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Authorized by:



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References: Policies CAPRA 1.4.1

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## **Purpose**

Young 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, it is essential that we are mindful of their physical, emotional, and developmental needs and to recognize the vulnerabilities of childhood. It is the responsibility of all adults associated with youth sports and programs to develop the knowledge and skills to create and maintain a safe child centered 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 LFUCG property or parks or in LFUCG recreational programs sponsored by the Division of Parks and Recreation are to comply with this policy.

## **Policy**

To safeguard athletes and program participants, the Division of Parks and Recreation requires background checks on all employees, officials, and coaches in LFUCG Parks and Recreation 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 other child. LFUCG Division of Parks and Recreation 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.

Source: <http://www.childwelfare.gov/pubs/factsheets/whatiscan.cfm>

The Kentucky Unified Juvenile Code KRS 600.020 states:

- (1) Abused or neglected child means a child whose health or welfare is harmed or threatened with harm when his parent, guardian, or other person exercising custodial control or supervision of the child:
- (a) Inflicts or allows to be inflicted upon the child physical or emotional injury as defined in this section by other than accidental means;
  - (b) Creates or allows to be created a risk of physical or emotional injury as defined in this section to the child by other than accidental means;
  - (c) Engages in a pattern of conduct that renders the parent incapable of caring for the immediate and ongoing needs of the child including, but not limited to, parental incapacity due to alcohol and other drug abuse as defined in KRS 222.005(12);
  - (d) Continuously or repeatedly fails or refuses to provide essential parental care and protection for the child, considering the age of the child;
  - (e) Commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon the child;
  - (f) Creates or allows to be created a risk that an act of sexual abuse, sexual exploitation, or prostitution will be committed upon a child;
  - (g) Abandons or exploits the child;
  - (h) Does not provide the child with adequate care, supervision, food, clothing, shelter, education or medical care necessary for the child's well-being. A parent or other person exercising custodial control or supervision of the child legitimately practicing the person's religious beliefs shall not be considered a negligent parent solely because of failure to provide specified medical treatment for a child for that reason alone. This exception shall not preclude a court from ordering necessary medical services for a child

## **Areas of Responsibility**

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

## **Procedure**

### **Recommended Best Practice Guidelines**

1. Parents and guardians should be encouraged to support and attend their child's programs, games, and practices.
2. All practices, games, and programs should be open to observation by parents and guardians at all times. Parents and family members may not cause a disturbance with the program while observing or they may be asked to leave.
3. Two-deep leadership; at least one coach and one other adult should be present at all of the programs, practices, or activities.
4. In providing two-deep leadership; at least two of the adults should not be closely related family members.
5. 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 providing personal hygiene care.
6. Coaches, staff, and other adult leaders should not invite youth participants to their home without permission of a parent or guardian.
  7. 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.
  8. Any other arrangement should be discussed with all parties and written permission obtained from the parent or guardian before hand.
  9. Youth participants should not ride in a coach's vehicle without another adult present unless prior parental permission is obtained.
  10. 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.
  11. 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.
  12. 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.
  13. Every franchise and/or partner league must adopt or comply with their organization's harassment and abuse policy. If that policy conflicts with Division of Parks and Recreation policy, the partner agency must notify the Division of Parks and Recreation and request a clarification.
  14. Allegations of child abuse or neglect should always be investigated by qualified social service or law enforcement.

Kentucky Unified Juvenile Code KRS 620.040(5)(c) & KRS 620.030 states that it is the duty of everyone who has reasonable cause to believe that a child is dependent, neglected, or abused shall immediately cause an 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 professions such as healthcare personnel, child care personnel, and peace officers have a further duty to report.

**If you think the child is in imminent danger or is in need of immediate protection call 911, otherwise call the child protection hotline at 1-877-597-2331 or another agency as identified above.**

All reports of child abuse occurring on LFUCG property or parks, or in LFUCG recreational programs sponsored by LFUCG Division of Parks and Recreation shall also contact (859) 288-2963 and/or email Deputy Director of Parks and Recreation [ccooperrider@lexingtonky.gov](mailto:ccooperrider@lexingtonky.gov). Child abuse investigations will be conducted by police and/or social service professional. The Division of Parks and Recreation may need to take administrative action pending the investigation.

There are numerous factors involved in defining child abuse and neglect, including but not limited to cultural and ethnic backgrounds, attitudes concerning parenting and professional training contribute to an individual's definition. Commonly acceptable definitions are: Abuse is an act of commission and neglect is an act of omission.

If you have any doubt as to the validity of abuse or neglect; you should call the child protection hotline for help to determine whether a specific incident must be reported. KRS 620.050(1) states that persons acting in good faith have civil and criminal immunity from prosecution making a report or assisting legal authorities. Failing to report or falsely report child abuse can result in criminal charges. The Commonwealth of Kentucky has provided a child abuse and neglect booklet to help with additional questions that is available on line:

<http://chfs.ky.gov/nr/rdonlyres/0984fd14-a494-4055-9c10-98cdd433f8c9/0/childabuseandneglectbooklet.rtf>

**Resource(s)**

Kentucky Cabinet for Health and Family Services –“Child Abuse and Neglect Booklet”

U.S. Department of Health and Human Services, Children’s Bureau – Child Welfare Information Gateway [www.childwelfare.gov](http://www.childwelfare.gov)

U.S. Department of Health and Human Services, Children’s Bureau- “Immunity for Reporters of Child Abuse and Neglect: Summary of State Laws Booklet”

**Review Record**

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