

Handout Materials
for LMC Child Protection
Refresher Training



Child Protective Services Law Reporting of Child Abuse

Why do congregations need a child abuse risk management program?

Unfortunately, the problem is real. An increasing number of churches are facing lawsuits and tragedies surrounding children being molested or abused. A single incident of child molestation can devastate a church. In many ways the church needs to be on guard more than anywhere else:

- **People assume they know everyone in the church well, and therefore it is a safe place.** Many people naively think that a situation of abuse “would never happen in our church.” This is unwise and untrue.
- **We need workers.** The church is constantly in search of people who will volunteer to serve different needs in the church. This puts many churches in a vulnerable situation. The standards for child and youth workers must be set and held high.
- **Churches might actually be a perfect place for sexual predators to dwell.** This applies to known sexual predators and unsuspected abusers. Where else can you find so many children and such a trusting environment? Kids trust church. Moms and Dads trust church. Unfortunately, in churches it is more common to ignore a sense that a person may be a risk than to question their character or motives.
- **The impact is huge.** Even one incident of child molestation can divide or devastate a congregation. Parents and members are forced to ask questions they never wanted to ask. Leaders face tremendous blame. Children and youth feel victimized and negative news coverage intrudes. Add to all this the severe emotional trauma to the victim and the victim’s family and the future of effective ministry can be completely undermined.

Adapted from Capital Christian Fellowship, A Risk Management Plan for Capital Christian Fellowship to protect against Child Sexual Abuse, August 2007.

Are you a mandated reporter in the state of Pennsylvania?

If you are an adult (18+) who routinely interacts or has direct contact with children (under 18) in the course of your paid or unpaid role as an integral part of a regularly scheduled program, activity or service or who supervises those who do have direct contact, then you are a mandated reporter.

When does a mandated reporter file a report?

1. When you have “reasonable cause” to suspect a child has been abused. “Reasonable cause” is defined as a situation in which any other “reasonable” person would have made the report.
2. When a child discloses to you, or you learn from a third party, that an identifiable child has been abused by anyone, anywhere.
3. When a person 14 or older makes a disclosure to you that he or she has abused a child.

As a mandated reporter, **you are not to investigate** to be certain abuse has occurred. As a mandated reporter, your legal obligation is only to report.

How do I make a report?

1. **Report Out:** Immediately file a report at www.compass.state.pa.us/CWIS/Public/Home the PA Department of Human Services Child Welfare Portal **OR** call ChildLine at 1-800-932-0313.
2. **Report Up:** Inform the person your Child Protection Policy identifies that you have made a report.
3. If you chose to call ChildLine rather than to file a report electronically, then ask the person to whom you made the report if you should also file the paper form CY-47 with your local Child Protective Services agency within 48 hours.

What if I am not a mandated reporter but am aware of an abuse situation? Anyone can file a report of child abuse. Mandated reporters are just legally required to do so. If you are not a mandated reporter, you are not required to file any paperwork or to inform anyone that you filed a child-abuse report.

Special Note to Credentialed Leaders Regarding Privileged Confidential Communications: In situations involving child abuse, there is no general rule in Pennsylvania that communications between a mandated reporter and a patient or client of that mandated reporter are privileged. The Child Protective Services Law does preserve a very narrow existing privilege relating to clergy *“who while in the course of his [or her] duties has acquired information from any person secretly and in confidence.”* Pennsylvania courts have interpreted the clergy-communicant privilege to apply only to confidential communications between a communicant and a member of the clergy in his or her role as confessor or spiritual counselor. Lancaster Conference advises pastors to state clearly that they intend to report situations of child abuse learned about in any setting, including pastoral counseling settings, so as to dismantle any expectation of confidentiality about abuse. Lancaster Conference also strongly advises any pastor who learns of child abuse in his or her role as confessor or spiritual counselor and who considers invoking the privilege on the part of the communicant to immediately consult legal counsel.

This information is not legal advice, and should not be treated as such. If you have questions about any legal matter, you should consult your attorney or other legal professional.

Resources suggested by the authors

- Department of Public Welfare, Commonwealth of Pennsylvania, *The child protective services law: Title 23 Pa. C.S. A. Chapter 63*, Harrisburg, PA, 2014.
- Hammar, Richard R., *Reducing the Risk of Child Sexual Abuse in Your Church*, Matthews, NC: Christian Ministry Resources, 1993.
- Klipowicz, Steven W., *Reducing the Risk of Child Sexual Abuse training manual*, Matthews, NC: Christian Ministry Resources, 1993.
- Parker, Mary, ed., *Safe Place: Guidelines for Creating an Abuse-Free Environment*, Christian Publications, Inc., 2009.
- Zarra, Ernest J., *It Should Never Happen Here: A Guide for Minimizing the Risk of Child Abuse in Ministry*, Grand Rapids, MI: Baker Books, 1997.
- SafeChurch, *Movement Building to End Child Sexual Abuse: Featuring Allies from Faith Communities Speaking Out to Protect Children*, DVD media, Samaritan Counseling Center, Lancaster, PA, 2015.

Adapted from Growing Leaders, November 2007, page 3.

Child & Youth Protection: Refresher Training for Volunteers & Staff



2

Plan for the Session

1. Reporting
2. Identifying Abuse
3. Consequences of Abuse
4. Questions

Immediate Reporting is required when

1. A person makes a "specific disclosure" to you that an (identifiable) child is a victim of abuse.
2. A person 14 or older makes a "specific disclosure" to you that he or she has committed child abuse.
3. You witness an incident that you believe is child abuse.
4. You have reasonable cause to suspect that a child under your care/guidance/training/supervision, or the care/guidance/training/supervision of the organization you are affiliated with is a victim of child abuse.

4

1. REPORTING

3

Responding to an Abuse Disclosure

- Be calm, be truthful.
- Let the child use his/her own words.
- Be a supportive listener; BUT remember – this is NOT counseling or an investigation.
- Ask for enough clarifying details, as needed, in order to know if or what to report.
- Do NOT confront the alleged abuser!
- Contact Childline IMMEDIATELY to report out and then report up.

DON'T....

- try to determine the validity of the child's story. This is the responsibility of Child Protective Services.
- talk about or relay any information about these allegations to friends, relatives or advocates.
- ask leading questions of the child or suggest to a child that you think he/she may have been abused. This can be damaging and is problematic in cases in which abuse DID happen but the information was elicited through the use of leading questions.
- **NOTE: If you believe the child is in imminent danger, call 911 immediately.**

7

DON'T....

- allow yourself to be talked out of reporting out.
- ever try to talk a child out of what he/she is saying.
- attempt to find out the details while the child is in the presence of other children.
- stand over the child while he/she is telling you about the abuse. The child may feel crowded or dominated.
- show shock or disbelief through your words or body language while the child is talking. The child may conclude you find the child unacceptable rather than the act.

6

Reasonable Cause to Suspect

- A “reasonable cause to suspect” is more than “a hunch.” It is a determination that is made, based on the factors on the following slide.
- Be aware, though, of how your personal biases can and do influence your conclusions and actions.

8

Reasonable Cause to Suspect

- overall knowledge of the circumstances
 - who, what, when, where, how
- observations
 - the pattern of “red flags,” the behavioral indicators, the overall demeanor of the child, and the demeanor of the alleged perpetrator, if known
- familiarity with the individuals involved
 - the family situation, relevant history, prior incidents
- overall feelings about the incident
 - your “gut” feeling, and your personal instincts

Report any “Recent” Act or “Recent” Failure to Act

- If the suspected abuse occurred within the last two years, it is reportable! This is the definition of “recent.”
- Remember – these laws apply only to children (defined in PA as under age 18).
- If an adult reports that he or she was sexually abused as a child, or assaulted as an adult, this is NOT a mandated report!

10

To substantiate abuse requires

Child (under the age of 18) **plus**

a Recent Act or Failure to act = ABUSE

A perpetrator no longer needs to be identified by the child for a report to be made. If the investigation concludes the child has been abused but the perpetrator(s) could not be identified, the report will be “indicated”

11

Do NOT “investigate”

- The mandated reporter is not to determine whether or not the allegation is true! Reporting is based on having “reasonable cause to suspect,” or a direct disclosure, or witnessing an act or failure to act.
- Ask any questions of child (or adult who reports a concern that child is being harmed) **ONLY** for clarification of minimal facts.

12

Reporting

- Direct contact with the child is NOT necessary for the obligation to report.
- Reporting is required if the child has been abused by anyone – including anyone outside of the church.
- Even if the child has NOT identified a specific perpetrator, you must report.

13

Effective 12/31/14

if a volunteer or staff person in a caregiving capacity (or one who supervises those giving care) FALLS TO ACT to protect a child (for example, does not report a reasonable suspicion or a disclosure of abuse) that person can now be investigated by CPS as a “perpetrator” and, if the report is substantiated, **listed on the registry as a perpetrator.**

14

Legal Requirements for Reporting Out

Sequence of “action steps” for Reporter:

- **First:** Immediately report suspected abuse to Childline orally or electronically
PA CHILDLINE: 1 800 932 0313
- **Second:** Immediately thereafter report to the person in charge (identified in policy)
- **Third:** *Within 48 hours, file a written or electronic CY47 report with local CPS. Ask if this is necessary when you report.*

15

Preparing to Report

- Helpful information to gather before making a report:
 - Name, parents’ names, siblings, alleged perpetrator
 - Birthday(s) or approximate age(s) of child(ren)
 - Address and phone number of the alleged victim(s)
 - Nature of incident (what happened, when, where, who was involved, etc.)
 - How you became aware (witness, told by someone else)
 - Factors that put the child at risk (continuing contact with perpetrator, disabilities or limitations, history of domestic violence)

16

Requirements for Reporting Up

- Follow “reporting up” process in your policy.
- When DHS informs the mandated reporter of the results of the investigation (30-60 days), provide copy to the proper “reporting up” person.

17

Follow-up

- If alleged perpetrator is staff, at minimum, remove the person from any supervisory authority and/or contact with children during the investigation.
- Informing others – caution!
- Do not discuss with alleged offender
- Insurance, Judicial notifications may be required; your policy will identify this, as well as the person who will make these contacts!

18

Results of Investigation

- DHS must notify the mandated reporter within 3 days of final report as to the final status of the CPS report i.e.
 - Indicated/founded/unfounded and;
 - Services provided or arranged to protect the child.
- The mandated reporter should Report Up the results.

19

2. IDENTIFYING ABUSE

20

Types of Abuse under CPSL

- Causing bodily injury through any recent act or failure to act, as well as creating a reasonable likelihood of bodily injury to a child
- Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
- Causing or substantially contributing to serious mental injury to a child through an act or failure to act or a series of such acts or failures to act.

21

Types of abuse (continued)

- Causing sexual abuse or exploitation of a child through any recent act or failure to act, as well as creating a likelihood of sexual abuse or exploitation of a child
- Causing serious physical neglect of a child that endangers or threatens a child's well-being, causes bodily injury or impairs health, development or functioning.

22

Physical Abuse

Intentional, knowing, or reckless act or failure to act that causes a child substantial pain or impairment of physical condition.

23

Certain conduct is now considered per se child abuse.

- Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
- Unreasonable physical restraint or confinement of a child, based on consideration of the method, location or the duration of the restraint or confinement.
- Forcefully shaking a child under one year of age.
- Forcefully slapping or otherwise striking a child under one year of age.
- Interfering with the breathing of a child.

24

Per se child abuse, *continued*

- Presence where methamphetamine is being manufactured
- Child left under the care of a *Tier 2 or 3 sexual offender, or an individual determined to be a violent sexual predator.

*Search Megan's Law Website
<http://www.pameganslaw.state.pa.us>

25

Excluded as abuse:

"Rights of parents" for the use of "reasonable force on or against" a child for "supervision, control and discipline."
Use of **"reasonable force" for supervision, control and safety** by persons beyond a parent.
Reasonable force for self-defense or the defense of another individual.
Child on child contact "harm or injury to a child that results from the act of another child shall not constitute child abuse unless the child who caused the harm or injury is a perpetrator." This applies to physical, NOT sexual, abuse.

26

Physical Abuse Indicators

- Bruises
- Welts
- Bite marks
- Regularly appearing grab marks
- Lacerations/abrasions on back of arms, legs, torso, external genitalia
- Fractures
- Head Injuries
- Pattern injuries/thermal injuries/burns

27

Serious Mental Injury - Defined

A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:

- (1) renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened; or
- (2) seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

28

Serious Physical Neglect

Any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's well-being, causes bodily injury or impairs a child's health, development or functioning:

29

Serious Physical Neglect Indicators

- Consistent hunger
- Unattended medical needs
- Developmentally delayed
- Abandonment
- Inappropriate or dirty clothing
- Always tired

31

Physical Neglect, continued...

- An unconscionable egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities.
- The failure to provide a child with adequate essentials of life, including food, shelter or medical care.

30

Sexual Abuse

The employment, use, persuasion, inducement, enticement or coercion of a child to engage in or assist another individual to engage in sexually explicit conduct, which includes, but is not limited to, the following:

32

Sexual Abuse, continued

- Looking at the sexual or other intimate parts of a child or another individual for the purpose of arousing or gratifying sexual desire in any individual.
- Participating in sexually explicit conversation either in person, by telephone, by computer or by a computer-aided device for the purpose of sexual stimulation or gratification of any individual.

33

Sexual Abuse, continued

- Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
- Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.

34

Sexual Abuse Physical Indicators

- Injury to genitals
- Difficulty sitting or walking
- STDs
- Frequent urinary tract or yeast infections
- Suspicious stains or blood on underwear
- Painful bowel movement or retention
- Early unexplained pregnancy
- Frequent unexplained sore throats

35

Sexual Abuse Behavioral Indicators

- Nightmares, sleeping problems
- Regressive behavior
- Spacing out at odd times (dissociation)
- Psychosomatic complaints
- Compulsive masturbation
- Eating disorders
- Sexual promiscuity (adolescent)
- Self-harming behaviors

36


3. CONSEQUENCES OF ABUSE

Long Term Effects of Childhood Sexual Abuse

- depression
- guilt, shame
- self-blame
- eating disorders
- bodily concerns
- anxiety
- dissociative disorders
- repression
- denial
- sexual problems
- relationship problems
- suicidal behavior
- risky sexual practices

Long-term Consequences

- 3 X more likely to develop psychiatric disorders
- 4 X more likely to abuse drugs/alcohol
- 4.7 X more likely to be raped later in life
- 75-90% of girls in justice systems have been victims of sexual abuse.



Spiritual Wounds

- Abandonment by God
- Feel “pressured” to forgive and can’t
- Abuse as punishment by God
- Belief God wants her/him to suffer
- Unexpressed anger at God
- Extreme shame (I am a “bad” person)
- Stops believing in God

4. Questions?

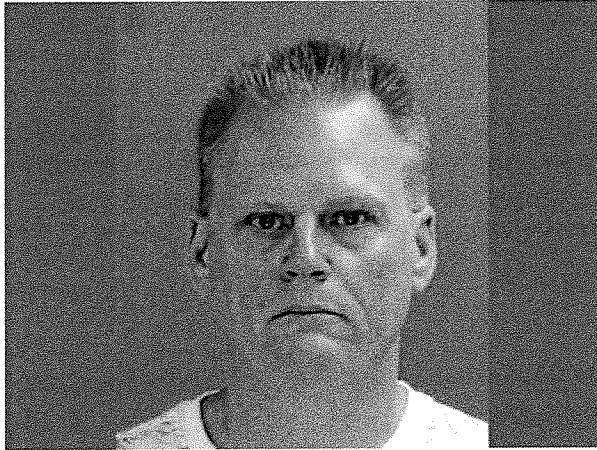
Thank you!



41

Lancaster teacher groomed student, propositioned teen for sex: police

Posted Aug 05, 2019



Timothy Mark Sterner, 52, is accused of sexually propositioning a student at J.P. McCaskey High School over the course of several years, all while he was a teacher at the school.

By [Becky Metrick](#) | bmetrick@pennlive.com

A Lancaster teacher was arrested Monday after allegations arose that he repeatedly asked a male student for sex.

Timothy Mark Sterner, 52, taught at J.P. McCaskey High School between 2011 and 2015, when investigators say he propositioned the student, police said in charging documents filed Monday. The student was between 14 and 17 years old at the time.

Police said they met with Sterner at the school Monday, but afterwards he went to their station and was charged. The School District of Lancaster did not return a call on Monday afternoon.

The accuser, a former student, told investigators that Sterner pursued a sexual relationship with him at the school. The two had contact during and after school hours, at Sterner's Lancaster home and other areas around the county, according to court documents.

Sterner instructed the then-teen to call him by a pet name, took the boy out to eat, took him shopping, bought him clothing including underwear and a cell phone, gave him money and took him on trips outside the state, according to court documents.

Investigators discuss Sterner paying for a portion of a trip involving international travel for the boy, but did not go into detail about the nature of the trip.

The accuser told police that Sterner repeatedly told him he loved him, and that he would leave his wife and children for him, according to court documents.

Police said in a release that these actions could be considered "grooming behaviors." When both were at the school together, the former student said Sterner would show him pornography either on his cell phone or on a school computer, according to court documents. This happened during school and after school hours, as well as at Sterner's home.

Sterner is accused of sexually propositioning the student repeatedly during these years, either over the phone or in person, according to court documents. The propositions also happened in other areas outside Pennsylvania.

Sterner also asked for nude photos and videos of the student to be sent through the phone, according to court documents. At the time, the student obliged and sent the images to Sterner, he told investigators.

The student claimed Sterner exposed himself multiple times to the student, while they were in Sterner's basement, according to court documents.

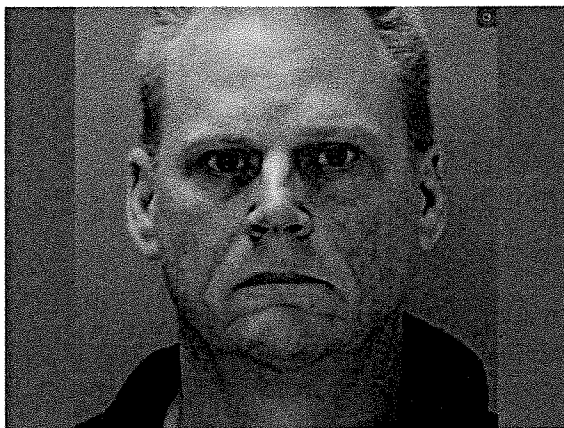
Sterner is charged with attempting to have sexual contact with a student, criminal solicitation of sexual contact with a student, showing a child pornography, corruption of minors, criminal use of a communication facility, unlawful contact with a minor - sexual offenses, unlawful contact with a minor - obscene or other sexual materials dissemination of explicit sexual materials, endangering the welfare of a child and unlawful contact with a minor - sexual exploitation.

Sterner is being held at Lancaster County Prison on \$2 million bail, according to online court documents. A preliminary hearing is scheduled for August 5.

1. Pennsylvania Real-Time News

Lancaster teacher pleads guilty to child sex charges involving one of his students

Updated Dec 12, 2020; Posted Dec 11, 2020



Timothy Mark Sterner entered a guilty plea for sexually propositioning a student at J.P. McCaskey High School over the course of several years, all while he was a teacher at the school. Photo: Lancaster County DA

By Jana Bencoter |
jbencoter@pennlive.com

A former Lancaster County teacher accused of sexually assaulting one of his students pleaded guilty to several charges Friday and will have to register under Megan's Law for the rest of his life.

Timothy M. Sterner, 54, pleaded guilty to five felonies and two misdemeanors, according to the Lancaster County District Attorney's Office. He will be sentenced in a couple of months.

Sterner's teacher certificate is suspended and the former music teacher is no longer employed by the School District of Lancaster, according to lead prosecutor Assistant District Attorney Fritz Haverstick.

Using his position as the boy's teacher, authorities said that Sterner met with the boy when he was a freshman and got "close to him." Over a three year period, which ended in 2015, Sterner inappropriately groomed and sexually assaulted the boy, Haverstick said.

Sterner pleaded guilty to felony counts of unlawful contact with a minor, solicitation of institutional sexual assault, dissemination of child pornography, corruption of minors, and endangering the welfare of a child, as well as misdemeanor counts of indecent exposure and corruption of minors.

While several charges, considered to be duplicative, were withdrawn, Sterner did admit to asking the boy for sexual contact, exposing himself to the boy and performing lewd acts in his presence, sending lewd images and pornography to the boy, showing the boy pornography, and having lewd conversations with the boy via online, phone and in person.

Lancaster city police Detective Gareth Lowe filed the charges.

Pastor failed to report daycare teacher's abuse of toddler, authorities say

by Myles Snyder

Posted: Mar 29, 2016 01:48 PM EDT

EPHRATA, Pa. (WHTM) - A former teacher at a Lancaster County church has been charged with abusing a toddler, and the church's former pastor is accused of failing to report the incident.

Cynthia Ebersole, 62, of Denver, is accused of slapping a crying 14-month-old boy three times in the face last November at Grace Point Learning Academy, a daycare at Grace Point Church of the Nazarene in Clay Township, according to the Lancaster County district attorney's office.

Authorities said Ebersole also held her hand over the boy's mouth as he threw a fit.

The abuse was reported to Pastor Robert D. Smith, who suspended Ebersole for two days and relocated her to a classroom with infants but did not report the incident to police as state law requires him to do.

According to church officials, Ebersole is no longer a teacher at the daycare and Smith is no longer with the church.

"The responsibility of two adults was not followed through," Lititz resident Janet Swartz said. "It's shocking to hear, particularly from a church, but also shocking to hear that adults would do something like that to a 14-month old child."

The current pastor refused an interview with ABC 27 News, but parents who use the daycare were given a statement from the church which said, "the safety of the children is the church's absolute concern."

ABC 27 News stopped at Ebersole and Smith's homes. Both were unavailable.

"The pastor, or whoever is in charge of any child, that does not report it is just as guilty as the person who did that as far as I'm concerned," Swartz said.

Northern Lancaster County Regional police charged Ebersole with a misdemeanor count of endangering the welfare of a child.

Smith, 44, of Ephrata, is charged with a misdemeanor count of failure to report.

Both were mailed a summons to appear in court for arraignment.

<https://www.abc27.com/news/pastor-failed-to-report-daycare-teachers-abuse-of-toddler-authorities-say/1108356019>

Question: If this situation would have occurred in your congregation, would you have called ChildLine? Why or Why not?

Lancaster County pastor and teacher sentenced for abuse and failure to report

by Cale Ahearn

Posted 9:57 AM, Feb. 28, 2017

LANCASTER COUNTY, Pa.— A Lancaster County pastor and teacher were both recently sentenced in court for the treatment of a toddler at a church daycare.

Robert Smith, 45, a pastor, and Cynthia Ebersole, 63, a teacher, were sentenced to serve two years of probation and other conditions as part of the ARD program.

The incident occurred on November 16, 2015 at Grace Point Learning Academy. The daycare is at the Church of Nazarene in Clay Township.

A parent witnessed Ebersole abuse a 14-month-old boy while caring for a group of toddlers. She was seen holding her hand over the child's mouth as the child was fussing, according to police.

After the reported abuse reached Smith, who oversees all functions at the church, he relocated Ebersole's teaching assignment but never reported the abuse to authorities.

Smith, as a pastor and employee of the daycare, is required under state law to report all the incidents of suspected child abuse to Pennsylvania ChildLine or Police.

In court Monday, Smith said that he should've reported the incident. He was charged with a misdemeanor count of failure to report. He is now required to re-take mandatory-reporter training and perform 90 hours of community service.

Ebersole, in addition to her probation, must take anger-management classes and perform 60 hours of community service. She was also charged with misdemeanor endangering the welfare of a child.

<https://fox43.com/2017/02/28/lancaster-county-pastor-and-teacher-sentenced-for-abuse-and-failure-to-report/>

Question: If this situation occurred in your congregation, would agree with the legal result? Why or why not?