



BBYO Child Abuse Prevention and Mandated Reporting Policy and Procedure

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I. Introduction

Laws in the U.S. and Canada mandates the reporting of suspected child abuse and neglect. Additionally, there are statutes that identify who is a mandated reporter - individuals who work with and are responsible for the care of children as individuals required to report suspected child maltreatment – and what those people are required to do when they suspect abuse has occurred. BBYO employees, advisors, and volunteers are required to report abuse. When making a report of abuse, it is expected that BBYO and its employees and volunteers act in accordance with the law of the State, Province, or Country in which they are operating.

For any questions regarding this document or its implementation see the [Safe Environments Sharepoint page](#) or contact the Director of Inclusion.



II. Mandated Reporting

BBYO considers all personnel including full-time staff, part-time staff, city directors, BBYO-JCC employees, seasonal staff, advisors, and other volunteers, mandated reporters. All BBYO personnel are required to make a report of abuse or neglect out to civil authorities (Child Protective Services and/or Law Enforcement) when they suspect or have reason to suspect abuse has occurred. BBYO requires that all personnel REPORT OUT to the appropriate authorities and REPORT UP to their regional lead, area director, site director, wellness specialist, and/or the AVP of Passport if they have reason to suspect abuse has occurred. For BBYO personnel, simply reporting up to supervisors, does not complete their duty.

Child abuse includes physical abuse, sexual abuse, neglect, emotional abuse, and human trafficking. Abuse may happen in a myriad of locations, including, but not limited to, a child's home, school, camp, teen movement, etc. People who perpetrate abuse include a parent, family member (grandparent, aunt, uncle, brother, sister, cousin, etc.), teacher, counselor, advisor, teen group supervisor, or any other person with permanent or temporary care and custody of a child. For more on the definitions of child abuse, physical abuse, sexual abuse, neglect, emotional abuse, human trafficking, and more please see [Ensuring Safe Environments, Child Abuse, and Mandated Reporting Definitions](#).

When it comes to allegations of abuse or neglect, it is not BBYO personnel's or the organization's role to determine or investigate whether or not abuse has occurred. **BBYO personnel have a legal obligation to make a REPORT OUT to the authorities and REPORT UP to a supervisor when they suspect a teen may be a victim of abuse or neglect or they have reason to suspect that abuse or neglect has occurred.** BBYO personnel also will not make determinations regarding findings of fact and dictate whether or not an allegation was true or false. If there is a reason to suspect, it must be reported.

A. Good Faith Immunity

BBYO personnel that make a report of abuse or neglect because they have reason to suspect abuse has occurred, are not subject to a criminal penalty or civil lawsuit of any kind. This also applies to BBYO as an organization. If the report is made in good faith, BBYO cannot be held criminally or civilly liable.

If there are questions regarding countries outside of the United States and good faith immunity for reporting, please consult with your supervisor and/or BBYO legal counsel.

BBYO personnel will not be penalized or fired for making a report of abuse or neglect.

B. Failure to Report Penalty

Almost all of the states in the US and all the Canadian provinces have criminal penalties for failure to report abuse and interfering with a report of abuse. The exact criminal and civil penalty may vary by state or province but failing to make a report typically carries a fine and potential jail time. BBYO personnel represent BBYO, and any failure to act or report abuse can result in the personnel or BBYO being held criminally and civilly accountable, a loss of license, and a loss of employment.

If there are questions regarding countries outside of the United States and penalties for failure to report, please consult with your supervisor and/or BBYO legal counsel.

C. Confidentiality



Providing for the safety and security of teens and reporting abuse means dealing with issues that are sensitive. It is expected that BBYO personnel will treat the teen and the matter at hand with respect and confidentiality. BBYO personnel will not spread rumors or gossip about teens or allegations with other BBYO personnel or teens who do not need to know the information to ensure the teen's safety.

D. Documentation

BBYO personnel are required to fill out an [Incident Report Form](#) for any REPORT OUT made to the civil authorities. When completing the Incident Report Form, BBYO personnel should include enough information that someone could understand the issue as it arose, the actions that BBYO took, who was consulted, and what decisions were made.

E. Indemnification

BBYO recognizes that some states or provinces do not deputize volunteers as mandated reporters. Nevertheless, because BBYO operates in so many jurisdictions and because our participants come from all over, we require that all BBYO advisors and volunteers act in the capacity as mandated reporters. We therefore require all BBYO advisors and volunteers to report any suspicion of abuse:

(a) **up** to the BBYO full-time staff, area director, wellness specialist, site director, or AVP of Passport to whom they report; and

(b) **out** to the appropriate authorities. If you are unsure who the "appropriate authority" is in any particular situation, please let BBYO full-time staff, area director, wellness specialist, site director, or AVP of Passport know so that you can receive the proper guidance.

BBYO will indemnify all advisors and volunteers against expenses (including attorney's fees), judgments, fines, excise taxes, and amounts paid in settlement actually and responsibly incurred by such person who was or is a party or threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative by reason of having complied with this Mandated Reporting Policy, provided such person: (i) acted in good faith and in a manner he or she reasonably believed to be in the best interests of the organization; and (ii) with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful. Except as provided below, termination of any such action, suit or proceeding by judgment, order settlement, conviction or upon a plea of nolo contendere or its equivalent, shall not of itself create either a presumption that such person did not act in good faith; and/or in a manner that he or she reasonably believed to be in the best interests of the organization; and/or, with respect to any criminal action or proceeding, a presumption that such person had reasonable cause to believe that his or her conduct was unlawful.



III. BBYO's Child Abuse Reporting Policy and Procedure

All BBYO personnel **must report** any suspicion of abuse **OUT** to civil authorities and **UP** to the regional lead, area director, site director, Wellness Specialist, or AVP of Passport when they have reason to suspect abuse or neglect has occurred. BBYO personnel are required to report abuse or neglect that may have occurred in any setting and may have been perpetrated by a parent, family member (grandparent, aunt, uncle, brother, sister, cousin, etc.), teacher, counselor, advisor, teen group supervisor, or any other person with permanent or temporary care and custody of a child when they have reason to suspect abuse or neglect has occurred.

When a staff, advisor, or other volunteer suspects child abuse, both reports must be made. Making a REPORT UP does not alleviate a person of their responsibility to make a REPORT OUT to the authorities, nor does making a REPORT OUT to the authorities alleviate a person of their responsibility to make a REPORT UP. BBYO personnel do not need the approval of a supervisor to make a report out, BBYO personnel may always REPORT OUT if they have reason to suspect abuse.

If more information is needed for BBYO's own internal investigations this should be done after the allegation has been reported and in consultation with Law Enforcement (LE) or Child Protective Services (CPS) officials investigating the allegations.

In some cases, verbal reports out to the civil authorities must be followed up with a written report that should be sent to the local CPS and Prosecutor's Office. See the ["United States State by State Reporting Information"](#) for CPS contact information. BBYO does not have the authority or legal jurisdiction to remove a teen from a parent's care or to investigate allegations of abuse and neglect. **When making a report, all BBYO personnel MUST complete an [Incident Report Form](#).**

BBYO has shortened the reporting chain to ensure that only the people who need to know to keep a teen safe are informed and teens do not have their personnel information shared unnecessarily. Due to changes in personnel structure throughout the year and different programs the reporting chain may vary slightly. Overall, the process looks as follows:



(YOU) REPORT UP & (if necessary) REPORT OUT

- REPORT UP:
 - YEAR ROUND to the Regional Lead AND the Area Director
 - MOVEMENT EXPERIENCES & PASSPORT to the Site Director AND Wellness Specialist, OR AVP of Passport
- If you suspect child abuse, REPORT OUT to Child Protective Services and/or Law Enforcement

(THEY) REPORT UP

- Regional Lead or Area Director to the Senior VP of Community Impact
- Site Director or AVP of Passport to the Chief Movement Experiences Officer

(YOU) DOCUMENT

- Complete written report (if required by local jurisdiction)
- Complete Incident Report Form

The number of positions and levels of leadership vary based on region. Your first contact should always be your direct supervisor. If you are uncomfortable reporting up to your direct supervisor, or the allegations involve a direct supervisor, you shall report up to the person above them.

The Senior VP of Community Impact OR the Chief Movement Experiences Officer will contact executive management personnel as needed to determine appropriate next steps and alert them to crises.

A. *Teen in Crisis*

In the course of your work with teens, it is possible that you may encounter a teen-in-crisis. This may be a teen who is dealing with a mental health episode, panic attack, suicidal thoughts, cutting, etc. If you encounter a teen in one of these situations please take the following steps to ensure the teen's immediate safety:

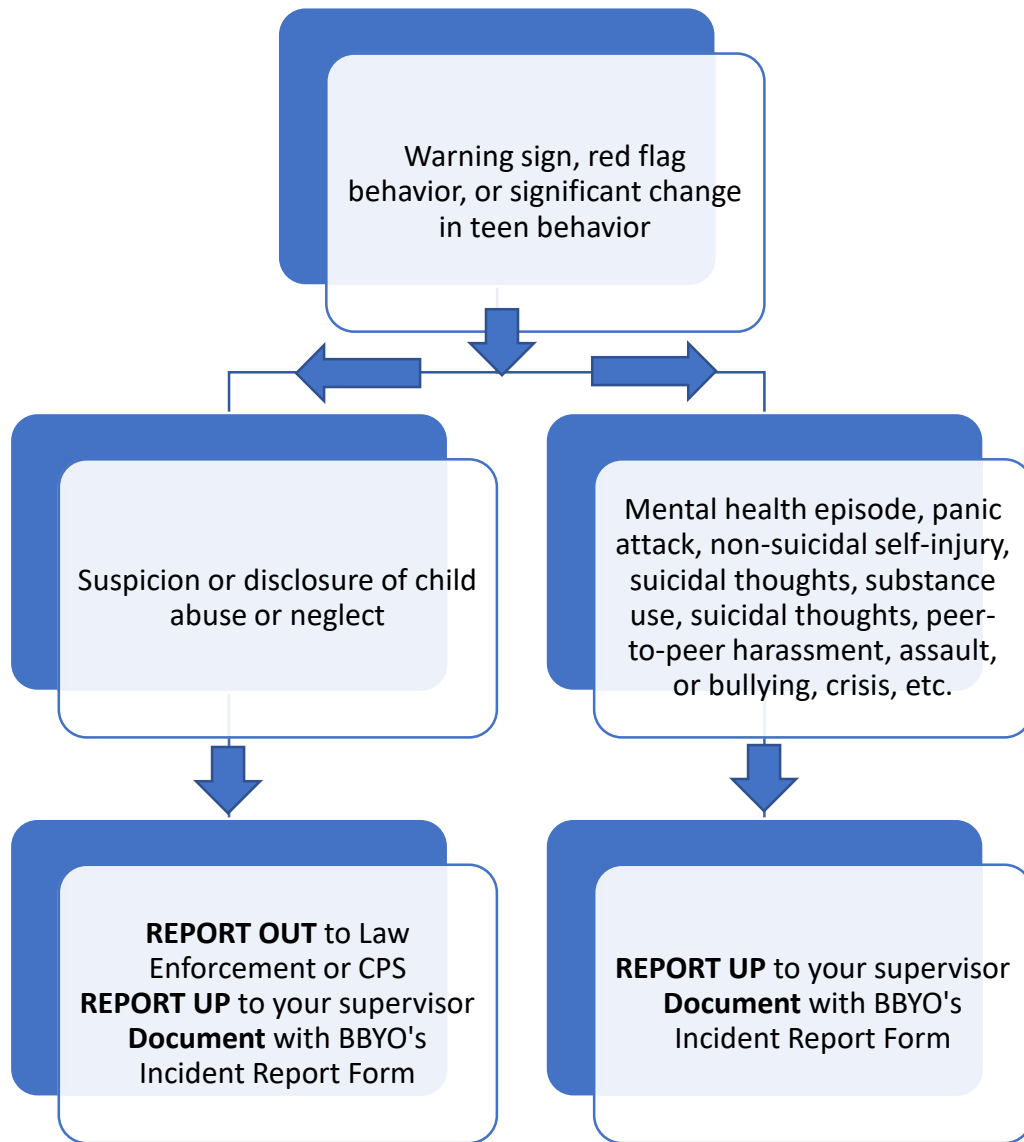
- Ensure safety of all teens;
 - If needed, contact additional staff for support and help;
- Minimize the number of people involved and reduce any additional/distracting noises;
- Attempt to de-escalate by communicating directly and calmly;
 - Don't rush a teen to calm down or try to limit or restrict their movements, as long as they are safe;
- Have eyes on the teen at all times.
- Contact parents and/or other appropriate professional help.
- Call 911 if a teen is in any immediate danger.



****For any medical concern, medical treatment should be sought immediately. A copy of the paperwork should be obtained and shared with the incident report form.****

Once the teen is safe and through the crisis, a report up should be made and an incident report form filled out. For other questions about mental, emotional, and social health of teens in our care please see [BBYO's Ensuring Safe Environments](#).

Not sure what to do or when to REPORT UP, REPORT OUT, and DOCUMENT, here is a graphic to help:





IV. Working with Teens Safely

BBYO is committed to providing an emotionally, mentally, and physically safe and respectful environment for our teens. All interactions with teens must be **appropriate, observable, and interruptible**. BBYO personnel are expected to always conduct their interactions with teens in open-spaces and in connection with their role as a mentor and adult. They should consider how interactions may be perceived by others and conduct themselves accordingly.

An important part of that commitment includes being aware of the visibility of spaces and eliminating the availability for unsupervised interactions. BBYO personnel will limit one-to-one interactions with teens whenever possible, and when unavoidable, one-to-one interactions will be conducted in an open, observable, and interruptible spaces. BBYO personnel will never be alone with a teen behind a closed door or in a space where no-one else can see or intervene.

For more information on creating and maintaining safe environments see BBYO's Ensuring Safe Environments.



V. BBYO Personnel Expectations

Any incidents or issues involving BBYO personnel should be immediately reported to the Chief People Officer or to BBYO's 3rd party confidential reporting hotline at 1-833-480-0010.

A. Obligations and Expectations

All BBYO personnel are required to be aware of the policies in place regarding abuse and neglect, reporting procedures, and the procedure for allegations involving BBYO personnel. BBYO personnel are expected to be role models to the teens that they work with and are required to act as professional representatives of a teen serving organization. Additionally, BBYO personnel should be aware that whenever they are working a convention or overnight program with teens they are always on and professionally responsible.

BBYO recognizes that BBYO personnel may be interacting with teens on social media and in informal social settings as part of their job. BBYO personnel should monitor what they share on all social media, and how they communicate with BBYO teens. BBYO professionals will not share personal information or inappropriate content with teens on social media. No personal information about teens should ever be shared on social media or with anyone outside of BBYO. If there is a concern about specific personnel and their interactions with participants, this should be noted to a supervisor and will be addressed immediately. BBYO has the right to, and will as it deems necessary, monitor the social-media activity of all BBYO personnel.

B. Relationships with Participants

BBYO personnel should not have any intimate interaction or contact with teens. BBYO personnel should be appropriate in their in-person and online interactions to alleviate any confusion or misunderstandings that may occur. BBYO personnel are required to act and conduct their relationships with teenagers by the guidelines that BBYO sets out in their job descriptions and the BBYO Code of Conduct. BBYO personnel are prohibited from engaging in a romantic or flirtatious relationship with any BBYO participants. This policy also extends to communication or activities which occur outside of BBYO programmatic activities. Staff and volunteers should not have teens over to their personal homes or hotel room to watch sports, play video games, dinner, or any other non-BBYO programmatic activity.

Additionally, teens aged 18 or 19 years-old who are paying participants in the BBYO program are not to engage with BBYO personnel in any type of relationship that is outside the boundaries of the normal participant – personnel relationship. Violation of this will result in a review of the personnel's standing in the organization and possible termination.

Inappropriate Behavior

It is important to note that 90% of victims know their abusers. Many abusers will spend time gaining the trust of their victims, the community, and family to gain access to the teen. These behaviors may not rise to the level of a suspicion of abuse but help an abuser to gain access to the victim and slowly erode boundaries. It is important that BBYO personnel are aware of these behaviors. Some examples of grooming or inappropriate boundaries with teens may include:

- Asks teen to keep secrets from a parent or caregiver
- Gives preferential treatment to certain teens



- Looks for opportunity to be alone with teens
- Ignores teen's verbal/physical cues
- Confers adult privileges to teen
- Starts/engages in inappropriate discussions
- Inappropriately touches teens (massages, long hugs, etc.)
- Violates teen's privacy
- Texting teen for non-BBYO reasons

If BBYO personnel see any of these behaviors with teens they must REPORT UP to a supervisor.

C. Training

BBYO provides training on safety and security of teens no less than annually. All BBYO personnel are required to take the training. The failure of any BBYO personnel to take any required training is grounds for immediate termination.

All BBYO personnel must complete training on the following topics:

- Responsibility as a mandated reporter
- Process for making a report of abuse or neglect
- Process for reporting concerning behaviors
- How to report abuse and neglect
- BBYO's reporting policy
- Signs and symptoms of abuse
- Ramifications for failure to report
- Protections under the law for reporting
- Proper conduct and interaction with children
- Protections for employees
- Documentation
- Confidentiality

BBYO personnel are required to provide training completion certificates to the Talent Team, who will retain this information in the employment files.

D. Background Checks and Reporting of Allegations

BBYO conducts a criminal background check on all BBYO personnel at the commencement of employment or association and no less than every three years thereafter, as authorized or permitted by applicable law. All BBYO personnel are required to notify the Talent Team of: (1) any allegation of a criminal nature made against such BBYO personnel while in BBYO's service (regardless of whether such allegations is are false, fraudulent, or malicious); and (2) any facts or circumstances of which such BBYO personnel becomes aware that could give rise to an allegation of a criminal nature.