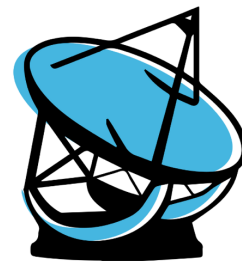


National Youth Science Academy

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Document:	Abuse Policy and Procedures
Status:	Approved
Adopting Authority:	Board of Trustees
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Reviewing Authority:	
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Notice

The National Youth Science Academy (NYSAcademy) places the highest importance and priority on its responsibility to care for its program participants and establishes this policy and procedures to help prevent all forms of child abuse and neglect. The terms of this document will be strictly enforced. The NYSAcademy has adopted this policy for the safety and well-being of its program participants, staff members, and volunteers. The NYSAcademy requires that staff members and volunteers avoid abusive or neglectful behavior of any and all kinds. The NYSAcademy has also adopted an anti-harassment policy that applies to program participants, volunteers, and staff members.

The NYSAcademy will not tolerate any abuse. NYSAcademy staff members and volunteers are mandatory reporters¹ (see definition below); if any staff member or volunteer observes any inappropriate behavior or suspected abuse it is their responsibility to immediately report it to the appropriate authorities and their immediate supervisor, the program director, the NYSAcademy's executive director, or a member of the NYSAcademy board of trustees.

Nothing in this document should be interpreted to excuse anyone from the requirements of all applicable laws and regulations.

Definitions

- **Adult:** any person who is 18 years of age or older.
- **Child:** any person who is under 18 years of age.
- **Child abuse or neglect:** sexual abuse, physical injury, mental or emotional injury, sale or attempted sale, negligent treatment or maltreatment of a child by an adult, any other act that endangers or attempts to endanger the health, safety, or well-being of a child, or any other action or inaction that is otherwise prohibited by a West Virginia law intended to protect children.
- **Direct contact:** when an adult's interaction with a program participant involves the care, supervision, guidance, or control of a program participant.
- **Sexual abuse:** any wrongful or otherwise illegal act that involves the sexual molestation or exploitation of a child or is otherwise sexual in nature, whether physical injuries are sustained or not.
- **Mandatory Reporter:** any individual obligated by West Virginia law to report any type of child abuse or neglect, including physical or sexual abuse. This includes any medical, dental or mental health professional, Christian Science practitioner, religious healer, school teacher or other school personnel, social service worker, child care or foster care worker, emergency medical services personnel, peace officer or law-enforcement official, humane officer, member of the clergy, circuit court judge, family court judge, employee of the Division of Juvenile Services, magistrate, youth camp administrator or counselor, employee, coach or volunteer of an entity that provides organized activities for children, or commercial film or photographic print processor who has reasonable cause to suspect child abuse or neglect or observes the child being subjected to conditions that are likely to result in child abuse or neglect. See W. Va. Code § 49-2-803 (2017). Furthermore, under West Virginia law, any person over the age of eighteen who receives a disclosure from a credible witness or observes any sexual abuse of a child is also a mandatory reporter.

Reporting: If you suspect that a child is a victim of abuse, contact the authorities immediately by calling toll-free **(800) 352-6513**.

For more information, please see:
<https://dhhr.wv.gov/bcf/Services/Pages/Centralized-Intake-for-Abuse-and-Neglect.aspx>

¹ <http://www.wvlegislature.gov/wvcode/chapterentire.cfm?chap=49&art=2§ion=803>

- **Program Participant:** means any person who is registered as a participant at a NYSAcademy program or activity. This definition does not include adults or children at general public events where parents or guardians are invited and expected to provide supervision of children.
- **Program Staff Member:** means any person who is employed by the NYSAcademy and who has direct contact with program participants.
- **Support Staff Member:** means any person who is employed by the NYSAcademy as a member of the kitchen staff, maintenance staff, or the custodial staff and who does not generally have direct contact as defined above with program participants.
- **Volunteer:** means any individual who provides voluntary services to the NYSAcademy and has direct contact with program participants for at least 5 calendar days per year; these days need not be consecutive. Content providers who present lectures, directed studies, or similar academic presentations typically do not meet this threshold.

Requirements of Staff Members and Volunteers

Program Staff Members and Volunteers are required to complete the following four steps before having direct contact with any program participants. Support staff members are required to complete steps 1, 3, and 4.

1. Application

All staff members (program and support staff) and volunteers are required to complete the NYSAcademy application which will include the individuals complete name, date of birth, mailing address, E-mail address, social media screennames, employer information, contact information for at least one reference, and Social Security Number. This information will be used by the NYSAcademy to conduct reference checks as well as background checks for criminal offenses and sexual offenses.

2. Abuse Awareness Training

To equip NYSAcademy program staff members and volunteers with information necessary to recognize abuser characteristics and grooming behavior, the NYSAcademy requires all program staff members and volunteers to complete the *Scouts BSA Youth Protection Training* abuse awareness training (online at <https://www.scouting.org/training/youth-protection/>). This training must be renewed no less frequently than every two years. A copy of the completion certificate must be submitted to the NYSAcademy's executive director to be included in the staff/volunteer file. Support staff members are not required to complete this training, but are encouraged to do so.

3. Criminal Background Check

The NYSAcademy will initiate a criminal background check to include a review of sex offender registries of each staff member (program and support staff) and volunteer. Depending upon position, differing levels or intensity of criminal background check may be required. A copy of the background check results will be included in the staff/volunteer file.

4. Review Policies and Procedures

All staff members (program and support staff) and volunteers are required to review the policies contained in this document and sign the last page, indicating that he or she has read and understood the material, and agrees to comply with policy requirements.

Supervision

Two program staff members or volunteers or a combination thereof are required at all NYSAcademy programs and isolated program activities (e.g. overnights, off-site outdoor recreation activity, off-site directed study, etc.). There must be a female program staff member or volunteer in every program or isolated program activity serving females. There must be a male program staff member or volunteer in every program or isolated program activity serving males. Notwithstanding the minimum requirements, age-appropriate and program-appropriate supervision must always be provided.

- One-on-one direct contact between staff members and volunteers and program participants is prohibited both inside and outside of NYSAcademy program activities.
- In circumstances that require a confidential medical examination, this examination will be conducted by a licensed medical professional whose scope of practice covers the necessary examination and a chaperone will be used whenever possible; when this is not possible, additional staff members must be within audible alerting distance.
- In situations requiring a personal conference, the meeting is to be conducted with the knowledge and in view of other adults and/or program participants.
- Private online communications (texting, E-mail, phone calls, chat, IM, etc.) must include another program staff member, volunteer, or parent.
- Communication by way of social media (Facebook, Snapchat, etc.) must include another program staff member, volunteer, or parent.

Responsibility

All staff members and volunteers share the responsibility for the safety of all participants in the program, including adherence to this policy.

- Staff members and volunteers are responsible for monitoring behavior and intervening when necessary.
- Physical violence, sexual activity, emotional abuse, spiritual abuse, unauthorized weapons, hazing, discrimination, harassment, initiation rites, bullying, cyberbullying, theft, verbal insults, drugs, alcohol, and pornography have no place in any NYSAcademy program and may result in expulsion.

Accommodations

It is important that staff members, volunteers, and program participants respect each other's privacy.

Lodging/Cabin Accommodations

Whenever possible, separate cabins or lodging should be provided for male and female adults as well as for male and female children. Where separate accommodations cannot be provided due to group size or limited availability, modifications may be made; in all cases, separate accommodations must be provided for each gender. Where completely separate accommodations are not available, additional supervision is required.

- If adults and children of the same gender occupy single-room accommodations, there must be a minimum of two adults and four children.
- Physical separation by other means, including temporary barriers or space, should be used only when no other arrangements are possible.

Tenting

- Separate tenting arrangements must be provided for male and female adults as well as for male and female children.
- Children sharing tents must be no more than two years apart in age.
- Parents and guardians may share a tent with their family members.
- Spouses may share tents. Male and female adults who are not spouses are not permitted to share a tent.

Hotels/Residence Halls

- The NYSCamp frequently uses residence hall facilities secured through George Washington University and rooms for participants may have 3 or more individual beds. In this setting, staff members are in separate rooms arranged by sex.
- In hotel settings, we have previously assigned two same-sex program participants to share a double or queen-sized bed. Should we end this practice?

Restrooms

Separate shower and restroom facilities should be provided for male and female adults as well as for male and female children whenever possible. If separate facilities are not available, separate times should be scheduled and posted when some program participants are 15 years of age or younger.

- Adults and children must respect each other's privacy, especially while changing clothes and taking showers.
- Adults must monitor these areas but only enter as needed for child protection or health and safety reasons.

Program Requirements

- Contact of a sexual nature between a staff member or volunteer with a program participant is expressly prohibited.
- The use of smartphones, cameras, mirrors, drones, etc., in places or situations where privacy is expected is prohibited.
- The NYSAcademy does not recognize any secret organizations as part of its programs.
- Hazing and initiations are prohibited and have no part in any NYSAcademy program activity.
- All forms of bullying and harassment including verbal, physical, and cyberbullying are prohibited.
- Inappropriate public displays of affection are prohibited.
- Activity of a sexual nature between program participants is prohibited.
- No form of physical discipline is acceptable.

Reporting

If you suspect that a child is a victim of abuse, contact the authorities immediately by calling toll-free [\(800\) 352-6513](tel:8003526513). Any person, official or institution participating in good faith in any act permitted or required by this article are immune from any civil or criminal liability that otherwise might result by reason of those actions.

For more information, please see: <https://dhhr.wv.gov/bcf/Services/Pages/Centralized-Intake-for-Abuse-and-Neglect.aspx>

In any case where a mandated reporter believes the *child suffered serious physical abuse*, the reporter shall *immediately make a report* to the West Virginia State Police and any law enforcement agency having jurisdiction to investigate the report.

Also, any adult who receives information from a credible witness or observes *any sexual abuse or sexual assault of a child*, shall *immediately and within 48 hours* report the circumstances to the Department of Health and Human Resources and the West Virginia State Police or other law enforcement agency having jurisdiction to investigate the report.

If the reporter feels making a report of sexual abuse will expose himself or herself, the child, the reporter's children or other children in the subject's household to an increased threat of serious bodily injury, the individual may delay the report while he or she takes measures to remove himself or herself or the affected children from the perceived threat of additional harm. The individual must make the report as soon as practical after the threat of harm has been reduced.

Statement of Acknowledgement and Agreement

I have received and read a copy of the NYSAcademy's Abuse Policy and Procedures and understand the importance of the matters set forth within the policy. I agree to follow and abide by these requirements while a staff member or volunteer with the NYSAcademy.

Staff Member or Volunteer's name (please print)

Staff Member or Volunteer's signature

Date