



Originator: Chris Cooperrider

Date: 6/28/2012

Authorized by: 

Date: 4/25/2018

References: Policies CAPRA 1.4.1

Revision Date: 4/25/18

Revision Date:

Revision Date:

## **Purpose**

All youth activities hosted by or in partnership with the Division of Parks and Recreation will be guided by what is best for the safe and healthy development of the program participants. 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 shall require and conduct background checks on their officials, coaches, staff, and other volunteers working in any official capacity for the respective organization that are in leadership roles or work directly with minors.

Abuse or harassment may take several forms including but not limited to improper or inappropriate comments, actions, or gestures related to race, ethnicity, national origin, religion, age, gender, of a sexual nature, disability, or other personal characteristics. The creation of an environment, whether through speech or conduct, that is insulting, intimidating, humiliating, demeaning, or offensive interferes with the positive and safe experience that the Division of Parks and Recreation seeks to provide. Harassment may come from adults, teenagers, or other children. 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 of 2010 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.

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
  - (a) his or her parent, guardian, person in a position of authority or special trust as defined in KRS 532.045, or other person exercising custodial control or supervision of the child:
    1. Inflicts or allows to be inflicted upon the child physical or emotional injury as defined in this section by other than accidental means;
    2. 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;
    3. 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;
    4. Continuously or repeatedly fails or refuses to provide essential parental care and protection for the child, considering the age of the child;
    5. Commits or allows to be committed an act of sexual abuse, sexual exploitation, or prostitution upon the child;
    6. Creates or allows to be created a risk that an act of sexual abuse, sexual exploitation, or prostitution will be committed upon a child;
    7. Abandons or exploits the child;
    8. 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

## **Procedure**

1. Individuals in the following positions are expected to comply with the following procedures at all times: coaches, officials, staff, parks employees, volunteers, and chaperones (collectively "adult leaders"). Parents and guardians should be encouraged to support and attend their child's programs, games, and practices.
2. All practices, games, and programs shall 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 two adult leaders that have passed background checks shall be present at all programs, practices, and activities. The two leaders should not be closely related family members, as defined by LFUCG Nepotism Policy
4. All interaction between adult leaders and program participants shall occur in an open and observable environment. Some programs may be designated to provide services to clients/participants that require personal hygiene care. In such specified programs, trained adult leaders may provide such care, but shall be accompanied by another trained adult leader, or, if accompaniment is not possible, shall notify the program leader prior to providing and immediately after providing personal hygiene care.
5. Adult leaders shall not invite youth participants to their home without permission of a parent or guardian.
6. Should travel occur, all room checks, meetings, and other activities shall have two-deep

leadership. If participants are paired for overnight stays, they shall be of the same gender and similar age. Any other arrangement shall be discussed with all parties and written permission obtained from the parent or guardian before hand.

7. Youth participants shall not ride in an adult leader's vehicle without another adult present unless prior parental permission is obtained.
8. Communication between youth participants and adults shall be positive and of a relevant subject. Communication of a sexual nature is never appropriate; any individual that knows of such communication or has reason to believe that such communication may be taking place shall immediately report such to the head of the program and the Division of the Parks and Recreation.
9. Horseplay and rough housing between youth participants and adult leaders shall be avoided.
10. Youth participants shall 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.
11. In order to promote healthful and non-threatening interaction between youth program participants, adult leaders should ensure that youth participants are within scope of vision or range of voice, as may be appropriate, at all times.
12. At a minimum, every franchise and partner league shall confirm on an annual basis that this policy is understood and communicated to everyone involved in the program/league.
13. Every franchise and partner league shall adopt and 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 shall always be reported to and investigated by qualified social service or law enforcement.

Kentucky Revised Statute 620.030 states that any person who knows or 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 Department of State Police, the Cabinet or its designated representative; the Commonwealth's attorney or the county attorney by telephone or otherwise.

**If you think a 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 the Division of Parks and Recreation shall also contact (859) 288-2916 and/or email the Deputy Director of Recreation at [pebel@lexingtonky.gov](mailto:pebel@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.

If you are uncertain as to whether you need to file a report of dependency, neglect, or abuse, the child protection hotline (1-877-597-2331) can provide guidance on whether a specific incident must be reported.

KRS 620.050(1) states: anyone acting upon reasonable cause in the making of a report or acting under KRS 620.030 to 620.050 in good faith shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any judicial proceeding resulting from such report or action. Failing to report or falsely reporting 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.pdf>

## **Resource(s)**

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

922 KAR 2:120. Child-Care Center Health and Safety Standards

The Child Abuse Prevention and Treatment Act, as amended by P.L. 111-320 The CAPTA Reauthorization Act of 2010

**KRS** Title LI. Unified Juvenile Code §600.020

KRS 620.030 Responsibilities

KRS 620.050 Immunity for good-faith actions or reports