



Resolution No. 24-2738

CITY OF LEBANON POLICY FOR PREVENTION OF ABUSE AND MOLESTATION

DEFINITION

Abuse/neglect may be defined as physical injury by other than accidental means, injury resulting in a mental or emotional condition which is a result of abuse or neglect, negligent treatment, sexual abuse, maltreatment, mistreatment, non-treatment, exploitation or abandonment or a protected class individual (ie: child, youth, senior citizen, at-risk adult). Sexual abuse is criminal behavior that involves a protected class in sexual behavior (both touching and non-touching) for which he/she is not personally, socially, and/or developmentally ready.

PROTECTION POLICY

1. **Safety and Security:** This policy applies to Departments whose employees and volunteers have regular interaction with protected class citizens such as children, youth and seniors/at-risk adults. This policy is intended to help the volunteers and staff make the City of Lebanon JFFC, Parks and Recreation, and Senior Citizens Center and all related facilities and programs a safe and caring place. The City of Lebanon strives to protect children, youth, and other protected classes from abuse and/or sexual misconduct.
2. **Precautions and Due Diligence:** City of Lebanon has established these guidelines and practices to lessen the likelihood of abuse and neglect occurring.
3. **Training:** In an effort to create a safe environment within our facilities and parks, each City of Lebanon JFFC, Senior Citizens Center and Parks and Recreation staff person and volunteer who works with protected classes, children/youth programs both regularly and occasionally, on or beyond the facilities or park grounds, are required to read and follow the terms and conditions of this policy and sign training acknowledgement annually.
4. **Administration of Policy:** Administration of this policy rests with the Department Directors. The Directors for the JFFC, Senior Citizen's Center and Parks and Recreation have oversight of this policy and shall coordinate closely with Risk Management for City of Lebanon.
5. **Screening:** Paid employees and volunteers that regularly have contact with protected classes at any City of Lebanon Park or Facility will be asked to complete a background investigation release form upon hire (post-offer, pre-hire for employees).
 - a. The information provided will be available only to City of Lebanon Human Resources and Risk Management Staff and those authorized at the Department level to be involved in the background checking process. It will be used exclusively for that purpose. The completed forms will be kept in a secure place. In the event of an allegation of abuse/neglect, the form may be shown to other city leaders on a "need-to-know" basis.
 - b. Those considered for employment by City of Lebanon Senior Citizen's Center, JFFC or City of Lebanon Parks and Recreation and volunteers will be required to submit to a State/Federal/Local background check. The information provided will be available only to the City Human Resources staff and department management.
 - c. Recurring State/Federal/Local background investigations shall recur every 4 years for employees and annually for volunteers.
 - d. Acceptable candidates and volunteers will be notified when they are approved to begin employment or volunteer assignment at City of Lebanon and will be required to sign a statement that they have read, understood, and agree to abide by this Policy.
6. **Supervision of Children and Youth:**

- a. Open door policy: Family, parents, volunteers, or City of Lebanon staff may visit and observe JFFC, Parks and Recreation programs and activities at any time.
- b. The JFFC Child Care, Sign-in/Sign-out Procedure: Parents or other persons responsible for children, from infant through pre-school, will record via a sign-in procedure with the staff/volunteer on duty as to whom the child may be released. If the person picking up the child is unknown to the staff/volunteer person, a picture ID will be requested to verify the release person's identity. A child will not be released to a person not previously authorized via the sign-in procedure. Parents shall provide staff with an emergency contact number when registering their child for day care or recreational activities.
- c. Bathroom Procedure for Preschool Children: If at all possible, the regular staff supervisor should accompany children rather than a teen or parent helper. The adult may enter the bathroom, if the child needs assistance or supervision, but will not enter the stall with a child unless the child needs assistance or there is an emergency. The outside bathroom door must be kept ajar when inside with children. If the child needs assistance or there is an emergency with any child, the stall door is to be left open. When taking a group to the bathroom and the adult is in the bathroom, have all the children remain inside until everyone has used the facilities, and then leave as a group.
- d. Two-person preference: For activities through eighth grade, two staff/volunteers should be present in activity room at all times. Where feasible, small windows should be installed in room and office doors to allow easy viewing of all activities.
- e. Rule of three: At all times when there are children and adults present in the same room, there should always be a minimum of three persons present. A corollary of this rule is that at any time that an adult is having a private conversation with a youth/child, it should only take place in an area with other adults/youth/children nearby. If this is not feasible, then the door to the room should remain open to allow easy viewing.
- f. Parental Permission Rule: Children and youth must have written parental permission for involvement in department-sponsored programs and activities away from the park location.

7. Education and Training of Persons who Works with Children and Youth:

- a. The City of Lebanon JFFC or Recreation Director shall provide regularly scheduled (at least annually) training focused on these policies and practices and any other current issues related to child protection for those employees and volunteers working with children and youth. Attendance at these sessions is required for those who have direct contact with children or youth in the City of Lebanon JFFC or Recreation programs.

8. Procedure for Reporting Abuse of Children and/or Youth:

- a. When abuse/neglect is suspected by individuals outside the City of Lebanon staff or volunteers: The care and safety of the victim and family is our first priority. Any staff (volunteer or paid) is free to discuss areas of concern about abuse/neglect of a child with management level staff at any time. If there is a strong suspicion of abuse/neglect, it will be reported to the City of Lebanon Police Department immediately and Department Director shall be informed. City of Lebanon JFFC or Recreation staff will not attempt to do an investigation. It is important to emphasize that the proper authorities must be notified even if the parent(s) do not wish the incident to be recorded.
- b. When City of Lebanon employee or volunteer is suspected of being the abuser: Anyone who suspects abuse by volunteer or paid staff is to report it to a Management level staff member and Management must contact City of Lebanon Police Department and inform the City of Lebanon Risk Manager. Do not attempt an investigation. This must be done by professionals who are familiar with the required procedures. It is again important to emphasize that the proper authorities must be notified even if the parent(s) do not wish the incident to be recorded. Next, the Department Director will tell the accused that a report has been made. That volunteer or employee will be temporarily relieved of his or her duties, pending investigation of the charges. Follow City policy for Disciplinary Action, Suspension, Termination for employee. Employee must be placed on paid administrative leave until the allegations are cleared or substantiated. The Department will cooperate fully with all legal authorities as required by law. Any contact with the media should be approved by the City Mayor and conducted by a pre-determined spokesperson. Care will be taken to safeguard the privacy and confidentiality of all involved. The spokesperson should generally convey that the matter is under investigation and any comments made prior to the investigation would be premature. City of Lebanon Risk Manager will be notified and

insurance company will be notified. All reports should be documented in writing and brought to the attention of the City of Lebanon Mayor and HR Director. The care and safety of the victim and family is of first priority.

- c. **Failure to Report:** Knowing and willful failure to report suspected child abuse/neglect is a violation of the law and a Class A Misdemeanor in the State of Tennessee. A family or professional relationship will not relieve a person of the obligation to report suspected Child Abuse/Neglect. Use of force that goes beyond “reasonable and moderate” punishment will not excuse the obligation to report suspected child abuse/neglect.
- d. **Protection of Workers:** Staff and others participating in making reports are protected and immune from civil or criminal liability when they report actual or suspected abuse/neglect so long as they act in good faith. It is our intent to protect our volunteers and staff from allegations of child abuse and/or sexual misconduct and to safeguard City of Lebanon and spare it from the devastation that can result from litigation.

9. Discipline:

- a. City of Lebanon Employee Handbook Rule X contains policy and procedure for disciplinary action for City employees.
- b. **No Violation:** If an investigation of a reported or suspected occurrence of child or youth abuse reveals no abuse occurred, the accused volunteer or employee, and the complaining party, will be informed that a thorough investigation has been conducted and there is no basis to substantiate the report or suspicion of child abuse. The employee or volunteer will be reinstated in good standing.
- c. **Violation:** If an investigation of a reported or suspected occurrence of child or youth abuse reveals that a volunteer has engaged in a form of child abuse, that volunteer will be prohibited from working directly with children or youth in any of the City of Lebanon Programs or facilities. If an investigation of a reported or suspected occurrence of child or youth abuse reveals that an employee has engaged in a form of child abuse, that employee will be subject to a Disciplinary Hearing and termination of employment, in accordance with City of Lebanon Employee Handbook Rule X on Discipline, Suspension and Termination.

10. Transportation: The following rules apply when transportation is being provided for senior citizens, children, youth or other protected classes for designated City activities or City sponsored events:

- i. The designated leader of the event must know the driver.
- ii. The designated leader of the event will not permit any adult to drive who appears to be under the influence of alcohol or drugs.
- iii. Driver must be at least 21 years of age.
- iv. Driver must have a valid state driver's license for the vehicle being operated.
- v. Driver must have read and signed an acknowledgment form indicating that this Policy has been read and will be followed.
- vi. If operating their own vehicle, the Driver must submit proof of insurance to Risk Management and maintain coverage at \$100,000/\$300,000.
- vii. A copy of the valid driver’s license must be filed with the Department Director and Risk Management, before a driver is approved to drive a City of Lebanon vehicle on City sponsored activities.

11. Definition of Regular, Recurring Volunteer for Purposes of this Policy: It is the Department Head’s responsibility to identify the volunteers that are regular and recurring volunteers and subject to background checks. Department Heads shall maintain this list of regular volunteers and maintain that information within their department records.

12. Rentals and Certificate of Liability: in the event a business or legal entity rents a city facility, they must provide a certificate of liability insurance (COI) with the City of Lebanon listed as additionally insured, prior to the date of the activity. That COI shall be provided to the department director and submitted to the Risk Management team.

ACKNOWLEDGMENT OF RECEIPT OF CITY OF LEBANON POLICY FOR PREVENTION OF ABUSE AND MOLESTATION

By signing below, I acknowledge that I have received a copy, read and understand CITY OF LEBANON POLICY FOR PREVENTION OF ABUSE AND MOLESTATION. I further acknowledge that this policy was reviewed with me. I understand that failure to comply with the policy could result in disciplinary action up to and including termination of employment.

Employee Print Name

Employee Signature

Date