee will be the spokesperson. All others should refrain from speaking to the media.
11. The Clerk of the Committee charged with supervision of the Program (or Supervisory Committee for staff), the General Secretary, the Presiding Clerk of Yearly Meeting, the appropriate program manager, the Camp Director (where appropriate) and BYM's legal

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counsel will together determine what information might need to be communicated to help the community recover. This group will make decisions about communicating information and facilitating healing, and will assist in carrying these out.

12. The point person among those in charge will contact the parent or guardian and the victim to inform them of steps that were taken so as to close the feedback loop.
13. At the conclusion of the investigation, if it is determined by the civil authorities that they do not have enough information to move forward, or if the suspicion is unsubstantiated, the program manager or person in charge will meet with the appropriate persons to determine whether any further internal steps need to be taken.
14. Throughout the process, the confidentiality of both the youth and the accused is very important, as is the healing of the community. All are asked to keep this in mind as decisions are made and related actions occur.

Non-Reportable Behavior that Raises Concern

Behavior that raises concern is recognized as something that is very difficult to define, and will vary from program to program depending on the developmental stage of the participants. For example, while it may be appropriate for an adult worker to hold a baby or one-year-old in his/her lap and cuddle it, it is not appropriate for an adult worker to hold a sixteen-year-old in his/her lap and cuddle. That said, appropriate behavior is generally related to interpersonal boundaries and feelings of safety on an individual and community level.

A. Behaviors Occurring Internally

We recognize that some situations, actions or behaviors of Youth Workers that are not reportable as suspicious of child abuse may still concern us. Situations involving disconcerting behaviors are to be handled in the following manner:

- 1) The disconcerting behavior will be brought to the attention of the person in charge (PIC), i.e. Camp Director, Youth Programs Manager, Designated Friendly Adult Presence (DFAP), or program manager by the individual(s) observing or receiving a report about the behavior. The PIC will work with all the individuals involved to attempt to bring clarity to the situation.
- 2) If the disconcerting behavior appears to be of a serious, but still non-reportable, nature, the PIC will note the concern in writing and notify the program staff person or the program committee clerk of the concern as soon as possible. The General Secretary or designee must be consulted as soon as possible and is to be kept informed throughout the entire process.
- 3) If, after this, the behavior is deemed serious by the PIC or the General Secretary, the individual in question will be notified in writing that he/she is being put on inactive status and cannot participate in any Baltimore Yearly Meeting youth program until the matter is cleared up. At this point, an inquiry will be initiated by the program staff person, in concurrence with the General Secretary, to determine the following:

1. The complaint has a basis for further investigation. If so, conduct an internal inquiry and,
 - i. If deemed reportable, take reporting steps as indicated previously.
 - ii. If non-reportable but the behavior indicates
 - a. a lack of good judgment, or
 - b. an insufficient level of maturity for the position of Youth Worker, or
 - c. an inappropriate sense of boundaries, then
2. The PIC and/or the General Secretary shall determine a course of action appropriate to the circumstances. Actions may include, but are not limited to the following:
 - i. provide additional training,
 - ii. provide closer supervision,
 - iii. offer a clearness committee,
 - iv. temporarily restrict participation in Youth Programs pending additional maturity, and/or
 - v. bar permanently from youth work.

If the internal inquiry indicates that the individual should be barred from the youth program, the program staff person may contact the clerk of individual's Monthly Meeting to convey the general outline of the situation and to request that the Monthly Meeting attend to the spiritual and emotional needs of the individual.

Information about the situation will be shared only on an as-needed basis, and, only to the limited extent necessary. Any written documents will be kept locked in a confidential file in the Baltimore Yearly Meeting office.

B. Behavior Outside of BYM that Raises Concerns

An individual may question the appropriateness of a Youth Worker's involvement with youth based upon that worker's behavior outside Yearly Meeting activities. When such a concern is brought to the attention of a BYM youth program leader, care needs to be taken to discern the appropriate response. The response shall be determined by the program manager, program committee clerk and the General Secretary and may include any of the steps listed above. At all times respect and concern needs to be held for all involved, and information about the situation will be shared only on a limited, need-to-know basis.

Training

BYM youth programs will require and provide training on this Policy for all 'Youth 'Workers. (Sec **Appendix D** for Acknowledgement form for Youth Workers to sign and submit upon receipt and/or training on this Policy.) Additionally, BYM will strive to provide opportunities for additional training classes or events on a regular basis. All persons working with youth are expected to attend training regarding youth safety.

Policy Revisions

The Youth Safety Policy Working Group will meet at least once per year to review this Youth Safety Policy and will bring proposed revisions of this Policy to Interim Meeting or Annual Session as needed.

APPENDIX A

**CRIMINAL BACKGROUND CHECK AUTHORIZATION
and RELEASE & INFORMATION FORM**

**Baltimore Yearly Meeting of the Religious Society of Friends
CRIMINAL RECORDS & REFERENCE CHECKS
Authorization & Release**

Baltimore Yearly Meeting (BYM) requires a criminal records check as well as employer and personal reference checks for those who wish to work with youth or in a support capacity with youth pursuant to BYM's Youth Safety Policy and State law.

- I authorize BYM and its affiliates to perform a criminal background check on me.
- I authorize the release information from my current and former employers as needed in response to reference checks by BYM.
- I understand and authorize BYM to release the results of my criminal background check and employment and personal reference checks to appropriate leadership on an as-needed basis. Note that this may include an applicant's Monthly Meeting Clerk, though the position applied for is not conducted by the applicant's Monthly
- Meeting.
- I understand and authorize BYM to conduct subsequent periodic criminal background checks so long as I continue to be involved with youth as a volunteer or employee, in any capacity.
- I understand that, by law, I have the right to review the results of the criminal records check and I have the right to contest those results with the appropriate civil authorities.
- I understand that the results of the criminal background check will be utilized for determining my eligibility for working with youth or in a support capacity with youth.
- I understand that it is BYM's policy to disallow anyone with convictions for child abuse or sexual crimes to work with or near youth.
- I hereby affirm that I have never been convicted of child abuse or sexual offenses.
- I hereby affirm that I have never been accused of being sexually, physically or emotionally abusive of a child.

By my signature below, I for myself, my heirs, executors and administrators, do forever release and discharge and agree to indemnify Baltimore Yearly Meeting and its officers, employees and agents to be harmless from and against any and all causes of actions, suits, liabilities, costs, demands and claims and related expenses including attorneys' fees and court costs and any other expenses resulting from the investigation into my background in connection with my application to take or continue in a position as an employee, friendly adult presence or volunteer of Baltimore Yearly Meeting.

Print Name: _____ Date _____
Sign Name: _____
Signed in the presence of: _____
(Witness signature)

CRIMINAL RECORDS CHECK - Applicant Information

Baltimore Yearly Meeting of The Religious Society of Friends

The information below is needed to conduct this records check. Responses to the demographic questions are for background check purposes only and will have no bearing on hiring decisions.

Full Name:

Gender: Male Female

Race: White Black American Indian Asian/Pac. Islander Hispanic Bi-racial/Other

Date of Birth:

Social Security Number: _____

Current Address:-----

Previous Addresses:

List Other Names Previously Used By You:

Have you ever been convicted of a crime? Yes ___ No ___

Do you have any legal charges pending against you? Yes No

If yes in either case, offer explanations regarding convictions or charges pending:

I affirm that the information I have provided above is true and complete.

Signature of Applicant:

Date:

APPENDIX B
PERTINENT LAWS REGARDING CHILD ABUSE

FOR

MARYLAND, VIRGINIA, WEST VIRGINIA, PENNSYLVANIA
and the
DISTRICT OF COLUMBIA

Maryland Child Abuse and Related Laws

Commented [N55]: Changes underlined below are updates provided by our attorney based upon recent changes in Maryland law.

Child Abuse: In Maryland Code, child abuse laws can be found both in the Family Law Article at Sections 5-570 ff as well as in many places throughout the Criminal Law Article such as at Sections 3-60 J -602, 3-301 ff and 11-207 ff. You will find that when child abuse is discussed it is generally in reference to the laws found in the Family Law Article. In this section, child abuse is generally defined as injury to a child in which the child's health or welfare is harmed or put at substantial risk of being harmed, physically, emotionally, sexually or via neglect by the actions or failures to act of a parent or person with temporary or permanent responsibility for the child. Individuals who cause similar harms to a child with no legal responsibility for the child would be charged under the criminal statutes.

Reporters: Maryland law identifies those who are legally required to report suspected child abuse and neglect. These mandatory reporters are: health practitioner, police officer, educator, human services worker. In 2011, Maryland passed a law which states that "a report is required when a person has reason to believe that a child has been subjected to abuse or neglect." As a result, all adults in Maryland are obligated to report suspected child abuse and neglect. There is an exception for ministers of an established church of any denomination who are not required to report if the disclosure was made under circumstances in which the minister is bound to maintain confidentiality. While the law now requires any person to report suspected child abuse and neglect, the mandatory reporter sections of the law were maintained. To date, there have not been any cases which have considered the impact of the new reporting requirements; only time will tell how and to what extent Maryland will enforce this new provision. Recently, Maryland also passed a new law which makes it a misdemeanor punishable by up to five years in prison and a fine of up to \$10,000, or both, for any individual to intentionally prevent or interfere with the making of a mandatory report of suspected abuse or neglect.

When & Where to Report: A report must be made when a mandatory reporter or other individual has reason to believe that a child has been subjected to abuse or neglect. For mandatory reporters, a report shall be made orally as soon as possible, and followed up with a written report within 48 hours thereafter. Reports should be made to the local department of social services in the location in which the abuse alleged occurred or to the local police. Maryland State provides a form to use for the written report as attached. Adults who are not mandatory reporters are required to call the department of social services or the police. They may, but are not required to follow up with a written report.

Past Abuse: The mandatory reporting requirements do not change if the abuse was alleged to have taken place some time ago, even years ago, and without regard for whether the alleged victim is now an adult or the alleged abuser is no longer living.

Immunity: Under Maryland law, reporters are immune to prosecution for making the report so long as the report was made in good faith.

Background Checks: Forms for requesting a protective services background check are available from the Maryland Department of Human Resources, Child Protective Services at

<http://dhr.maryland.gov/blog/child-protective-services/child-protective-services-background-search-the-central-registry/>.

West Virginia Child Abuse and Related Laws

Commented [NS6]: Changes underlined below are updates provided by our attorney based upon recent changes in West Virginia law.

Child Abuse: West Virginia defines child abuse and neglect as non-accidental harms or threats of harm to a child's physical, mental or emotional well-being, sexual abuse or exploitation, or domestic violence by a parent, guardian or anyone responsible for the child's well-being.

Additionally, West Virginia specifically includes the following within the definition of child abuse: attempted sale of a child, battered child syndrome, harms or threats of harm via domestic violence, and physical injury as a result of excessive corporal punishment. West Virginia's child abuse laws can be found in West Virginia Code § 49-2-801 *ff* and the pertinent domestic violence laws at § 49-1-201(D).

Reporters: Mandated reporters, as they are termed in West Virginia, include mental, dental or medical professionals; Christian Science practitioners, religious healers; teachers or other school personnel; social service, child care or foster care workers; emergency medical services personnel; peace officers, law enforcement officials or humane officers; clergy; circuit court judges, family court judges, employees of the Division of Juvenile Services or magistrates; youth camp administrators, counselors, employees, coaches or volunteers of entities that provide organized activities for children; and commercial firm or photographic print processors. *Note the specific inclusion of clergy, youth camps and organized activities for children.*

In addition, any person over the age of 18 who receives a disclosure from a credible witness or who observes any sexual abuse or sexual assault of a child *shall* immediately report, no more than 48 hours after receiving the disclosure or making the observation, to the Department of Health and Human Services or the State Police or any other law enforcement agency with jurisdiction. If the person reporting the event has a good faith belief that reporting the event to the police would expose the reporter, the child, or any other children to an increased threat of serious bodily injury, the person may delay making the report until he/she and any affected children have been removed to safety.

With the exception of the attorney-client privilege, the legal privileges that can be asserted to prevent forced testimony for some professionals such as by physician regarding their patients are suspended regarding suspected or known child abuse. Additionally, the husband-wife privilege cannot be invoked in situations involving suspected or known child abuse.

When & Where to Report: A report must be made by a mandatory reporter upon reasonable cause to suspect a child is being neglected or abused, or that conditions exist that are likely to result in abuse or neglect. The reporting process is to immediately (but in any event, within 24 hours for teachers and school personnel and within 48 hours for all other reporters) make a verbal report to the West Virginia Department of Health and Human Resources and the State Police or any law enforcement agency. If requested, a reporter must make a follow-up written

report within 48 hours. Any mandated reporter who is a member of staff or a volunteer of a public or private institution, school, entity that provides organized activities for children, facility or agency must also immediately notify the person in charge, who may supplement the report or made an additional report.

The knowing failure to report sexual abuse or knowingly preventing another person acting reasonably from doing so is a misdemeanor punishable by up to six months in prison and a fine of up to \$10,000, or both.

Immunity: Persons, officials and any institution participating in good faith in any act required by the reporting laws shall be immune from any civil or criminal liability as a result.

Background Checks: Forms for requesting a protective services background check are available from the West Virginia Department of Health and Human Resources, Bureau for Children and Families at <http://www.dhhr.wv.gov/bcf/Providers/Pages/Request-an-APS-or-CPS-Background-Check.aspx>.

Virginia Child Abuse and Related Laws

Child Abuse: In the Commonwealth of Virginia, laws regarding child abuse are found in that state's Code at § 63. 2-100. Child abuse is defined as the actions or failures to act of a parent, guardian or another responsible for a child under the age of 18 who creates, inflicts, or threatens to inflict or allows another to inflict non-accidental physical or mental injury, who neglects or refuses to provide care necessary for the child's health, who abandons the child, or who commits or allows to be committed any act of sexual abuse or exploitation upon the child. This specifically includes having a child in the presence of the manufacture of certain controlled substances, during the sale of such substances, and knowingly leaving a child alone in the same dwelling with another unrelated individual who has been convicted of an offense against a minor for which registration as a sexual offender is required.

Reporters: Mandatory reporters in Virginia are as follows: all persons licensed to practice medicine or any of the healing arts; hospital residents, interns and all nurses; social workers, family-services specialists and probation officers; teachers & other employees at public or private schools, kindergartens and nursery schools; persons providing child care for pay on a regular basis; mental health professionals; law enforcement officers, animal control officers and mediators; professional staff of private or state-run hospitals, institutions or facilities to which children have been placed for treatment or care; adults associated with or employed by any public or private organization responsible for the care, custody or control of children; court-appointed special advocates; adults trained by Social Services to recognize and report child abuse and neglect; persons employed by local departments who determine eligibility for public assistance; emergency medical services personnel; persons employed by public or private institutions of higher learning; athletic coaches, directors or adults employed by or volunteering with private sports organizations or teams; and administrators or adult employees of public or

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private day camps, youth centers and youth recreation programs. *Take special note of these last few mentioned mandatory reporters - youth recreation programs and camps.*

Any person who suspects that a child is abused or neglected may report.

In Virginia, clergy are exempted as mandatory reporters if the following conditions are met: The clergy is a regular minister, priest, rabbi, imam or duly accredited practitioner of any religious organization or denomination usually referred to as a church as it relates to (i) information required by the doctrine of the religious organization or denomination to be kept in a confidential manner, or (ii) information that would be subject to a privilege in the context of testimony in court. Exemptions to reporting are not allowed due to husband-wife privilege or doctor-patient privilege.

When & Where to Report: Reporting is required when a mandatory reporter acting in their professional capacity believes there is reason to suspect a child is being abused or neglected. This includes finding controlled substances in a newborn or the finding of a newborn with an illness, disease or condition that to a reasonable degree of medical certainty is attributable to the *in utero* exposure of a controlled substance not legally prescribed.

Exceptions include children who in good faith are under treatment solely by spiritual means through prayer, in accordance with the tenets and practices of that religion.

The reporting process is to immediately report to the local department of social services in the geographic area in which the child resides or the abuse is alleged to have occurred or to use the state hotline. If neither the locality in which the child resides nor where the abuse is believed to have occurred is known, then the report should be made to the local department where the abuse was discovered, or to the state hotline. If the alleged abuser is an employee of that department of social services, the report shall be made to the court for that area. The local department is responsible for the report to be reduced to writing on the prescribed form.

Immunity: Under Virginia law, reporters are immune to prosecution for making the report so long as the report was made in good faith.

Background Checks: Virginia does not have any state mandated forms for requesting a background check except for certified preschools, child day centers, children's residential facilities, family day homes, family day system homes, licensed child placing agencies, religiously exempt child day centers, and voluntarily registered family day homes. Further information is available at https://www.dss.virginia.gov/family/children_background.cgi.

Pennsylvania Child Abuse and Related Laws

Child Abuse: Pennsylvania State adopted significant changes to its laws on child abuse over the last couple of years. Currently, Pennsylvania's child abuse laws are located in the state statutes at 23 Pa. C.S. § 6301 ff. This state's child abuse definition is inclusive of the acts of not only a

Commented [NS8]: Changes underlined below are updates provided by our attorney based upon recent changes in Pennsylvania law.

child's legally responsible care-givers but also abuse by all others. Child abuse is intentionally, knowingly or recklessly causing bodily injury to a child; fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which result in potentially harmful medical treatment; causing serious mental injury; causing sexual abuse or exploitation of the child, or creating a likelihood of sexual abuse or exploitation; creating a reasonable likelihood of bodily injury to a child; causing serious physical neglect; and causing the death of a child.

Serious physical harm includes bodily injury that causes severe pain or significantly impairs a child's physical functioning, either temporarily or permanently. Serious mental injury is defined as something that renders the child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that their life or safety is threatened. Other acts such as forcefully shaking a child, causing a child to be present in a methamphetamine laboratory, and leaving a child unsupervised with a known sexual offender are also covered under these laws.

Reporters: Mandatory reporters include: persons licensed or certified to practice in any health-related field; medical examiners, coroners, funeral directors; an employee of a health care facility or provider engaged in the admission, examination, care or treatment of individuals; school employees; an employee of a child care service with direct contact with children; clergymen, priests, rabbis, ministers, Christian Scientist practitioners, religious healers and spiritual leaders; paid and unpaid persons who, as part of a regularly scheduled program, are responsible for a child's welfare or have direct contact with children; social services workers; peace officers or law enforcement officials; emergency medical services providers; library employees with direct contact with children; independent contractors, attorneys affiliated with agencies or institutions responsible for the care, supervision, guidance or control of children; foster parents; and adult family members.

Any person who has reason to suspect that a child is abused or neglected may report.

A report is required when a person who in the course of employment, occupation or practice of a profession, comes into contact with children, or is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, church or religious organization or other entity directly responsible for the care, supervision, guidance or training of the child, and has reasonable cause to suspect, that a child is a victim of child abuse.

Exceptions to the reporting requirement are made for attorney-client privilege and members of the clergy that are specially protected under Pennsylvania law regarding confidential communications. Other privileges such as doctor- patient are suspended as regards suspected child abuse.

When & Where to Report: The reporting process includes an initial immediate oral or written report, which may be submitted electronically at <https://www.compass.state.pa.us/cwis/public/home>. Mandated reporters must immediately make an oral report via the state hotline at (800) 932-0313 or a written report which may be submitted electronically. If an oral report is made, it must be followed by a written report within 48 hours.

Reports are to be made to the Department of Public Welfare. Pennsylvania provides a form that is to be used for the follow-up written report, as attached.

Immunity: A person, institution or agency that participates in good faith in making a report whether required to or not shall have immunity from civil and criminal liability.

Background Checks: Forms for requesting a protective services background check are available from the Pennsylvania Department of Human Services at <http://www.dhs.pa.gov/>.

District of Columbia Child Abuse and Related Laws

Child Abuse: Child abuse laws for the District of Columbia are found in DC's Code at § 16-230 I. DC's definition of child abuse includes infliction of mental or physical injury, sexual abuse and exploitation as well as negligent treatment or maltreatment by a person responsible for the child's well-being.

Reporters: A report is required by a mandatory reporter when a person knows or has reasonable cause to suspect that a child known to them in their professional or official capacity has been or is in immediate danger or being mentally or physically abused or neglected. Any other person may make a report.

Mandatory reporters in DC include: Child and Family Services Agency employees, agents and contractors; physicians, psychologists, medical examiners, dentists, chiropractors, registered nurses, licensed practical nurses or persons involved in the care and treatment of patients; law enforcement officers, humane officers; school officials, teachers or athletic coaches; Department of Parks and Recreation employees, public housing resident managers, social service workers or daycare workers; human trafficking counselors; domestic violence counselors or mental health professionals.

Exceptions include attorneys exercising the attorney-client privilege due to active representation of a client and in which the basis for the suspicion arises solely in the course of that representation. However, neither the doctor-patient nor the husband-wife privilege is permitted as regards suspected child abuse.

Any other person who knows or has reason to suspect that a child is being abused or neglected may report.

When & Where to Report: A report should be made when the reporter knows or has reasonable cause to suspect that a child known to them in their professional official capacity has been or is in immediate danger of being a mentally or physically abused or neglected child. The reporting procedures include making an immediate oral report to the police department or Child and Family Services Agency at (202) 671-SAFE. A follow-up written report is to be made only upon request by the agency or police or if the abuse involves drug-related activity.

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Immunity: Those making reports or suspected child abuse in good faith shall have immunity from civil and criminal liability.

Background Checks: Forms for requesting a background check are available from the Child and Family Services Agency at <http://cfsa.dc.gov/service/background-checks>.

APPENDIX C

IMPORTANT CONTACT INFORMATION

BYM

Office of General Secretary
(301) 774-7663

Hotlines to Report Child Abuse:

Maryland (800) 332-6347
Virginia (800) 552-7096
West Virginia (800) 352-65143
DC (202) 671-7233
Pennsylvania (800) 932-0313

**Contact the state in which the abuse occurred.*

**All of these hotlines are available 24/7.*

Law Enforcement: You may also
contact the local law enforcement agency for the
jurisdiction in which the abuse took place.

BYM Attorney:

Catherine R. Robinson | Attorney
Law Offices of Davis, Agnor, Rapaport & Skalny
crobinson@darslaw.com
10211 Wincopin Circle | Suite 600
Columbia, Maryland 21044
410.995.5800 | www.darslaw.com

BYM Insurance Company:

Guide One Insurance
1111 Ashworth Road
West Des Moines, IA 50265
Agent phone: 301-855-9393

[We advise including specific law enforcement contact information, but it is too numerous to include in one standard form. There may also be other important BYM numbers you wish to include.]

APPENDIX D

ACKNOWLEDGEMENT FORM

ACKNOWLEDGEMENT

- I have received a copy of Baltimore Yearly Meeting's Youth Safety Policy.
- I have read and understand the contents of this Policy.
- I have participated or will participate in training regarding this policy.
- I understand that it is Baltimore Yearly Meeting's policy that if I have a suspicion of child abuse, I should immediately do the following:
 - Inform the program manager for the program which I am involved in at the time my suspicion arises;AND
 - Report the suspected abuse verbally to the department of social services or the police for the geographic location in which the suspected abuse occurred; AND
 - Follow up with a written report to the civil authorities within 24 - 48 hours of the verbal report.
- I agree to comply with the policies set forth in this Youth Safety Policy.

Signature _____ Date _____

Printed Name _____