

# **Child Protection Policy - Master**

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## **Section I - Values and Mission Statement**

The Bayit believes that we have a halachic, moral and spiritual imperative to protect children from abuse. To respond to this imperative, the Executive Committee of the Bayit created and tasked a Child Protection Committee to proactively create and implement a safe environment for children within the Bayit community. This document is a product of that Committee's work. It seeks to 1) develop and implement safe and welcoming policies, 2) create systems for proper response in case child safety incidents within Bayit programs and activities should occur, and 3) guide and educate our community on issues of child abuse and protection. The Child Protection Committee is empowered and authorized to carry out all aspects of this policy.

## Section II - Terms and Definitions

The following definitions will be used in this document:

**BAYIT or HIR or HEBREW INSTITUTE OF RIVERDALE** means the Hebrew Institute of University Heights, Inc. dba the Hebrew Institute of Riverdale.

**BAYIT STAFF** means all hourly and salaried staff of the Hebrew Institute of Riverdale other than Clergy and Youth Leaders, including, but not limited to, members of the Bayit's building custodial and maintenance staff who are employees or contractors of a third party vendor with whom the Bayit contracts to provide such staff.

**A CHILD or CHILDREN** means anyone under the age of 18.

**CHILD ABUSE or ABUSE** means Physical Abuse of a Child or Sexual Abuse of a Child.

**CLERGY** means all individuals, whether stipendiary or non-stipendiary, who hold formal roles related to religious service to the Bayit, including, but not limited to, spiritual leaders, *shelihei tzibbur* (cantors), *baalei kriyah* (Torah readers), rabbinic interns and other members of the Bayit's rabbinic team.

**LAY LEADERS** means officers, trustees, *gabbaim* and Committee Chairs of the Bayit.

**PARENT** means the parent of a biological or adopted child or the legal guardian or other legal custodian of a child.

**PHYSICAL ABUSE OF A CHILD** means:

- An adult inflicting, or allowing another to inflict, non-accidental physical force that injures, or has a substantial risk of injuring, a child's physical or emotional well-being. This may include instances of physical discipline.
- Physical force between minor children can also be abusive.

**SEXUAL ABUSE OF A CHILD** means:

- Any occurrence in which an adult engages a minor in sexual activity. This can include but is not limited to sexual contact, sexual communication or exposure to sexually explicit material,<sup>1</sup> sexual exploitation, voyeurism, exhibitionism, regardless of whether the adult or the child is the initiator, whether forced or not, or whether the child understands that the activity is sexual in nature.

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<sup>1</sup> sexual communication or exposure to sexually explicit material does not include approved programming and appropriate conversation and counseling.

- Sexual activity between minor children can be abusive. Some indicators of abuse might include a significant disparity in age, development, or size, or if coercion is used

**YOUTH DIRECTOR(S)** means the person(s) hired by the Bayit to direct and oversee the Bayit Youth Program.

**YOUTH DEPARTMENT STAFF or YOUTH LEADERS** means those individuals who serve as group leaders and or supervisors for the Bayit's youth groups and other youth programs.

## **Section III - Creating a Safe Environment**

The Bayit's goal is to ensure that every child present in the Bayit and in Bayit activities experiences an environment free from abuse. This policy prohibits abuse against children in the Bayit and during Bayit activities.

Anyone who witnesses child abuse occurring on the Bayit premises or during a Bayit off-premises activity is obligated by this policy to take all possible efforts that do not involve physical injury to the witness to interrupt the abuse and ensure the immediate safety of the child. 911 must be called immediately. Witnesses unable to call 911 must use all possible efforts that do not involve physical injury to the witness to recruit another individual to assist in placing an immediate call to 911.

New York State law requires that certain professions, when working in their professional capacity, report suspected child abuse by a parent, guardian or custodial relationship when they are presented with reasonable cause to suspect child abuse.

We have taken it upon ourselves to expand the circle of responsibility to require members of the Bayit rabbinic team and the Bayit's Executive Director, Youth Directors, social worker, and members of the Child Protection Committee to report reasonable suspicion of any child abuse in the Bayit community by a parent or custodial relationship. If any of these individuals, when working in their Bayit roles, are presented with reasonable cause to suspect child abuse, this policy requires them to report it to the appropriate authorities.

We strongly encourage all members and guests of the Bayit community who have a reasonable suspicion of child abuse to report it to the appropriate state authorities. Alternatively, it can be reported to the Child Protection Committee who will work with the reporting community member to report reasonable suspicions of child abuse to the authorities.

The New York State reporting hotline number is 1-800-342-3720 for anyone suspecting child abuse by a parent or other custodial relationship, and 911 for child abuse by someone in a non-custodial relationship.

All reports of child abuse pertaining to Bayit programs and activities made to secular authorities by Bayit Clergy or the Bayit's Executive Director, Youth Directors and social workers in their Bayit roles must also be reported to the Child Protection Committee. Community members who report child abuse in the Bayit community are strongly encouraged to also report it to a member of the Child Protection Committee in case safety precautions at the Bayit may be necessary.

A registered sex offender may participate in Bayit activities only under a Limited Access Agreement which may include, but is not limited to, limiting access to areas and programs in the building where children are not present and a 1-1 shadow at all times.

As a community service, the Bayit will notify the community of the fact that changes have been made to the sex offender registry affecting the 10463 and 10471 zip codes.

Automatic notification of Level 2 and Level 3 registered offenders will be shared in the bulletin and by email. Notification will state that there has been a change to the registry, and will provide the applicable URL to allow interested people to review the revised registry. Notification of changes to Level 1 registered offenders will occur in the same manner as such changes become known to the Committee, and will contain similar information as notifications of changes to the Level 2 and 3 registry .\*

\*This distinction reflects the reality in New York that Level 2 and Level 3 offenders are maintained on an online list for which one can receive automatic notification. Level 1 offender information, while available upon research, is neither on a publicly accessible online list nor subject to automatic notification.

The Bayit reserves the right to investigate any concerns regarding the safety of children in the context of Bayit activities and to take action it deems appropriate for the safety of children in our community. The Bayit also reserves the right, in its sole and absolute discretion, to remove or bar any individual from Bayit premises if it believes that a safety risk has occurred or may occur.

The Bayit recognizes that many overlapping institutions exist in Riverdale and where appropriate may contact other communal institutions regarding its work in protecting children.

## **Section IV - Code of Conduct for Bayit Staff and Clergy while interacting with Children in the Bayit Community**

Ahavat Yisrael and Ahavat Habriot, love for the Jewish people and love for all humanity, are values central to the Bayit's mission to be a warm, welcoming, and inclusive community. Appropriate boundaries are tools for fostering the healthy warmth, welcome and inclusivity we seek to create. Appropriate boundaries protect children as well as adults and help to create a safe environment for all.

The following guidelines are to be carefully followed by Bayit Staff and Clergy when interacting with non-familial children and are intended to serve as models for the broader community.

### **Appropriate physical contact**

Appropriate physical contact can be a powerful form of connection between people and is encouraged between Bayit Staff and Clergy and children. Appropriate physical contact occurs when all parties, adults and children, agree and volunteer to be touched. Examples include: taking the hand of a small child, side-hugs, high fives, handshakes, fist bumps and more.

### **Laps**

Other than when interacting with family members or in the presence and with the consent of parents, children should not be seated on Bayit Staff or Clergy laps. Sitting next to a child is an easy alternative.

### **Hugs**

Bayit Staff and Clergy should not initiate frontal hugs with children.

Brief side-hugs, or hugs with an arm between the two bodies (handshake, or "pound" hug) are good alternatives. If a child initiates a hug with a Bayit Staff or Clergy, the hug should not last for more than a few seconds (often referred to as a "catch and release").

If a child is in distress and needs to be comforted, one should sit with the child 1-1, listen to what is going on, and be present for him or her. If these comfort measures are insufficient, one of the child's parents should be notified and brought to help.

### **Being alone with children**

Bayit Staff and Clergy should avoid being alone 1-1 with children. If circumstances arise where a Bayit Staff or Clergy is alone 1-1 with a child, his/her activities must be observable and interruptible. Observable means that what is going on can be seen and is either in a

public area or in a room with an open door. Interruptible means that there are people generally present who could come by and see what is going on. Pastoral counseling given to children by Clergy must be done in areas that are observable and interruptible.

### **Lifting children**

Bayit Staff and Clergy should not pick up children unless they are in need of immediate assistance.

### **Physical Restraint**

Bayit Staff and Clergy should not use any form of physical restraint of a child unless the child poses an immediate physical threat to himself or herself or surrounding people. In that situation, non-aggressive physical restraint that protects the child and those around may be employed as a temporary measure until one of the child's parents is notified.

### **Bathroom Guidelines for Bayit Staff and Clergy and Children**

The guiding principles behind Bayit Staff and Clergy in assisting in children using the bathrooms are as follows:

Bayit Staff and Clergy should not physically engage with a child while he or she is going to the bathroom. This includes dressing or undressing relating to using the bathroom. If there is a child who requires physical assistance in using the bathroom, one of the child's parents should be immediately notified and brought to help. Bayit Staff may assist children who need help in the bathroom with tasks like washing hands, turning water on and off, opening doors, and flushing the toilet.

Children who need bathroom support should be escorted to and from bathrooms while under supervision of Bayit Staff.

In a situation where a Bayit Staff or Clergy member is bringing children to a multi-use bathroom with other children or adults inside, the Bayit Staff or Clergy should escort children in and wait by the sink area until the children are finished. If there are no other people inside the multiuse bathroom, Bayit Staff or Clergy should wait outside. If the bathroom is a single use bathroom, the bathroom should be checked to make sure that it is empty.

Bayit Staff should not be alone 1-1 with a child in a bathroom. If a child requires assistance, the door should be propped open so activities are observable and interruptible.

### **Transporting Children**

When children are being transported by an adult member of the Bayit Staff or Clergy within the context of a Bayit activity, there must be at least one other adult present, regardless of the mode of transportation. This includes being walked home. If unforeseen circumstances do not allow two adults to be present, notification to either the parents of the children or another

responsible adult must be made if practicable [ *note : Shabbat may make notification impractical*].

## **Interaction with Youth Members via Social Media, Email and other Forms of Electronic Communication**

We recognize that online communication is an ever-evolving landscape and that policies may not be able to keep up with the media as they advance; thus in any area of question that is not covered below, the general principle of “observable and interruptible” shall apply. Communications between Bayit Staff or Clergy and children shall be transparent and allow for access to parents and supervisors.

As per section 5.15 paragraph 9 of the HIR Employee Manual, Bayit Staff shall not be “friends” with any minor affiliated with the Bayit in any way except where that minor is a close family member (child, step-child, grandchild, cousin, nephew or niece) of the employee.

Parents of children under the age of 16 must be cc'd on all email correspondence between Bayit Staff members and children. Clergy may correspond with children via email without parents included, but if they do so another Bayit Staff member must be copied (either cc'd or bcc'd).

To facilitate programming and advertising, the Youth Director(s) or other authorized employee may communicate with youth department members under the following guidelines:

Emails or Social Media posts will be done through an official HIR managed email address, e-mail newsletter service, Twitter account, Facebook page (or similar as electronic communications evolve) and not from a private email address. Parents should be included in all posts, email blasts, WhatsApp groups, etc.

Youth Department Staff (i.e., group leaders) need to communicate with their supervisor/Youth Director on work related matters. These e-mails should be limited to work related issues as much as possible. For Youth Department Staff under 16, parents must be copied on all email exchanges. E-mails should be limited to youth department programming and employment issues.

## **Tutoring and Mentoring**

Bar and Bat Mitzvah tutoring, or any other adult/child tutoring or mentoring taking place in the Bayit when the child's parent is not present, is to be conducted in open areas where the activity is observable and interruptible, such as the Main Lobby and the Lower Lobby. When the child's parent is present the tutoring or mentoring may be conducted in other available spaces, such as a beit midrash or a classroom. Tutoring or mentoring at the Bayit is to be conducted at times when the building is not otherwise empty. Tutors using the Bayit facilities should notify the office of when and where they will be meeting. Bayit Staff and Clergy may not tutor a child in a home without another adult present in the home. It is recommended



that the other adult in the home be in close proximity, and accessible, to the child at all times during the tutoring or mentoring session.

## **Responding to Code of Conduct Violations**

The following section pertains to behaviors that overstep the appropriate boundaries between Bayit Staff/Clergy and children in our Bayit community as delineated in Section IV but do not constitute abuse or the suspicion of abuse. If someone is being abused or there is reasonable suspicion of abuse by Bayit Staff or Clergy, see the reporting policy.

When Bayit Staff or Clergy observe other Bayit Staff or Clergy engaging in behaviors that overstep the appropriate boundaries between adults and children set forth in this manual, they must report their observations to their supervisor or directly to the Child Protection Committee. The following protocols shall be observed:

Reports of boundary violations should be made to the Child Protection Committee. If a report goes to the rabbinic team, Bayit Staff, or to lay leadership, the person receiving the report must alert the Child Protection Committee. Reports may be made via email to [childprotection@thebayit.org](mailto:childprotection@thebayit.org) or in person to a member of the Child Protection Committee. If a report is received by the Child Protection Committee that constitutes a reasonable suspicion of abuse as defined by section II, or a reasonable suspicion arises at any point in the Committee's work, the Child Protection Committee is required to report it to the proper legal authorities immediately.

The following procedures will take place when a report of a boundary violation is received. Within 24 hours of receiving the report, Child Protection Committee should

1. Discuss, identify and determine which other stakeholders need to be included in the process
2. Reach out to those stakeholders and schedule a meeting
3. Identify a liaison to the complainant to fill out a complaint form and verify it with complainant as soon as possible
4. Generate a file for alleged boundary violator
5. Determine if further action is required.

If the report is received on a Shabbat or Chag, action may be taken within 24 hours after the end of Shabbat or Chag.

Actions may include, but are not limited to the following list which is in **no particular order**

- Speaking with complainant to learn more
- Speaking with the alleged boundary violator
- Notifying the alleged policy violator's supervisor
- Taking interim safety measures for the community
- Determine if an internal investigation or external investigation is required

- Notifying relevant parties in the Bayit as needed, which may include but are not limited to:
  - Bayit President
  - Executive Director
  - Community Security Service
  - Executive Committee
  - Other members of rabbinic team
  - Youth leaders
  - Entire community
- Creating Limited Access Agreement for alleged boundary violator
- Beginning the process of disciplinary action

Actions should be appropriately documented on the appropriate Child Protection Incident Report form in pen or electronically. Corrections must be made on a new Incident Report.

The Child Protection Committee liaison to the complainant shall inform the complainant as to the process and outcome in a timely manner. All sensitive communications regarding complaints shall be done by two persons.

## Section V - Screening

In order to protect Bayit children, the following screening methods will be used for the individuals listed in the chart below. The Executive Director is responsible for ensuring completion of screening except where otherwise specified in the individual boxes. The Executive Director should report to the Child Protection Committee about completion of screening for new hires.

<b>Role</b>	<b>Application</b>	<b>Registry Check</b>	<b>Back-ground check</b>	<b>Internet check Review Public Information Only</b>	<b>Calling of references</b>	<b>Personal interview</b>
Clergy	X Search Committee or Senior Rabbi	X	X	X	X Search Committee or Senior Rabbi	X Search Committee or Senior Rabbi
Executive Director	X Senior Rabbi & President	X Senior Rabbi & President	X Senior Rabbi & President	X Senior Rabbi & President	X Senior Rabbi & President	X Senior Rabbi & President
Youth Director & Assistant Youth Director	X Search Committee or Senior Rabbi or Youth Director	X	X	X	X Search Committee or Senior Rabbi or Youth Director	X Search Committee or Senior Rabbi or Youth Director
Youth Leaders	X Youth Director			X with parental consent	X Youth Director	X Youth Director
Other Bayit staff	X	X	X	X	X	X
Youth Committee Members		X				
Coaches	X	X	X	X	X Lay Program Head or Youth Director	X Lay Program Head or Youth Director

<b>Role</b>	<b>Application</b>	<b>Registry Check</b>	<b>Back-ground check</b>	<b>Internet check Review Public Information Only</b>	<b>Calling of references</b>	<b>Personal interview</b>
Frequent volunteers at programs involving youth*		X	X	X	X	X
JSPACE Employees	X	X	X	X	X	X
Child Protection Committee Members		X	X	X		X
Bayit Social Worker						X Senior Rabbi

\*This designation refers to any volunteer who participates 3 or more times in a 12-month period at Bayit programs in a role involving direct interaction with youth. (Examples include, but are not limited to: serving food to children at youth events; leading the Friday night Abraham & Sarah’s Tent program; playing a character in the Simhat Torah Biblical Characters Wax Museum; running a booth at a carnival; or checking children in at a program.) The checks may not be able to be completed prior to the third volunteer occasion, but will be initiated at the time of the commitment to the third volunteer occasion.

## **Section VI - Training**

The table below lists the training to be provided to Bayit Staff, Clergy, volunteers who have regular interaction with youth and certain other individuals.

<b>Role</b>	<b>Upon Hire</b>	<b>Ongoing</b>	<b>Supervision</b>
Clergy	Policy review, online training. Meeting with Child Protection Committee	Annual review of policy	Senior Rabbi on Child Protection Committee
Youth Director	Policy review, online training. Meeting with Child Protection Committee	Annual review of policy	Senior Rabbi on Child Protection Committee
Youth Leaders	Policy review and in-person, group training	Annual review of policy Annual trainings	Youth Director
Other Bayit Staff (including Executive Director)	Policy review, online training and meeting with supervisor	Annual review of policy	Executive Director or Supervisor
Youth Committee Members	Policy review and online training	Annual review of policy	Youth Director
Coaches	Share policy	Annual review of policy	Lay Program Heads or Youth Director
Executive Board	Policy overview and online training .		
Community Security Service members	Policy overview. Offer online training	Annual review of policy during trainings	Child protection Committee
Child protection Committee Members	Policy review and online training	Annual review of policy	Executive Director
Bayit Social Worker	Policy overview and online training	Annual review of policy	Child protection Committee

The online training referred to in the chart above initially will be provided by Stewards of Children, “Darkness to Light”, which is a 1.5 hour training video with mini quizzes on the material and a certificate upon completion. The Committee may elect to provide alternative online training it deems appropriate.

## **Section VII - Constitution and Governance of Child Protection Committee**

The Child Protection Committee is a committee authorized and empowered by the Executive Committee of the Bayit's Board and this Child Protection Policy is a policy adopted and subject to change by the Executive Committee of the Bayit's Board.

The Bayit Child Protection Committee shall be comprised of three to five individuals. Included shall be the Senior Rabbi, a mental health professional, an attorney, and an experienced educator. The Senior Rabbi shall serve as an ex-officio member of the committee. Other committee members will serve 2-year staggered terms. Committee members shall not serve for more than 6 years consecutively.

Committee members shall be nominated by the Senior Rabbi and approved by the Executive Committee, acting by affirmative action of at least two thirds (2/3) of all the voting members of the Executive Committee. If the Senior Rabbi or any other member of the Committee is the target of an investigation by the Child Protection Committee, the Senior Rabbi or such member, as applicable, shall automatically, without further action by the Executive Committee, the Child Protection Committee or any other individual or body, be deemed removed from the Child Protection Committee, and shall have no power or authority to participate in any meeting, receive any information, vote or take any other action as a member of the Child Protection Committee. In addition, during any such period that the Senior Rabbi is the target of an investigation, the Senior Rabbi shall not nominate any candidates to the Child Protection Committee. At such time, if any, that the investigation has concluded and the Senior Rabbi has been cleared of all charges or allegations, the Senior Rabbi shall be deemed to be reappointed to the Child Protection Committee and shall again have the power to nominate members of the Child Protection Committee. During such period that the Senior Rabbi shall not have the power and authority to nominate or if there shall be no Senior Rabbi in office, the Executive Committee, by affirmative action of at least two thirds of all the voting members of the Executive Committee shall appoint a nominating committee comprised of at least 3 individuals who shall be members of the Bayit, and not more than one of whom shall be a sitting member of the Child Protection Committee. Members of the Child Protection Committee shall receive the same level of training as Clergy.

The Committee shall meet at the beginning of each year to review policies and then meet at least two more times over the course of the year. Other meetings shall be held as needed. The Committee, acting by affirmative vote of not less than a majority of all Committee members, may propose amendments to this Policy to the Executive Committee. If a proposed amendment directly involves the behavior of a Committee member or his/her family, such

member shall not be considered a member for purposes of voting on a proposed amendment. Any amendments to this policy must be approved by the Executive Committee.

## **Section VIII - Confidentiality**

### **Confidentiality**

The confidentiality of the complainant, the alleged boundary violator, and anyone else involved will be respected where reasonably possible without jeopardizing the safety of the community, but in all cases as required by applicable law. If confidentiality cannot be maintained in order for the Committee to conduct its work and the proposed disclosure is permitted by applicable law, the individuals whose confidentiality may be comprised will be informed of the proposed disclosure.