

LVCBA Policy:

**CHILD ABUSE**

Revision Nbr **01**

Effective Date: **3/31/14**

This Policy was Approved for use by the LVCBA Board of Directors on March 31<sup>st</sup>, 2014.

## **I. APPLICATION**

- A. This Policy affirms the obligation of Lehigh Valley Community Broadcasters Association, Inc. ("LVCBA") employees' obligation to assist in identifying possible child abuse as well as victimization of minor interns, volunteers, or employees by other LVCBA employees or volunteers, and to establish procedures for reporting such in compliance with the Pennsylvania Child Protective Services Law of 1990 and its amendments and Pennsylvania Megan's Law.
- B. The President of the Board shall organize appropriate training of all affected parties, preferably to coincide with the start of each financial year. The Executive Director shall create a Training Record and archive the Record consistent with prevailing Document Retention policy.

## **II. DEFINITIONS**

**Applicant** - an individual who applies for a position as an employee with LVCBA. The term includes an individual who transfers from one position to another position as an employee with LVCBA.

**Child Abuse** - shall mean any of the following:

1. Any recent act or failure to act by a perpetrator which causes nonaccidental serious physical injury to a minor.
2. Any act or failure to act by a perpetrator which causes nonaccidental serious mental injury to or sexual abuse or sexual exploitation of a minor.
3. Any recent act, failure to act, or series of such acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a minor.

4. Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide essentials of life, including adequate medical care, which endangers a minor's life or development or impairs the minor's functioning. No minor shall be deemed to be physically or mentally abused based on injuries that result solely from environmental factors that are beyond the control of the parent or person responsible for the minor's welfare, such as inadequate housing, furnishings, income, clothing, and medical care.

**County Agency** - The county children and youth services agency supervised by the Pennsylvania Department of Public Welfare under the Pennsylvania Public Welfare Code.

**LVCBA Employee** - an individual employed or who volunteers with LVCBA who, in the course of employment with LVCBA, comes into direct contact with minors. The term includes an independent contractor and employees.

**Minor** - A person under the age of eighteen (18).

**Perpetrator** - a person who has committed child abuse and is a parent/guardian of a minor, a person responsible for the welfare of a minor, an individual residing in the same home as a minor, or a paramour of a minor's parent/guardian.

**Serious Bodily Injury** - bodily injury which creates a substantial risk of death or which causes serious permanent disfigurement or protracted loss or impairment of function of any bodily member or organ.

**Serious Mental Injury** - a psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that:

1. Renders a minor chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the minor's life or safety is threatened.
2. Seriously interferes with a minor's ability to accomplish age-appropriate developmental and social tasks.

**Serious Physical Injury** - an injury that causes a minor severe pain, or significantly impairs a minor's physical functioning, either temporarily or permanently.

**Sexual Abuse or Exploitation** - the employment, use, persuasion, inducement, enticement, or coercion of any minor to engage in or assist

any other person to engage in any sexually explicit conduct, or any simulation of any sexually explicit conduct, for the purpose of producing any visual depiction including photographing, videotaping, computer depicting or filming of any sexually explicit conduct, or the rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, statutory sexual assault or other forms of sexual exploitation of minors.

### **III. DUTY TO REPORT**

LVCBA employees or volunteers who in the course of their employment or volunteerism come into direct contact with minors, when they have reasonable cause to suspect that a minor under the care, supervision, guidance or training of an LVCBA employee or volunteer is a victim of child abuse, including child abuse by an individual who is not a perpetrator, must report such child abuse. Privileged communication between any professional person required to report and the patient or client of that person shall not apply to situations involving child abuse and shall not constitute grounds for failure to report.

All LVCBA employees are required to report suspected child abuse.

### **IV. REPORTING PROCEDURES**

In accordance with Pennsylvania Law, there is no liability to any individual for making a good faith report under this Policy.

LVCBA employees who suspect child abuse shall immediately notify the Executive Director and/or Board President. Upon notification, the Executive Director and/or Board President shall report the suspected child abuse immediately by telephone to the Pennsylvania Department of Public Welfare Childline Abuse Registry (800-932-0313) and in writing to the county Children and Youth Agency (of that county in which the suspected child abuse is occurring) within forty-eight (48) hours after oral report. The employee who suspects child abuse should also contact the Pennsylvania Department of Public Welfare Childline Abuse Registry (800-932-0313.)

**• END OF POLICY •**