



## **Policy: Participant Protection - Replacement**

Policy Number: POL.S.01.11

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Date: 10/2/2020

Authorized by: \_\_\_\_\_

Date: \_\_\_\_\_

*Board Chair*

References: Policies CAPRA 1.4.1

Revision Date: \_\_\_\_\_

### **POL.S.01.11 – Participant Protection**

#### **Purpose**

Youth athletes and program participants should be guided by what is best for the safe and healthy development of the individual. In working with each child and/or participant, it is essential that we are mindful of their physical, emotional, and developmental needs and to recognize the vulnerabilities of individuals. It is the responsibility of all adult association with GSC Parks youth sports and/or programs to develop the knowledge and skills to create and maintain a safe environment.

#### **Scope**

Coaches, officials, staff, parks employees, volunteers, and chaperones are in positions of authority and trust. While the majority of adults seek to create a positive experience for youths, some may seek to take advantage of a child's trust and use their position for purposes that can damage a child's positive developmental experience. All persons on GSC Parks property or parks or in GSC Parks recreational programs sponsored by GSC Parks are to comply with this policy.

#### **Policy**

To safeguard athletes and program participants, GSC Parks requires background checks on all employees, officials, and coaches in GSC Parks sponsored programs. All franchises, organizations, and partners should require and conduct background checks on their officials, coaches, staff, and other volunteers working in any official capacity for the respective organization that is in a leadership role or works directly with minors.

Abuse or harassment may take several forms including but not limited to any improper or inappropriate comment, action, or gesture directed toward a person that is related to race, ethnicity, national origin, religion, age, gender, of a sexual nature, disability, or other personal characteristics. The creation of an environment through behavior or a course of conduct that is insulting, intimidating, humiliating, demeaning, or offensive prevents or limits the enjoyment of the sport, program, and development of a young individual. Harassment may come from adults, teenager, or another child. GSC Parks will not tolerate or condone any form of harassment or abuse.

The Federal Child Abuse Prevention and Treatment Act ([CAPTA](#)) (42 U.S.C.A §5106g) as amended by the Keeping Children and Families Safe Act of 2003, defines child abuse and neglect as, at a minimum:

Any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse, or exploitation/ or an act or failure to act which presents an imminent risk of serious harm.

## Areas of Responsibility

Coaches, officials, parks employees, volunteers, and chaperones are in positions of authority and trust.

## Prevention Guidelines

If a child or participant advises GSC Parks staff that someone has molested or otherwise abused the child, staff should be prepared to help the child. See the Crisis Management & Communication Plan.

- 1) GSC Parks staff working with the child or participant shall:
  - a. Parents and guardians should be encouraged to support and attend their child's programs, games, and practices.
  - b. All practices, games, and programs should be open to observation by parents and guardians at all times, exception is when observation causes a distraction to the participants and interferes with the ability to provide the program. Parents and family members may not cause a disturbance with the program while observing or they may be asked to leave.
  - c. Two-deep leadership: at least one coach and one other adult should be present at all fo the programs, practices, or activities.
  - d. In providing two-deep leadership; at least two of the adults should not be closely related family members.
  - e. All interaction between leaders and program participants should occur in an open and observable environment. Some programs may be designated to provide services to clients/participants that require personal hygiene care. In specified programs, trained leaders, staff, or volunteers may provide such care, however, should have assistance from another trained leader, staff, or volunteer or notify the program leader prior to providing and immediately after personal hygiene care.
  - f. Coaches, staff, and other adult leaders should not invite youth participants to their home without permission of a parent or guardian.
  - g. Should travel occur, all room checks, meetings and/or other activities should have two-deep leadership. If participants are paired for overnight stays; they should be of the same gender and similar age.
  - h. Any other arrangement should be discussed with all parties and written permission obtained from the parent or guardian before hand.
  - i. Youth participants should not ride in a coach's vehicle without another adult present unless prior parental permission is obtained.
  - j. Communication between youth participants and adults should be positive and of a relevant subject; not sexual or otherwise inappropriate nature. Horseplay, rough housing should be avoided.
  - k. Youth participants should have a "buddy system" with another participant of the same gender and similar age while involved in programs and events that involve travel when a parent or guardian is not available. Buddy system may include opposite gender, if the participants are family members.
  - l. At a minimum every franchise and/or partner league must confirm on an annual basis that this policy is understood and communicated to everyone involved in the program/league.

- m. Every franchise and/or partner league must adopt or comply with their organization's harassment and abuse policy. If that policy conflicts with GSC Parks policy, the partner agency must notify the GSC Parks Youth Sports Liaison and request a clarification.
- n. Allegations of child abuse or neglect should always be investigated by qualified social service or law enforcement.
- o. Kentucky Unified Juvenile Code KRS 620.040(5)(c) & KRS 620.030 states that it is the duty of everyone who reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause and oral or written report to be made to a local law enforcement agency or the Kentucky State Police, the Cabinet or its designated representative; the Commonwealth's Attorney or the county attorney by telephone or otherwise. Certain professionals such as healthcare personnel, childcare personnel, and peace officers have a further duty to report.

#### Handling Allegations of Abuse

- p. **Remain calm and reassuring.** If you panic, become angry, or overreact to the information disclosed, so will the child. The child needs to feel that the person to whom he or she is speaking is in control of the situation and will reassure him or her that everything will be okay.
  - q. **Don't criticize the child, question the child's story, or imply that the child may have misunderstood what happened.** Accept the information openly without indicating value judgment.
  - r. **Encourage the child to tell the Director or the appropriate supervisor what happened.** Tell the child no one should ask him or her to keep a secret about what happened and that it is okay to talk to the Director about it. Make sure the child feels that he or she is not to blame for what happened. Try to avoid repeated interviews about the incident and other dealings with the child that may be very stressful for the child.
  - s. **Respect the child's privacy.** Take the child to a location where you cannot be overheard by other children but within view of another adult. It is important that you discuss the child's situation only with the Director or with the appropriate DCFS and designated law enforcement personnel. It must not become the topic of conversation among other staff members either on or off GSC Parks premises. The child and his or her family or other persons involved should not have to pay the price of a person's indiscretion. Disclosing the information to other persons is in violation of the child's privacy rights and the privacy rights of other persons involved.
- The Director or his/her designee should be the contact person for reporting suspected child abuse. In his/her absence, the Department Head should be notified. The Director and staff person reporting the suspected abuse should immediately notify DCFS as required under the Act by telephone to the DCFS "central register" or in person or by telephone through the nearest DCFS office at 1-877-597-2331. Reports are immediately transmitted to the appropriate DCFS Child Protective Service Unit ("CPS"), which will in turn begin to investigate the matter.
  - The report should include, if known:
    - 1) the name and address of the child and his or her parents or other persons responsible for the child's welfare;

- 2) the name and address of the school that the child attends or the school that the child last attended, if the report is written during the summer when school is not in session, and the name of the school district in which the school is located, if applicable;
  - 3) the child's age, sex and race;
  - 4) the nature of the child's abuse or neglect, including any evidence of previous injuries, abuse or neglect of the child or his or her siblings;
  - 5) the names of the persons apparently responsible for the abuse or neglect;
  - 6) family composition, including names, ages, sexes, and races of other children in the home;
  - 7) the name of the person making the report, his or her occupation, and where he or she can be reached;
  - 8) the actions taken by the reporting source, including the taking of photographs and x-rays, placing the child in temporary protective custody, or notifying the medical examiner or coroner; and
  - 9) any other information that the person making the report believes might be helpful in the furtherance of the purposes of this Act.
- The oral report should be confirmed by the reporting staff person in writing to the assigned CPS within 48 hours of the initial report. The Director will notify the Chair of the Park Board of Commissioners of all reports of child abuse/neglect, which are suspected and reported to the Department of Child and Family Services.

Details of the report shall not be discussed with other staff or participants.

The Commonwealth of Kentucky has provided a child abuse and neglect booklet to help with additional questions that is available online:

<https://chfs.ky.gov/agencies/dcbs/Documents/ChildAbuseandNeglectBooklet.pdf>

### ***Replaces Policy:***

#### **POL.S.01.10 - Abused and Neglected Child and Elder Reporting**

It is the policy of GSC Parks to fully comply with the State of Kentucky ([KRS 620](#), [KRS 209](#)). As such, GSC Parks will make every reasonable effort and precaution to prevent, detect and handle cases of suspected child abuse and neglect for children who participate and use GSC Parks programs, areas and facilities and will ensure that any such cases get reported to the Kentucky Department of Children and Family Services ("DCFS") in accordance with the Act.

#### **Definitions**

"Abused child" means a child whose parent or immediate family member or any person responsible for the child's welfare or any individual residing in the same home as the child or a paramour of the child's parent:

- 1) Inflicts, causes to be inflicted or allows to be inflicted upon such child physical injury by other than accidental means, which causes death, disfigurement, impairment of physical or emotional health or loss or impairment of any bodily function;
- 2) Creates a substantial risk of physical injury to such child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

- 3) Commits or allows to be committed any sex offense against such child, as such sex offenses are defined in the Criminal Code of 1961 as amended and extending those definitions of sex offenses to include children under eighteen (18) years of age;
- 4) Commits or allows to be committed an act or acts of torture upon such child;
- 5) Inflicts excessive corporal punishment;
- 6) Commits or allows to be committed the offense of female genital mutilation, as defined in Section 12-34 of the Criminal Code of 1961 against the child; or

A child shall not be considered abused for the sole reason that the child has been relinquished in accordance with the Abandoned Newborn Infant Act ([KRS 620.350](#)).

“Neglected child” means any child who is not receiving the proper or necessary nourishment or medically indicated treatment including food or care not provided solely on the basis of the present or anticipated mental or physical impairment as determined by a physician acting alone or in consultation with other physicians or otherwise is not receiving the proper or necessary support or medical or other remedial care recognized under State law as necessary for a child’s well-being, or other care necessary for his or her well-being, including adequate food, clothing and shelter; or who is abandoned by his or her parents or other person responsible for the child’s welfare without a proper plan of care; or who is a newborn infant whose blood, urine, or meconium contains any amount of a controlled substance thereof, with the exception of a controlled substance or metabolite thereof whose presence in the newborn infant is the result of medical treatment administered to the mother or the newborn infant. A child shall not be considered neglected for the sole reason that such child’s parent or other person responsible for his or her welfare has left the child in the care of an adult relative for any period of time. A child shall not be considered neglected for the sole reason that the child has been relinquished in accordance with the Abandoned Newborn Infant Protection Act. A child shall not be considered neglected or abused for the sole reason that such child’s parent or other person responsible for his or her welfare depends upon spiritual means through prayer alone for the treatment or cure of disease or remedial care as provided under Section 4 of this Act. A child shall not be considered neglected or abused solely because the child is not attending school in accordance with the requirements of Section 26 of The School Code, as amended (105 ILCS 5/26-1 et seq.).

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  - b. **Don’t criticize the child, question the child’s story, or imply that the child may have misunderstood what happened.** Accept the information openly without indicating value judgment.
  - c. **Encourage the child to tell the Director or the appropriate supervisor what happened.** Tell the child no one should ask him or her to keep a secret about what happened and that it is okay to talk to the Director about it. Make sure the child feels that

he or she is not to blame for what happened. Try to avoid repeated interviews about the incident and other dealings with the child that may be very stressful for the child.

- d. **Respect the child's privacy.** Take the child to a location where you cannot be overheard by other children but within view of another adult. It is important that you discuss the child's situation only with the Director or with the appropriate DCFS and designated law enforcement personnel. It must not become the topic of conversation among other staff members either on or off GSC Parks premises. The child and his or her family or other persons involved should not have to pay the price of a person's indiscretion. Disclosing the information to other persons is in violation of the child's privacy rights and the privacy rights of other persons involved.
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    - 1) the name and address of the child and his or her parents or other persons responsible for the child's welfare;
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    - 6) family composition, including names, ages, sexes, and races of other children in the home;
    - 7) the name of the person making the report, his or her occupation, and where he or she can be reached;
    - 8) the actions taken by the reporting source, including the taking of photographs and x-rays, placing the child in temporary protective custody, or notifying the medical examiner or coroner; and
    - 9) any other information that the person making the report believes might be helpful in the furtherance of the purposes of this Act.
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