

Saint Joseph's University

Mandatory Child Abuse Reporting Policy

I. Purpose and Scope of Policy

Purpose: Saint Joseph's University ("University" or "Saint Joseph's") strives to protect the well-being of Minors visiting campus and/or participating in University-sponsored off-campus programs. As a result, this *Mandatory Child Abuse Reporting Policy* ("*Reporting Policy*") applies to suspected cases of Child abuse, explaining when reporting is mandatory, as well as the process for reporting and to whom. University Employees suspecting that such a Minor has been the victim of child abuse shall report that abuse consistent with this *Reporting Policy*. In addition to the requirements of this *Reporting Policy*, the presence of or visits by Minors is governed by the University's *Minors on Campus Policy*, which is found at <http://www.sju.edu/int/resources/humanresources/minorsoncampus.html>.

Scope: This *Reporting Policy* applies to activities and programs taking place on Saint Joseph's campus, or at University-sponsored off-campus activities. It must be emphasized that the safety and welfare of the Child is paramount. Any uncertainty about whether reporting is required should always be resolved in favor of making a report.

Authority: This Policy is informed and guided by the Pennsylvania Child Protective Services Law (the "Law"). The full Law can be found at 23 Pa. C.S. § 6301, et seq.

II. Obligations and Defined Terms Under This Policy

The *Reporting Policy* applies to all Employees of the University who, in the course of their University employment or when providing services to the University come into contact with Minors or Children.

A "**Child**" or "**Minor**" is any individual under 18 years of age and these terms are used interchangeably in this Policy.

"**Employee**" for purposes of this *Reporting Policy* includes independent contractors and volunteers who perform work for or donate services to the University. Any Employee who comes into contact with a Minor as part of his/her University-related duties has a mandatory reporting obligation.

III. What Must Be Reported

University Employees must report child abuse they actually know about, see, or have reasonable cause to suspect. Child abuse means non-accidental actions or omissions that cause serious physical or mental injuries to a Child, or sexual abuse/sexual exploitation of a Child. This includes:

1. *Physical Abuse*: acts or omissions that cause, or fail to prevent, a serious physical injury to a Child.
2. *Sexual Abuse*: rape, sexual assault, molestation, incest, indecent exposure, or exploiting a Child in a manner in which the Child is used for gratification or sexual enjoyment by another person.
3. *Emotional or Mental Abuse*: actions or omissions that have an actual or likely severe negative impact on a Child's emotional and behavioral development, including those resulting from persistent or severe emotional mistreatment.
4. *Neglect*: a severe or persistent failure to provide for a Child's physical, emotional or basic needs. However, it is *not* "neglect" if the actual or suspected injuries result solely from economic or environmental factors that are beyond the caretaker's, guardian's or parent's control.

IV. Reporting Suspected Child Abuse

University Employees must report child abuse that they witness or suspect.¹ In deciding whether or not to report an incident or situation of suspected abuse, it is not required that the Employee have proof that abuse has occurred. Any uncertainty in deciding to report suspected abuse should be resolved in favor of making a report.

In making a report, an Employee shall:

First, *immediately* report the information to the Director of Public Safety. Contact information: Phone – 610-660-1164; or email – DirectorPubSafe@sju.edu. A form to assist Employees in compiling and reporting this information is attached to this Policy. If for some reason the Employee is unable to or would prefer not to contact the Director of Public Safety, contact the Vice President for Administrative Services. Contact information: Phone – 610-660-1357; or email – VPAdminServices@sju.edu. The President of the University has appointed these officials to receive these reports on behalf of the University.

Second, Employees should not directly question or solicit information from the Child. The role lies with the Department of Public Welfare and, in certain circumstances, with law enforcement.

Third, Employees who are also registered medical professionals have a concurrent obligation to directly report injuries caused by suspected Child abuse to the local or state police.

¹ Separate from this policy, Employees are also permitted to report child abuse as a private citizen in circumstances not related to their employment.

Fourth, within 24 hours after making the foregoing report, an Employee shall report the information to his/her immediate supervisor. An initial oral report is acceptable, but written detail should be supplied upon request and may be supplied in every instance.

If a University Employee sees a Child in imminent danger or a crime against a Child in progress on campus or at a University-sponsored event or activity, the Employee shall immediately call 911. The Employee should further call the Director of Public Safety to report the incident immediately after reporting it to the police.

V. Responsibilities of the Director of Public Safety²

Upon receiving a report made under this Policy, the Director of Public Safety shall assume the responsibility and have the legal obligation to report the suspected Child abuse to the Department of Public Welfare (“DPW”), and, where the report implicates potential abuse of a Child by a University Employee, to local law enforcement as well. The Director of Public Safety may not make an independent determination of whether to report. Reports must be made orally, and immediately, to the DPW’s ChildLine at (800) 932-0313. The Director of Public Safety shall notify the reporting Employee that the report was made after making the initial oral report to ChildLine. The Director of Public Safety shall maintain records of all reports made under this Policy.

Within 48 hours of reporting to ChildLine, the Director of Public Safety must make a written report on forms provided by the DPW (Report of Suspected Child Abuse [CY-47]) to the county children and youth agency in the county where the suspected child abuse occurred.

VI. Prohibition on Retaliation

Any person who makes a good faith report of child abuse and, as a result thereof, is discriminated against or discharged in his/her employment, may commence an action against the University in the court of common pleas in the county in which the alleged unlawful retaliation (discrimination or discharge) occurred.

² Or, in circumstances where the Director of Public Safety for some reason is not/cannot be involved, the Vice President for Administrative Services.

Saint Joseph's University

REPORT OF SUSPECTED CHILD ABUSE

Date of Report: _____

Reporting Employee Name: _____

Reporting Employee Contact Information:

Phone Number: _____

Office Address: _____

Victim Name: _____

Victim Contact Information (if known -- do not undertake your own investigation):

Phone Number: _____

Campus or Home Address: _____

Name of Suspected Abuser (if known): _____

Contact Information of Suspected Abuser:

Phone Number: _____

Campus or Home Address: _____

Is the suspected abuser a Saint Joseph's University employee? Yes No

Description of Suspected Abuse:

Dates/Times (if known): _____

Locations(if known): _____

Narrative Description (Basis for the report). Use additional pages if needed:
