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## **Neglect, Abuse, Sexual Abuse, and Molestation Prevention Policy**

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Kutztown Community Library has a zero-tolerance policy towards neglect, abuse, sexual abuse, or molestation in the workplace or at any Library-sponsored activity. In order to make this zero-tolerance policy clear to all we have adopted mandatory procedures that employees, volunteers, and board members must follow when they learn of or witness towards neglect, abuse, sexual abuse, or molestation.

Child abuse is defined as when an individual acts on or fails to prevent something that causes serious harm to an individual under the age of 18. This harm can take many forms, such as serious physical injury, serious mental injury, neglect, abuse or exploitation.

According to the Child Protective Services Law (CPSL), child abuse requires that acts or failures to act be committed **intentionally, knowingly** or **recklessly**.

### **1. Child abuse has been defined as any of the following:**

- a. Bodily injury which includes impairment of a physical condition or substantial pain.
- b. Behaviors that result in exposing children to potentially harmful medical evaluations or treatment such as fabricating, feigning or inducing a medical symptom or disease (Munchausen Syndrome by Proxy).
- c. Serious mental injury, which includes causing or substantially contributing to the injury through any act, failure to act, or series of such acts or failures to act.
- d. Child abuse also includes the following acts in which the act itself constitutes abuse without any resulting injury or condition, such as:
  - i. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child;
  - ii. Unreasonably restraining or confining a child;
  - iii. Forcefully shaking, slapping or otherwise striking a child under one year of age;
  - iv. Interfering with the breathing of a child;
  - v. Knowingly leaving a child unsupervised with an individual, other than the child's parent, who is required to register as a sexual offender, sexually violent predator or sexually violent delinquent. This also includes individuals who the parent reasonably should have known were required to register in one of the categories above.
- e. Causing the death of a child through any act or failure to act.
- f. Causing or creating the likelihood of sexual abuse or exploitation of a child through any act or failure to act constitutes sexual abuse.
- g. Serious physical neglect includes egregious behavior, meaning situations when the behavior might have only occurred one time, but is bizarre or unimaginable and created one of the circumstances that would fall under this category of abuse.

### **2. Definition of Sexual Abuse or Exploitation:** Specifically, any of the following:

- a. 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:
  - i. 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.

- ii. 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.
- iii. Actual or simulated sexual activity or nudity for the purpose of sexual stimulation or gratification of any individual.
- iv. Actual or simulated sexual activity for the purpose of producing visual depiction, including photographing, videotaping, computer depicting or filming.
- b. Consensual activities between two children ages 14-18 are excluded as sexual abuse unless any of the following - which involve the use of force or coercion - were committed: Rape; Statutory sexual assault; Involuntary deviate sexual intercourse; Indecent exposure; Incest; Prostitution; Sexual abuse; Unlawful contact with a minor; or Sexual exploitation.

### **3. Indicators of Sexual abuse**

There are a number of “red flags” that suggest someone is being sexually abused. They take the form of physical or behavioral evidence.

- a. Physical evidence of sexual abuse includes, but is not limited to:
  - i. Sexually transmitted diseases;
  - ii. Difficulty walking or ambulating normally;
  - iii. Stained, bloody or torn undergarments;
  - iv. Genital pain or itching; and
  - v. Physical injuries involving the external genitalia.
- b. Behavioral signals suggestive of sexual abuse include, but are not limited to:
  - i. Fear or reluctance about being left in the care of a particular person;
  - ii. Recoiling from being touched;
  - iii. Bundling oneself in excessive clothing, especially night clothes;
  - iv. Discomfort or apprehension when sex is referred to or discussed; and
  - v. Nightmares or fear of night and/or darkness.

### **4. Mandatory Employee Training**

All employees are required to take Mandated Reporter Training.

### **5. Reporting Procedure**

- a. All staff members who learn of abuse being committed must immediately report it to the appropriate authorities, as well as to the Library Director.
- b. If the victim is an adult, the abuse must be reported to the state Adult Protective Services (APS) Agency at 800-490-8505.
- c. If the victim is a child, the staff member must report it to ChildLine at 1-800-932-0313. ChildLine is available 24 hours/7 days a week.
- d. As a mandated reporter, you must provide your name and contact information when making the call. After making the call, mandated reporters must follow up with an electronic report or a written report completed on the CY-47 form within 48 hours of making the oral report.

### **6. Investigation & Follow-Up**

- a. We take allegations of neglect, abuse, or molestation seriously. Once the allegation is reported, we will cooperate fully with any investigation conducted by law enforcement or regulatory agency. We reserve the right to place the subject of the investigation on an involuntary leave of absence. To the fullest extent possible, but consistent with our

legal obligation to report suspected abuse to appropriate authorities, we will endeavor to keep the identities of the alleged victims and investigation subject confidential.

- b. If the investigation substantiates the allegation against an employee or worker, our policy provides for disciplinary penalties, including but not limited to termination of his/her relationship with our organization.

**7. Retaliation Prohibited**

- a. We do not tolerate any retaliation against anyone, including an employee, volunteer, board member, or individual who in good faith reports abuse, alleges that it is being committed, or participates in the investigation. Intentionally false or malicious accusations of towards neglect, abuse, sexual abuse, or molestation are prohibited.
- b. Any employee or volunteer who improperly retaliates against someone who has made a good faith allegation of abuse, or intentionally provides false information to that effect, will be subject to discipline, up to and including termination.

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