



## **CHILD PROTECTION POLICY**

*Adopted by the Board of Trustees June 25, 2012. Revised Feb. 23, 2018; April 22, 2019; Jan. 27, 2020.*

The following policy has been established at the Ridley Township Public Library & Resource Center in order to protect our young people (ages 17 and under) from undue risk of verbal, physical, or sexual abuse or misconduct; and to protect staff and volunteers who work with children and youth from false accusations and our library as an institution. This policy must be followed to allow our work with young people to be the best that is possible.

### **General Requirements for Staff & Volunteers**

- All staff (starting January 1, 2015) must submit to a Pennsylvania Criminal Background Check, Childline Child Abuse Clearance and FBI Criminal Background Check. All new employees must complete and submit clearances prior to commencement of employment.
- Pennsylvania Criminal Background Checks, Childline Child Abuse Clearances and FBI Criminal Background Checks will be conducted every five (5) years on all permanent employees. The exception will be that Child Abuse Clearances will be conducted every year on those employees whose duties require direct involvement with children's/teen's programs.
- All checks and clearances will be paid for by the library. New employees will be reimbursed for clearances after 6 months of successful employment.
- Volunteers, who in the course of their duties at the library interact with children, will be required to pass a Criminal Background Check and Child Abuse Clearance. Volunteers who are not required to obtain the FBI Clearance because they are applying for an unpaid position and have been a continuous resident of Pennsylvania for the past 10 years must swear or affirm in writing that they are not disqualified from service based upon a conviction of an offense under §6344. Volunteers who remain at the library for at least six months and submit to checks/clearances based solely on their duties at the library will be reimbursed the cost of the check/clearance.
- Adults or youth who have been convicted of or are currently under suspicion of either sexual or physical abuse of a minor, or who have a history of inappropriate conduct involving a minor, may not interact with minors in any library sponsored event or activity.

### **General Rules for the Protection of Children & Youth**

- The "two person rule" will apply in any situations involving a single minor whether volunteers or patrons. No adult is to be alone in a room with a minor, unless both parties are clearly visible at all times via a window, open door, etc.

- In the event that a minor child is left at the library at closing, under no circumstances is the child to be allowed to wait in a staff or volunteer's car. Two adults must wait with the child until the parent, legal guardian or police arrive to pick up the child.
- All performers and presenters hired or recruited for children's or young adult programming (**starting January 1, 2020**) must submit to a Pennsylvania Criminal Background Check, Childline Child Abuse Clearance and FBI Criminal Background Check. Presenters from outside Pennsylvania can submit clearance certificates from their home state. All clearance certificates must be submitted to the Director or Assistant Director before the date of the performance or presentation.

### **Mandated Reporting Requirements for Staff & Volunteers**

PA SB 21 expands the list of persons who are required by law to report suspected child abuse to professionals and volunteers who work in public libraries. This law also eliminates a chain of command in cases of suspected abuse. All cases of alleged or suspected abuse **MUST** be IMMEDIATELY reported to the Chester Offices of Children & Youth Services.

- Chester CYC Office—610-447-1000
- Suspected Sexual Abuse—610-891-5258
- After Hours/Holidays/Weekends call 610-892-8400
- Childline-Pennsylvania State Child Abuse Hotline—1-800-932-0313 (can be used anytime)

Children and Youth Services (CYS) investigates all allegations of child abuse and neglect, as mandated by state law, including allegations of intra-familial child sexual abuse. In all cases, the mission of CYC is to provide for the immediate safety and protection of children, to keep children with their own families whenever possible, to provide temporary, substitute care for children when necessary and to reunite children with their families as quickly as possible after placement.

After you have made a report to CYC or Childline, you must fill out an incident report (attached) and submit to the Director.

In addition, within 48 hours after making this oral report to CYC or Childline, one copy of a completed CY-47 report (attached) should be submitted to the Children and Youth agency for the county in which the abuse occurred. Form CY-47 may be completed online at:

<http://lookoutforchildabuse.org/reporting/legal-forms/cy-47-online/>

***If a situation is occurring in the library that constitutes abuse, call 911 to have the police report and handle it. You must also follow-up and report the suspected abuse to CYC or Childline. The police may not report the incident and you still must report as required by law.***

### **ACTIONS BY REQUIRED REPORTERS**

There are certain actions that required reporters may take on behalf of a child suspected of being abused. A mandated reporter must in good faith:

- Make a report
- Cooperate with an investigation
- Notify police, if appropriate
- Testify in proceedings that result from their report

Mandated reporters can request certain information about a child who was the subject of a report of suspected child abuse that they made. Information can be requested verbally or in writing from the county agency. The information that can be released to the mandated reporter is limited to:

- the final status of the child abuse report, in other words, whether it is indicated, founded or unfounded, and
- any services provided, arranged for, or to be provided by the county agency to protect the child.

Before releasing the allowable information, the county agency must verify the identity of the required reporter.

### **DEFINING CHILD ABUSE**

These are the categories of Child Abuse specifically defined by CPSL:

- **Serious Physical Injury**—Recent (w/in the last 2 years), causes severe pain & significantly impairs functioning either temporarily or permanently. This includes: Kicking, biting or, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
- **Fabricating Medical Symptom or Disease**—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.
- **Serious Mental Injury**—A psychological condition that is diagnosed by a physician or licensed psychologist
- **Sexual Abuse or Exploitation**—please see the attached copy of the Child Protective Services Bill for everything that constitutes sexual abuse or exploitation as well as exceptions.
- **Serious Physical Neglect**--any of the following when committed by a perpetrator that endangers a child's life or health, threatens a child's wellbeing, causes bodily injury or impairs a child's health, development or functioning: a repeated, prolonged or unconscionable egregious failure to supervise a child in a manner that is appropriate considering the child's developmental age and abilities or the failure to provide a child with the adequate essentials of life including food, shelter or medical care.
- **Imminent Risk**--Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.

While you are required to report suspected abuse, you are not to investigate abuse. You may ask a child a question regarding an obvious physical injury but you do not need to pursue further if they do not answer in a way that indicates the injury fits the definitions of abuse. If a child reports abuse to you, you then must call CYS or Childline and follow the reporting procedure outlined above.

### **PROTECTIONS AND PENALTIES**

Certain protections are afforded those who become involved in situations of child abuse. Immunity from civil and criminal liability is given to a person, hospital, institution, school, facility, or agency employee that participates in good faith in the making of a report,

cooperating with an investigation, testifying in a proceeding arising out of an instance of suspected child abuse, taking photographs, or removing or keeping a child in protective custody. For the purpose of any civil or criminal proceeding, the good faith of a mandated reporter is presumed.

Mandated reporters who, in good faith, make or cause a report of suspected abuse to be made can take action in the court of common pleas for appropriate relief if they are discharged from employment, or in any other manner are discriminated against with respect to compensation, hire, tenure, terms, conditions or privileges. The court may issue an order granting appropriate relief if it finds that action was taken against a person who, in good faith, made or caused to be made a report of suspected child abuse. The Department of Public Welfare may intervene in any such action.

The new law protects mandated reporters from retaliation and protects your right to privacy in making a mandated report.

A person who is required to report a case of suspected child abuse and willfully fails to do so may be penalized. Charges include a third degree felony for the first violation. A person who fails to report a second or subsequent time commits a felony of the third degree, except in the case that the child abuse constitutes a 1<sup>st</sup> degree felony or higher, then the second or subsequent failures to report is a felony of the second degree. A person found guilty of willful failure to report is punishable by fines and/or a jail sentence.

Reporting procedures are to be in accordance with Pennsylvania law. Anyone observing suspected harm to a minor is required to report it immediately to the nearest librarian, supervisor, or the Library Director.

In order for staff and volunteers to be easily identified, designated Ridley Library badges must be worn at all times when representing the library.