

## *Congregation Shomrei Torah*

### **Policy for the Protection of Children and Youth (this “Policy”)**

**I. Objective.** Congregation Shomrei Torah aims to provide a safe and secure environment for the children and youth who attend our synagogue and participate in our programs and activities. By being proactive and setting clear and objective standards, we seek to protect our children and youth from potential misconduct or inappropriate behavior and ensure that our synagogue provides a safe and secure environment for everyone.

## **II. Code of Conduct for Shul Activities and Personnel**

### **A. Overview**

This Policy is designed to help ensure the safety of the children and youth of our synagogue during functions and activities taking place in the synagogue building as well as during synagogue-supervised events off synagogue premises.

Our staff, group leaders, volunteers, members and guests:

- shall not abuse any child or youth, whether physically, emotionally, sexually or financially;
- shall seek to prevent abuse of children and youth while involved in synagogue activities;
- shall comply with this Policy regarding conduct with children and youth; and
- acknowledge their obligation and responsibility to protect children and youth by agreeing to report known or suspected abuse of children or youth or known or suspected Policy violations to appropriate synagogue leaders and state authorities in accordance with this Policy and applicable law.

### **B. Definitions**

For purposes of this Policy, the following terms have the meanings set forth below:

“child” means anyone under the age of 12 years.

“child abuse” or “abuse” means any action (or failure to take action) that endangers or harms a child or youth’s physical, psychological or emotional health and development. Child abuse can occur in different ways and includes the following:

- *Physical abuse* – any physical injury to a child or youth that is not accidental, including beating, shaking, kicking, burning and biting.
- *Emotional/psychological abuse* – any actions that are likely to lead to emotional or psychological injury, including unwarranted or excessive criticism, belittling and

persistent teasing or bullying, or creating or maintaining through action or inaction an environment that leads to or allows such behaviors.

- *Sexual abuse* – any sexual activity between a child or youth and an adult, including activities such as exhibitionism, incest, sexual contact, sexual communication, or any activity intended to arouse or gratify the sexual desires of any child or youth, or the adult engaging in this activity with a child or youth, regardless of whether the adult or the child or youth is the initiator and even if there is no coercion involved. In addition, sexual abuse can occur between children and youth themselves if there is a significant disparity in the age, development, or size between the individuals involved or if one child or youth is in a position of responsibility, trust, or power over the other.
- *Neglect* – depriving a child or youth of his or her essential needs, such as adequate food, water, shelter and medical care.
- *Economic exploitation* - the deliberate misplacement, exploitation, or wrongful temporary or permanent use of a child or youth's property or money.

“group leader” means a youth assisting with Shomrei Torah's child or youth activities. Group leaders may assist with activities but are not considered adult volunteers and must be supervised by Shomrei Torah's youth director(s).

“guest” somebody who is visiting Shomrei Torah or those who attend who are not members

“house duty volunteer” is an adult volunteer present in the child/youth area who assists the youth director(s) with various tasks (such as distributing snacks).

“member” individual or family that has been approved by the Board of Shomrei Torah for membership.

“staff” means any adult employee of Shomrei Torah hired to perform services on a scheduled or regular basis for the synagogue in exchange for payment or compensation. For the avoidance of doubt, staff shall not include group leaders, subcontractors or vendors as defined by this Policy. “Staff” does not include employees of the Leah Sokoloff Nursery School.

“subcontractor” means any individual who is not a Shomrei Torah employee and is either hired (i) by the congregation to perform synagogue functions (such as, for example, maintenance and custodial work) or (ii) by individual synagogue members to perform functions at private events held on synagogue property (such as, for example, caterers, simcha entertainment, and party planners).

“trained volunteer position” is any volunteer position that involves directly working with or supervising children or youth, but does not include either (i) a house duty volunteer or (ii) any

other volunteer who does not directly work with children or youth except in the presence of a youth director and/or a group leader (such as guest speakers).

“vendor” means any individual conducting personal business on synagogue property for personal gain (such as, for example, businesses participating in a pre-holiday boutique at Shomrei Torah).

“volunteer” means any person performing services for Shomrei Torah without payment or compensation.

“youth” means anyone who is at least 12 years old, but not yet 18 years old. A youth shall also include a student in high school regardless of age.

### **C. Personnel Policy with Regard to Child Safety**

#### **1. All Staff:**

*Written application:* All applicants for staff positions must complete and sign a written application in a form supplied by Shomrei Torah. The application will request basic information from the applicant and will inquire into previous experience with children (to the extent relevant to the position), previous synagogue affiliation (if applicable), past employment information and references.

*Personal interview:* Following submission of the application, at least one face-to-face interview will be scheduled with the applicant to discuss his/her suitability for the position as well as to review this Policy.

*Reference checks:* Before an applicant is permitted to work with children, at least two of the applicant’s references will be checked. These references should be of an institutional nature as opposed to personal or family references, preferably (to the extent relevant to the position) from organizations where the applicant has worked with children in the past.

*Internet and criminal background checks:* All applicants will also be subject to an Internet check and fingerprinting. Applicants will be asked to provide all screen names and aliases when applying. In addition, a national criminal background check is required for all staff, regardless of position.

Before any background, reference or Internet checks are run, prospective workers will be asked to sign an authorization form allowing Shomrei Torah to run these checks. If an individual declines to sign, he or she will be unable to be hired by Shomrei Torah. A disqualifying offense or alleged offense discovered during these checks that would prevent an individual from working with children will be determined by the synagogue president, in consultation with the Child Safety Committee (defined below), or the president’s or the committee’s designee, based on the particular circumstances, including the nature of the offense. Generally, convictions for an offense involving children and/or for offenses involving violence, fraud, sexual offenses or

indecenty will preclude someone from being permitted to work at Shomrei Torah. Failure to disclose a relevant conviction on the application form or information that would assist Shomrei Torah in discovering relevant past behavior (including withholding screen names or aliases) will also be disqualifying.

Job application forms, reference checks and background check authorization forms and results will be maintained in confidence on file at Shomrei Torah.

**2. *Staff Working in Positions Directly Related to Children or Youth:*** In addition to the above, those hired for staff positions that explicitly involve working with children (such as those involved with child or youth programming) will be required to undergo abuse recognition and prevention training prior to beginning their employment at Shomrei Torah. The structure and content of the training will be approved by the Child Safety Committee and reviewed annually by the Child Safety Committee.

**3. *Trained Volunteer and Group Leader Positions:*** Applicants will be required to complete a written application and personal interview, as well as to undergo the approved abuse recognition and prevention training prior to beginning their volunteer or group leadership work. Shomrei Torah reserves the right to perform background, reference and Internet checks on potential volunteers and group leaders.

All information gathered about an applicant for the above positions involving work with children or youth will be reviewed and evaluated by the Child Safety Committee to determine, in consultation with others if necessary, whether or not the person is appropriate to work with children or youth.

In connection with or following their training, and in any case, before beginning work with children or youth, each staff member who directly works with or supervises children or youth, group leader and person serving in a trained volunteer position must sign a statement that he or she has read, understood and agreed to abide by this Policy.

**4. *Non-trained Volunteer Positions:*** Volunteers serving in a position that does not involve directly working with or supervising children or youth shall be informed of this Policy, but no formal application process or training is required. Although not required, house duty volunteers shall be encouraged to undergo appropriate training.

**5. *Subcontractors and Vendors:*** Often, individuals in paid positions providing services at Shomrei Torah (including some with direct access to children) are subcontracted through vendors and/or hired by individual synagogue members (caterers, simcha entertainment, party planners, etc.). Accordingly, subcontractors and vendors will be

- made aware of Shomrei Torah's commitment to the safety of children and youth and this Policy;

- strongly encouraged to adopt internal background checks and safety precautions consistent with those outlined in this Policy; and
- required to abide by the workplace guidelines outlined in this Policy below regarding the two-adult rule, open door policy and use of force, which guidelines shall be furnished to subcontractors and vendors as appropriate. Failure to adopt these or similar precautions and policies may be used as grounds for the disallowance of business activity by subcontractors or vendors or their employees on Shomrei Torah property.

In addition, Shomrei Torah's regular maintenance and custodial workers, even if subcontracted through an outside vendor, will be subject to national criminal background checks.

For the avoidance of doubt, this policy regarding subcontractors and vendors shall similarly apply to activities run by other organizations using Shomrei Torah's facilities (such as for a Shabbatone held at Shomrei Torah), rather than the stricter policies applicable to Shomrei Torah-run activities.

Information regarding the internal policies of subcontractors and vendors (such as whether or not they have conducted employee background checks or have internal systems in place to assure child safety) may be shared with synagogue members and others using Shomrei Torah property for events.

#### **D. Training and Education**

Shomrei Torah will provide training (or approve off-site opportunities for training) regarding this Policy to all Shomrei Torah staff, group leaders and persons serving in trained volunteer positions as required by this Policy and will strive to provide opportunities for additional training opportunities on an annual basis. Such training shall be mandatory in accordance with this Policy.

#### **E. Workplace Guidelines**

*Two-Adult Rule:* It is our goal that a minimum of two group leaders be in attendance at all times when children or youth are being supervised during our programs and activities. In addition, as a general rule, a minimum of two adults should be in attendance at each program or activity in a supervisory capacity; provided, that one adult or two older youths may perform this supervisory role upon the approval of the youth director(s) or the Child Safety Committee. While these supervisors may not necessarily be in every room used for programming at a given time, except for short durations, they should remain on the same floor as the program or activity, stay within hearing distance of each room for the duration of the program or activity, and occasionally check-in on the activity by rotating in and out of the program rooms and/or observing through a window or open door.

It is understood that some child or youth activities may have only one adult in attendance during the activity; in these instances, the door to the classroom or activity room should remain open or, if doing so would be disruptive (such as for a shiur), the activity should be held in a classroom or other location that has a window so that the activity can be observed from outside. In addition, these programs should occur at times during which the building is in use by others, who may drop in unannounced and sporadically. Parents are welcome to stop into any program at any time.

In all circumstances, the Open Door Policy described below shall apply.

*Open Door Policy:* Classroom and activity room doors should remain open when in use unless there is a window in the door or a side window beside it. Doors should never be locked while persons are inside the room, except during safety drills and emergency situations during which doors should be locked.

*Synagogue Liaison:* During non-synagogue sponsored events held at Shomrei Torah, Shomrei Torah may provide a liaison responsible for assisting with house, A/V and related activities. If such event includes children or youth (such as a bar mitzvah held by renters of the social hall), any such synagogue liaison must have undergone training in abuse recognition and prevention.

*No Use of Force:* Shomrei Torah staff, group leaders and volunteers are prohibited from using physical punishment in any way for management of behavior of children and youth. ***No form of physical discipline is acceptable.*** Physical force may only be used to stop a behavior that may cause immediate harm to an individual (child, youth, group leader or adult), and the force utilized must be the minimal amount necessary to protect the safety and wellbeing of the individuals present. Shomrei Torah staff, group leaders and volunteers shall not use overly harsh language, degrading punishment or mechanical restraint of any kind for behavior management. Shomrei Torah staff, group leaders and volunteers shall not participate in or tolerate any hazing activities relating to child or youth activities.

*Bathroom Guidelines:* Children five years of age and younger will be escorted to the bathroom as necessary. The escort should remain outside the bathroom door (or stall, if a greater level of assistance is required) and escort the children back to the activity. If a child is taking longer than seems necessary, the escort should open the bathroom door and call the child's name. If a child requires assistance, the escort should prop open the bathroom door and leave the stall door open as he or she assists the child.

Except as provided below, for children over the age of five, at least one male group leader or adult should escort boys to the bathroom and at least one female group leader or adult

should escort girls. The escort should remain outside the bathroom door and escort the children back to the activity.

Shomrei Torah recognizes that children with special needs may be particularly vulnerable to abuse. If a child with special needs requires assistance, the escort should prop open the bathroom door and leave the stall door open as he or she assists the child.

Older children who are deemed by the staff present to be able to safely use the bathroom without supervision will not require escorts. For the safety of these children, two adult staff or volunteers will make random bathroom checks during programming hours.

For the protection of all, staff, group leaders and volunteers should *never* be alone with a child in a bathroom with the door closed and never be in a closed bathroom stall with a child.

#### **F. Overnight Guidelines**

In the event of synagogue-sponsored overnight programming, whether in or outside the synagogue building, the following guidelines shall apply:

- Separate rooms for adults and child/youth should be assigned with at least two children or youth per room;
- Random monitoring hall trips and room checks shall be made at night by two adults of the same gender as those being checked; and
- For outside programming, lodging should be selected where the rooms open to the interior of the building (i.e., do not open to the outside).

#### **G. Transition Period for Current Staff, Group Leaders and Trained Volunteers**

Following adoption of this Policy, the Child Safety Committee will design a transition period for the implementation of this Policy, including providing for abuse recognition and prevention training for current Shomrei Torah staff, group leaders and persons serving in trained volunteer positions during such transition period.

#### **H. Waivers/Interpretation**

Any waivers of this Policy shall be made by, and any questions regarding its application or interpretation shall be referred to, the Child Safety Committee.

### **III. Child Safety Committee**

To help administer this Policy and address related issues, Shomrei Torah has established and will maintain a Child Safety Committee, which shall include at least two mental health professionals and one attorney, in addition to any other individuals chosen by the synagogue

president. The names of the members of the Child Safety Committee will be posted on the synagogue's website.

In the event of any allegation of abuse, whether involving a staff member, a group leader, volunteer, member or guest, or otherwise occurring on the synagogue premises, the synagogue president in consultation with the Child Safety Committee, shall determine what course of action to take under the circumstances, in addition to reporting the allegations to the authorities and taking all other action required by applicable law. Subject to the requirements of the synagogue's Constitution, potential responses may include denial or revocation of synagogue membership, restriction of entrance onto synagogue property or areas of synagogue property, a shadowing requirement while on synagogue property and/or notification to other communal institutions. The synagogue may determine to take action regardless of the action, or failure to take action, by the authorities.

The synagogue's desire to protect children and youth extends to other situations where abuse is alleged, not only within the context of Shomrei Torah staff, group leaders and volunteers, but also within the general membership, whether or not on synagogue premises. In such an event, the child safety committee will serve as a resource to the broader community.

#### **IV. Responding to Allegations of Abuse; Mandated Reporting**

If adult staff, volunteers, members or guests suspect the occurrence of abuse, they should report their concerns immediately to their supervisor, the president or a member of the Child Safety Committee for further action, including evaluating the cause for concern, clarifying the appropriate legal procedures and requirements and reporting the event to authorities as may be mandated by state law.

New Jersey law categorizes all adults as "mandated reporters." Therefore, in addition to following the above procedures, they are required to follow appropriate legal procedures. If adult staff or volunteers are unsure about the appropriate legal procedure in a specific situation, they should discuss their concerns with their supervisor, the president or a member of the Child Safety Committee.

Group leaders and non-adult staff or volunteers should report suspicions of abuse immediately to their supervisor, the president or member of the Child Safety Committee for further action.

In the event that an incident of abuse is alleged to have occurred at Shomrei Torah or during our sponsored programs or activities, the following additional procedures shall be followed:

- The parent or guardian of the child will be notified. If one or both of the parents is the alleged abuser, the advice of the authorities concerning notification of others will be followed.
- The appropriate authorities will be notified, and Shomrei Torah will fully cooperate with their investigation of the incident and comply with all applicable legal requirements.
- The person alleged to be the perpetrator of the abuse or misconduct will immediately be placed on leave from working with children, and instructed to remain off the shul premises, until such person is cleared of the alleged abuse or misconduct or it is otherwise determined that such person is safe to return.
- The opportunity for a pastoral visit, or referral to a mental health professional, may be made available for those affected by the incident, if desired, including the alleged victim and other involved parties.
- The sole spokespeople for the synagogue regarding incidents addressed by this Policy will be the synagogue president, the Rabbi and their designees.

#### **V. Failure to Report Suspected Abuse**

Failure to report suspected abuse of children or youth to the appropriate authorities is a crime. Reports may be made confidentially or anonymously. New Jersey law provides immunity from civil liability for persons required to report suspected abuse in good faith and without malice.

#### **VI. Distribution of Policy**

This Policy will be made available to all members and applicants for membership and posted on the synagogue website.

#### **VII. Review of Policy**

This Policy will be reviewed annually by the Child Safety Committee.