

## YMCA of Central New York- Child Abuse Prevention Policy

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A foundational commitment of the YMCA of Central New York is to provide a healthy atmosphere for the growth and development of youth. Child abuse, and the resulting severe effects, are of primary concern to the Y.

Child abuse is the mistreatment or neglect of a child resulting in injury or harm. Because of our concern for the welfare of youth, the Y has developed standards, guidelines, and training to aid in the detection and prevention of child abuse. The Y has a zero-tolerance policy regarding child abuse and runs a criminal history and sex offender registry check on all employees and volunteers. The results of these checks may result in one's inability to become a Y employee, volunteer, or member, consistent with New York Corrections Law Article 23-A and applicable Office of Child and Family Services regulations. Staff members receive training upon hiring, and annually thereafter, in recognizing, reporting, and preventing child abuse.

The following policies are intended to assist staff in making decisions about interactions with youth. For clarification of any guideline, or to inquire about behaviors not addressed here, contact your supervisor or department director.

The Y provides all youth with the highest quality services available. We are committed to creating an environment for youth that is safe, nurturing, empowering, and that promotes growth and success.

No form of abuse will be tolerated and confirmed abuse will result in immediate dismissal from our organization. All reports of suspicious or inappropriate behavior with youth, or allegations of abuse, will be taken seriously and investigated. Our organization will fully cooperate with authorities if allegations of abuse are made that require investigation.

The Code of Conduct with Youth outlines specific expectations of the staff as we strive to accomplish our mission together.

The Code of Conduct with Youth for Employees:

Note: Youth refers to anyone under the age of 18

1. Youth will be treated with respect at all times.
2. Youth will be treated fairly regardless of race, color, religion, creed, sex (which includes but is not limited to gender identity or expression and the status of being transgender), national origin, ancestry, sexual orientation, age, predisposing genetic characteristics, status as a victim of domestic violence, familial status, disability, family's military status or marital status, or any other dimensions of diversity.
3. Staff members must always be with at least two other people when with youth. This could be two (2) staff members and one (1) youth or two (2) youth and one (1) staff member. This is known as the "rule of three."

At no time may a staff member be alone with a single youth where they cannot be observed by others. Staff members should position themselves in such a way that other staff can see them at all times. If a staff member finds themselves in a situation where they are alone with a youth, and the situation has not been authorized (as described below), they must report this to their

supervisor or next level supervisor immediately. Violation of this policy will result in discipline, up to and including termination.

While the Y avoids programs and circumstances where a staff member is alone with one youth, sometimes this is unavoidable or occurs unexpectedly. Staff are not permitted to be alone with a youth except under authorized circumstances.

How to manage risk when a staff member must be alone with one youth under authorized circumstances:

- When meeting one-on-one with a youth, always do so in a public place where you are in full view of others.
  - Avoid physical affection that can be misinterpreted. Limit affection to pats on the shoulder, high-fives, handshakes, fist pumps, or elbow taps.
  - If meeting in a room or office, leave the door open or move to an area that can be easily observed by others passing by.
  - If authorized and documented with the Department Director, inform other staff and volunteers that you are alone with a youth and ask them to randomly drop in.
  - Document and immediately report to your supervisor or next level supervisor any unusual incidents, including disclosures of abuse or maltreatment, behavior problems and how they were handled, injuries, or any interactions that could be misinterpreted by an observer. An example might be of a staff member and youth in the art studio one on one, which should never be the case, but if a creative success prompted youth-engaged affection, for which the staff member was not prepared, such affection could be misinterpreted by an observer as being staff-engaged.
4. Youth that are in the care of the Y (registered in any YMCA program) may not be left unsupervised.
  5. Staff shall not abuse or mistreat youth in any way, including, but not limited to:
    - a. Physical abuse—hitting, spanking, shaking, slapping, unnecessary restraints, bullying;
    - b. Verbal abuse—degrading, threatening, cursing, humiliating, isolating, bullying;
    - c. Sexual abuse— inappropriate touching, exposing oneself, sexually-oriented conversations;
    - d. Mental abuse—shaming, humiliation, withholding kindness, isolating, bullying, being cruel;
    - a. Neglect—withholding food, water, shelter, basic care, or appropriate medical attention.

No type of child abuse will be tolerated. Any abuse by a staff member will result in disciplinary action, up to and including termination of employment.

6. Staff members may not transport youth in their own vehicles.
7. Staff will adhere to appropriate, and avoid inappropriate, verbal interactions. Profanity, inappropriate jokes, displays of intimate affection, sharing intimate details of one's personal life,

and any kind of harassment in the presence of youth, parents, volunteers, or other staff is prohibited.

#### Verbal Interactions Guidelines with Youth:

##### Appropriate Verbal Interactions:

- Positive reinforcement
- Appropriate jokes
- Encouragement
- Praise

##### Inappropriate Verbal Interactions:

- Name-calling
- Secrets
- Cursing
- Off-color or sexual jokes
- Shaming
- Belittling
- Derogatory remarks
- Discussing an employee's personal sexual encounters, or in any way involving youth in the personal problems or issues of staff
- Harsh language that may frighten, threaten, or humiliate youth

8. Staff will not stare at or comment on youth's bodies.
9. Staff will not access, display, produce, possess, or distribute any sexually oriented materials, including printed or online pornography, on our organization's property, equipment, or during any organization-associated program or activity.
10. Outside of the Y, staff members may not have relationships or be alone with youth whom they meet in Y programs. This includes babysitting, sleepovers, driving or riding in cars, and inviting youth to their homes.

#### Outside of the Y Interactions Guidelines with Youth:

##### Appropriate Outside Contact:

- Taking groups of youth on an outing sponsored by the Y
- Attending sporting activities with groups of youth or staff that are sponsored by the Y
- Attending functions at a youth's home, with parents or guardians present and the

##### Inappropriate Outside Contact:

- Taking youth on an outing without the parents' or guardians' written permission
- Visiting youth in the youth's home, without a parent or guardian present
- Entertaining youth in the home of staff or volunteers

approval of the supervisor, e.g.,  
a graduation party

- Youth spending the night with staff or volunteers
- Babysitting for youth that the staff met at the Y
- Driving youth in a personal vehicle
- Dating or being romantically involved with youth

11. Staff will not engage in any inappropriate electronic communication with youth.

#### Electronic Communication Guidelines with Youth:

##### Appropriate Communication:

- Copy a supervisor and the youth's parent or guardian when sending and replying to emails and text messages to youth
- Communicating through "organization group pages" on Facebook or other approved public forums
- Staff/volunteers on social media will create private profiles that youth do not have access to

##### Inappropriate Communication:

- Harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating comments
- Sexually oriented conversations
- Private messages between staff or volunteers and youths (not copying a supervisor and the youth's parent or guardian)
- Posting pictures of organization participants on social media sites
- Posting inappropriate comments or pictures online
- "Friending" participants on social networking sites

12. Staff will not have secrets with youth.

13. Staff members may not single out youth for favored attention and may not give gifts to youth or their parents or guardians.

14. Staff will only display appropriate forms of affection (Side hugs, pats on the shoulder, high five, handshakes, etc.), which must be observed by others. Program rules and boundaries must be followed, including appropriate touch guidelines. Youth should be informed, in an age-appropriate manner, of their right to set their own "touching" limits.

#### Physical Contact Guidelines with Youth:

##### Appropriate physical contact:

- Side hugs

##### Inappropriate physical contact:

- Full-frontal hugs

- Shoulder-to-shoulder or "temple" hugs
- Pats on the shoulder or back
- Handshakes
- High-fives
- Verbal praise
- Pats on the head, when culturally appropriate
- Touching hands, shoulders, and arms
- Holding hands (with young children in escorting situations)
- Elbow taps
- Kisses
- Showing affection in isolated areas
- Lap sitting
- Wrestling
- Piggyback rides
- Tickling
- Allowing a youth to cling to an employee's or volunteer's leg
- Any type of massage given by or to a youth
- Any form of affection that is unwanted by the youth or the staff
- Compliments relating to physique or body development
- Touching bottom, chest, or genital areas

15. Youth may not be disciplined by use of physical punishment or by failing to provide the necessities of care.
16. Staff members age 18 and over may not date or become romantically involved with youth.
17. Staff will not use or be under the influence of alcohol, illegal drugs, or inappropriately used prescription drugs in the presence of youth.
18. Under no circumstances should staff members release youth to anyone other than the authorized parent, guardian, or other adult authorized by the parent or guardian (authorization on file with the Y).
19. Staff members are to make sure the restroom is not occupied by suspicious or unknown individuals before allowing youth to use the facilities. Staff members will stand in the doorway of the rest room while youth are using the rest room. This policy allows privacy for the youth and protection for the staff members (i.e., not being alone with a youth). If staff members are assisting younger youth, doors to the facility must remain open. No youth, regardless of age, should be allowed to enter a bathroom alone on a field trip or at other off-site locations. Always follow the "rule of three" (refer to number three (3) above).
20. The Y will not tolerate the mistreatment or abuse of one youth by another youth. This refers to all types of abuse, including but not limited to bullying.
21. The Y will not tolerate any behavior that is classified under the definition of bullying either by or to a youth, and either by or two a staff member or third-party individual at the Y, and to the extent that such actions are disruptive, we will take steps needed to eliminate such behavior.

Bullying is aggressive behavior that is intentional, is repeated over time, and involves an imbalance of power or strength. Bullying can take on various forms, including:

1. Physical bullying – when one person engages in physical force against another person, such as by hitting, punching, pushing, kicking, pinching, or restraining another.
2. Verbal bullying – when someone uses their words to hurt another, such as by belittling or calling another hurtful name.
3. Nonverbal or relational bullying – when one person manipulates a relationship or desired relationship to harm another person. This includes social exclusion, friendship manipulation, or gossip. This type of bullying also includes intimidating another person by using gestures.
4. Cyberbullying – the intentional and overt act of aggression toward another person by way of any technological tool, including but not limited to email, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying can involve:
  - Sending mean, vulgar, or threatening messages or images.
  - Posting sensitive, private information about another person.
  - Pretending to be someone else in order to make that person look bad.
  - Intentionally excluding someone from an online group.
  - Hazing – an activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers that person regardless of that person’s willingness to participate.
  - Sexualized bullying – when bullying involves behaviors that are sexual in nature. Examples of sexualized bullying behaviors include sexting, bullying that involves exposures of private body parts, and verbal bullying involving sexualized language or innuendos.

Anyone who sees an act of bullying, and who then encourages it, is engaging in bullying. This policy applies to all youth, staff, and volunteers. All staff members must immediately report incidents or suspected incidents of bullying to a supervisor.

22. All staff must follow state-specific mandatory reporting requirements. Staff will be trained to be aware of and understand their legal and ethical obligation to recognize and report suspicions of mistreatment and abuse. Staff will:
  1. Be familiar with the symptoms of child abuse and neglect, including physical, sexual, verbal, and emotional abuse. Staff will be trained to recognize these signs during required training.
  2. Know and follow organization policies and procedures that protect youths against abuse.
  3. Report suspected child abuse or neglect to the appropriate authorities as required by state mandated reporter laws.
  4. Follow up to ensure that appropriate action has been taken.

23. Staff members are to report anyone who violates any part of this Child Abuse Prevention Policy/Code of Conduct with Youth to their supervisor or next level of supervision and/or Praesidium's Anonymous Helpline at 855.347.0751. Staff members who observe or otherwise learn or become aware of abuse or suspected abuse, and who do not report it, will be subject to discipline, up to and including termination.
24. Staff members are required to read and sign all policies related to identifying, documenting, and reporting child abuse, and to attend trainings on the subject, as instructed by management.
25. The Y cooperates fully with the authorities to investigate all cases of alleged abuse. All staff shall cooperate to the fullest extent possible in any external investigation by outside authorities, internal investigation conducted by the organization, or persons given investigative authority by the organization. Failure to do so is considered misconduct, and may result in discipline, up to and including termination of employment.

**\*\*Violation of any of the Code of Conduct with Youth will result in disciplinary action, up to and including immediate termination\*\***

## **Mandated Reporter Reporting Responsibilities**

All staff members at the Y are considered to be "mandatory reporters" under New York State Law. As mandatory reporters, Y staff members are subject to heightened reporting requirements.

For purposes of this policy, the following definitions apply:

- "Abused child" means a child less than eighteen years of age whose parent or other person legally responsible (a) inflicts serious physical injury upon the child, (b) creates a substantial risk of serious physical injury, or (c) commits a sex offense against the child. This definition also includes a child whose parent or other person legally responsible knowingly allows someone else to inflict such harm on a child.
- "Maltreated child" means that a child's physical, mental or emotional condition has been impaired, or placed in imminent danger of impairment, by the failure of the child's parent or other person legally responsible to exercise a minimum degree of care by:
  - Failing to provide sufficient food, clothing, shelter, education, or
  - Failing to provide proper supervision, guardianship, or medical care (including dental optometric or surgical care); or
  - Inflicting excessive corporal punishment, abandoning the child, or misusing alcohol or other drugs to the extent that the child was placed in imminent danger.

As required by New York State Mandated Reporters Social Service Law, any employee who has "reasonable cause" to suspect abuse or maltreatment, or actual knowledge of such abuse or maltreatment, must make a report to the NYS Central Register of Child Abuse and Maltreatment (SCR) by calling 800.635.1522.

"Reasonable cause" means that based upon your observations of the evidence, training and experience, you

believe that a child has been harmed or been placed in danger of being harmed. This harm can be from any source, such as a parent, guardian, staff member, or other third-party. After the report of suspicions is reported to the SCR, employees should notify their direct Supervisor and Department Director that a report has been filed. Employees do not need their supervisors' permission to make a report to SCR and should not delay such a call-in order to seek permission.

Within 48 hours of the initial report to the SCR Hotline, the employee with the support of leadership will file a written report to the local CPS, with a copy to the CEO and Branch Executive of the Y, along with any subsequent internal administration necessitated by the report.

Note: Notification to the Department Director does not absolve the original mandated reporter of their responsibility to personally make a report to the SCR.