

City of Auburn

Child Protection and Reporting of Child Abuse Policy

Policy Statement

The City of Auburn is committed to maintaining a supportive and safe environment, one which seeks to enhance the well-being of all members of its community. This commitment reflects the city's adherence to its mission, to its various policies supporting its mission, and to relevant state and federal laws. Within that commitment, the city places importance on creating a secure environment for children. To that end, the city has adopted the following Child Protection and Reporting of Child Abuse Policy and Procedures on mandated reporting requirements, per the city and Alabama law. In order to ensure the safety and well-being of children, individuals, including staff, volunteers, and representatives with responsibilities that involve interaction with children, must carefully review and abide by the following policy regarding child protection and the reporting of child abuse.

Authority

Code of Alabama Title 26, Chapter 14, Section 14 ("Reporting of Child Abuse or Neglect") provides the authority for this policy.

Definitions

Child abuse

Harm or threatened harm to a child's health or welfare can occur through non-accidental physical or mental injury, sexual abuse or attempted sexual abuse, or sexual exploitation or attempted sexual exploitation. "Sexual abuse" includes the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in, any sexually explicit conduct or any simulation of the conduct for the purpose of producing any visual depiction of the conduct; or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children as those acts are defined by Alabama law. "Sexual exploitation" includes allowing, permitting, or encouraging a child to engage in prostitution and allowing, permitting, encouraging, or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes (Code of Ala. §26-14-1).

Neglect

Negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing, or shelter. (Code of Ala. §26-14-1).

Child

A person under the age of 18 years. (Code of Ala. §26-14-1).

Duly Constituted Authority

The chief of police of a municipality or municipality and county; or the sheriff, if the observation of child abuse or neglect is made in an unincorporated territory; or the Department of Human Resources; or any person, organization, corporation, group, or agency authorized and designated by the Department of Human Resources to receive reports of child abuse and neglect; provided, that a "duly constituted authority" shall not include an agency involved in the acts or omissions of the reported child abuse or neglect (Code of Ala. §26-14-1). 2

Policy Principles

Alabama law requires certain individuals to report child abuse, whenever they have reasonable suspicion. However, ANY person may report child abuse if they have reasonable suspicion that a child has been abused.

With very limited exception, Alabama law (Code of Ala. §26-14-1 et seq.) makes the reporting of known or suspected child abuse or neglect *mandatory* for hospitals, clinics, medical professionals, teachers, school officials, law enforcement officials, social workers, daycare workers, mental health professionals, members of the clergy, and any other person called upon to render aid or medical assistance to a child.

It is the city's position that, in addition to the mandated statutory reporting requirements for certain individuals and entities, all city personnel and volunteers who have a reasonable cause to suspect that a child is being abused or neglected must immediately make a report. Neither Alabama law nor any city policy allows you to delegate the duty to report child abuse or neglect.

Policy Procedures

Reporting Child Abuse or Suspected Child Abuse

If you know or suspect that a child is a victim of child abuse or neglect, you must act. In deciding whether or not to report an incident or situation of suspected child abuse or neglect, it is not required that the city personnel or volunteer have proof that abuse has occurred. Any uncertainty in deciding to report suspected abuse must be resolved in favor of making a report.

In making a report, your actions should be as follows:

First, immediately report the information to local law enforcement authorities. **If a child is in imminent danger, the city employee/volunteer must contact police at 911 to obtain immediate protection for the child.**

The non-emergency number for the City of Auburn Police Department is 334-501-3100.

When contacting local law enforcement you should include all available information regarding the known or suspected abuse or neglect, including, but not limited to, the name of the child, his whereabouts, the names and addresses of the parents, guardian, or caretaker and the character and extent of the injuries. The report should also contain, if known, any evidence of previous injuries to said child and any other pertinent information that might establish the cause of such injury or injuries, and the identity of the person or persons responsible for the same.

Do not delay making a report in order to gather evidence; the law enforcement agency to whom you make the report will determine whether such an investigation is warranted. It is acceptable to quickly collect additional information that is readily available (such as talking to coworkers who also interact with that child) or to verify that the information learned meets criteria for reporting, but this must be done very promptly. It is better to report without all relevant information than to delay a report to collect information.

Second, do not directly question or solicit information from the child or from the person suspected of improper behavior. That is not your role; the role of investigation lies with city, county, and state officials.

Third, in addition to making a report with local law enforcement, within 24 hours after making the foregoing report, city personnel/volunteer shall report the information to his/her immediate supervisor and the City of Auburn Athletic Director. It shall be the responsibility of the City of Auburn Athletic Director to notify city officials of the suspected child abuse and to coordinate the investigation with local law enforcement. City officials include, at a minimum, the City Manager, Parks and Recreation Director, Human Resource Director and the City Attorney. It shall be the responsibility of the Parks and Recreation Director to either report the incident to the State of Alabama Department of Human Resources or to ensure that the local law enforcement agency has made the report. The Parks and Recreation Director shall advise the reporter that such report has been made. Finally, the Parks and Recreation Director shall be responsible for maintaining all records and reports related to the incident and to brief city officials as needed.

Liability

As per Alabama law, any person or institution participating in good faith in the making of a report or testifying in any proceeding arising out of an instance of suspected child abuse shall have immunity from any liability, civil or criminal, that might otherwise result by reason of such actions (Code of Ala. §26-14-9).

As per Alabama law, any person who knowingly fails to make the report shall be guilty of a misdemeanor and shall be punished by a sentence of not more than six months' imprisonment or a fine of not more than \$500.00 (Code of Ala. §26-14-13).

Any city personnel who makes a good faith report of child abuse may not be subjected to retaliation in employment with the city.

Compliance

Any city personnel/volunteer who willfully fails to report a case of suspected child abuse is subject to disciplinary action, up to and including, dismissal.

ADOPTED:

Youth Sexual Abuse Prevention – Coaches and Volunteers

Policy & Procedures

The City of Auburn and the cooperating citizen boards considers the safety and wellbeing of the youth in our programs a top priority. We prohibit abuse and strive to proactively address reports of this type of conduct. We want to hear about problems or concerns, and we will strive to act on them in a fair way in accordance with our policies.

We will report suspected abuse to the proper law enforcement agencies.

Policy and Procedures:

The City of Auburn and the cooperating citizen boards has adopted the following Policy and Procedures in an effort to provide a safe environment for our coaches, athletes, and their families.

1) **The Coach Recruitment** process shall include the following:

a) Volunteer Application – Every head coach working with youth must complete our organization's written application that sets forth appropriate background information that will enable background screening to be performed and provide the names of at least two individuals as references.

b) Screening – A designated representative(s) of the organization will review each prospective coach/volunteer.

c) Background Check – All current and potential coaches will be subject to a background check, including appropriate inquiries regarding any previous record of sexual abuse or other unlawful activity. All new coaches to the system will have a background check performed. A third of the existing coaches will be randomly be chosen to have a background check perform each season.

2) **Protecting Against Abuse Training** online clinic through National Alliance for Youth Sports shall be completed annually by each head coach. This course will be available to all coaches through the NAYS website.

3) Prohibited Behavior

- a) Use of degrading language or behavior. Coaches are also responsible for stopping disrespectful behavior between team members, including sexual harassment.
- b) Threatening or intentionally inflicting physical injury upon anyone, especially a minor. Coaches are also responsible for stopping threatening behavior by players.
- c) Committing any sexual offense against a minor, or engaging in any sexual contact with a minor.
- d) Making any sexual advance, or engaging in other verbal, or physical conduct of a sexual nature with a minor.
- e) Non-related one-adult/one-child interaction, including but not limited to, in person one on one interaction, social media, phone calls, texts, emails or any other communications except in an emergency where following this policy would be dangerous to the child. In an emergency situation, the coach or volunteer must contact a representative of the organization to inform him/her of this contact and the reason for it. If a child is receiving individual instruction or working with a private coach, this activity must be in a public setting rather than behind closed doors.

4) Reporting of Suspected Child Sexual Abuse

- a) All Boards will designate an official representative to receive reports of sexual abuse or other inappropriate conduct. This representative will promptly notify the proper law enforcement agencies.
- b) All coaches, volunteers, parents and program participants are directed to report any incident of abuse or suspected abuse that they witness or that is reported to them to the designated representative of the Board of Directors or a City of Auburn employee. Note: This does not preclude individuals from reporting abuse or suspected abuse to the proper law enforcement authorities.
- c) The designated representative will keep other Board members fully informed.
- d) Should a suspected incidence of abuse be reported, the coach/volunteer in question may be temporarily suspended from duties while an investigation takes place.
- e) The Board of Directors, when appropriate, shall communicate reports of child sexual abuse to the league members. The confidentiality of any who makes such a report will be protected.