

## **Protection of Minors**

Cedar Crest College is committed to the protection and safety of minors. This policy is designed to educate our community members- faculty, staff, students, contractors, and volunteers- about the College's policies and state laws and regulations regarding the prevention, identification, and reporting of child abuse. While most members of the Cedar Crest community are adults age 18 and over, our community also includes minors less than 18 years of age who are participating members of our campus community and other who are frequent visitors. For example, minors may be matriculated or prospective students, participants in camp programs, sports games or practices, volunteer programs, and enrichment programs.

Nothing in this policy is intended to supersede obligations imposed by law regarding the maintenance of privilege by specified professionals.

It is the obligation of every Mandated Reporter of the Cedar Crest community to report suspected child abuse as soon as possible as outlined below.

### **Duty to Report**

For purposes of this policy, a Mandated Reporter includes all faculty, staff (including student employees), volunteers, and contractors of the College. It is the policy of the College that all Mandated Reporters must make a report as set forth in this policy when there is reasonable cause to suspect that a Child (for purposes of this policy, a child is any individual under 18 years of age) is a victim of child abuse, as defined herein, under any of the following circumstances:

- The Mandated Reporter comes into contact with the child in the course of employment, occupation and practice of a profession or through a regularly scheduled program, activity or service, as defined above;
- The Mandated Reporter is directly responsible for the care, supervision, guidance or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization or other entity that is directly responsible for the care, supervision, guidance or training of the child;
- Any person makes a specific disclosure to the Mandated Reporter that an identifiable child is the victim of Child Abuse.
- An individual 14 years of age or older makes a specific disclosure to the Mandated Reporter that the individual has committed Child Abuse.

Reasonable cause to suspect that a child is a victim of child abuse may be based on:

1. Information shared with him/her by the child or any individual; or
2. His/her own observations or knowledge.

The duty to report is triggered by reasonable suspicion or belief. There is no requirement that there be actual evidence of abuse, nor should any individual seek to investigate the matter for him/herself. Any doubt as to whether or not to report should be resolved in favor of making the report to ensure that the appropriate professionals in child protective services can assess the report and evaluate the safety of the child.

## Process

Under this policy, any Mandated Reporter suspecting abuse of a child is **required** to bring all reasonable suspicions or beliefs to the immediate attention of the appropriate state authorities immediately. If a child is in immediate danger, you should call 911.

You must also immediately make a report of the suspected Child Abuse by:

- Calling Pennsylvania's ChildLine (a 24-hour toll free telephone reporting system operated by the Pennsylvania Department of Human Services) at 800-932-0313; or,
- Filing a written report at <https://www.compass.state.pa.us/cwis/public/home>

Note that an oral report to ChildLine must be followed by a written report at <https://www.compass.state.pa.us/cwis/public/home> within 48 hours of the call. However, a report made initially by electronic submission does not need to be followed by a call to ChildLine.

As soon as the report is made, you must contact the Chief of Police and/or Assistant Dean of Students/Title IX Coordinator. These individuals, in turn, have the obligation to verify that appropriate authorities have been notified and to coordinate investigations by the appropriate police jurisdiction or other agencies.

Failure by any member of the Cedar Crest community to report information related to suspected child abuse as soon as possible to either Child Line or the designated officials will result in discipline up to and including termination for employees and dismissal for students. Failure of these officials to initiate timely notice and timely and appropriate investigation will result in discipline up to and including termination. Additionally, under Pennsylvania law, a Mandated Reporter who willfully fails to report a case of suspected Child Abuse or to make a referral to the appropriate authorities commits an offense up to the level of a felony of the third degree.

Under Pennsylvania law, a person who makes a good faith report of suspected Child Abuse, whether required to report or not, has immunity from civil and criminal liability. Mandated Reporters are also protected from employment discrimination for making a good faith report of suspected Child Abuse.

## Definition of Child Abuse

A child is defined as anyone under the age of 18. The term "child abuse" shall mean intentionally, knowingly, or recklessly doing any of the following:

- Causing bodily injury to a child through any recent act or failure to act.
- Fabricating, feigning, or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
- Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
- Causing sexual abuse or exploitation of a child through any act or failure to act.

- Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
- Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
- Causing serious physical neglect of child.
- Engaging in any of the following recent acts:
  - (i) Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
  - (ii) Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
  - (iii) Forcefully shaking a child under one year of age.
  - (iv) Forcefully slapping or otherwise striking a child under one year of age.
  - (v) Interfering with the breathing of a child.
  - (vi) Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.
  - (vii) Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:
    - Is required to register as a Tier II or Tier III sexual offender under Pennsylvania law, where the victim of the sexual offense was under 18 years of age when the crime was committed.
    - Has been determined to be a sexually violent predator under Pennsylvania law
    - Has been determined to be a sexually violent delinquent child as defined by Pennsylvania law.
  - (viii) Causing the death of the child through any act or failure to act.

### **Background Checks**

Certain categories of individuals will be required to clear a criminal background check prior to participation in College-run or affiliated activities involving minors. Individuals will be notified by the College if a background check is required. Non-College organizations and entities that operate programs or activities on campus involving minors must conduct criminal background checks of their employees, volunteers, and representatives that meet College standards and the requirements of Pennsylvania law. The College may request any additional information it deems necessary to meet the requirements of this Policy.

### **Consequences of Abuse**

The employment, or volunteer status, of any college employee or volunteer who is charged with or convicted of a charge related to abuse of a minor will be terminated, whether the abuse occurred on or off campus. Any employee or volunteer against whom a credible allegation of child abuse has been made as determined by a preponderance of the evidence, on or off campus, is subject to College discipline up to and including termination. Any Cedar Crest student who is charged with or convicted of a charge related to abuse of a minor will be expelled from the College, whether the abuse occurred on or off campus. Any Cedar Crest student against whom a credible accusation has

been made as determined by a preponderance of the evidence, on or off campus, is subject to discipline up to and including expulsion.

**Reference Documents**

[PA Child Protective Services Law](#) (CPSL)