

# Cumberland County Library System

## Child Abuse Affirmative Action Policy

(Creation & revision: 12/15/2008; 9/15/2014; 4/20/2015; 8/17/2015; 9/18/17; 2/12/2024)

This policy affirms the obligation of library system staff, member library system staff [hereinafter referred to as “library staff members”], and volunteers who meet the criteria of a mandated reporter to assist in identifying suspected child abuse and establish procedures for reporting such in compliance with the Pennsylvania Child Protective Services Law. (23 Pa. C.S. § 6301)

Under the law, a mandated reporter is a person who is required to make a report of suspected child abuse if the person has reasonable cause to suspect that a child is a victim (23 Pa. C.S. §6311 (a)).

### **Duty to Report**

All mandated reporters who have reasonable cause to suspect child abuse will make a report following library procedures.

In all cases, if physical danger is imminent, call Emergency Officials first for assistance.

Library card registration information may be obtained from authorized library staff as long as any information about materials borrowed by the individual is not disclosed.

Any person required to report suspected child abuse who, in good faith, reports or causes the report to be made shall have immunity from civil and criminal liability related to those actions (23 Pa. C.S. §6318).

### **Failure to Report**

As required by law, a mandated reporter who willfully fails to report a case of suspected child abuse following procedures listed below is subject to criminal prosecution for committing a felony of various degrees (23 Pa. C.S. §6319). In addition, if the mandated reporter is library system staff, the individual is subject to disciplinary action, up to and including termination.

### **Protection from Employment Discrimination**

The law provides protection from employment discrimination when a person has acted in good faith in making a report of suspected child abuse (23 Pa. C.S. §6320).

### **Training**

Library system staff will give proof of completed Act 126 (associated with school employees) or Act 31 training to be filed in personnel folder. Training for new hires must be completed within 60 days of start date and recertified every 60 months.

### **Definitions**

Adult shall mean an individual 18 years of age and older (23 Pa. C.S. §6303 (a)).

Child Abuse shall mean intentionally, knowingly or recklessly doing the following (23 Pa. C.S. §6303 (b.1)):

1. Causing bodily injury to a child through any recent act or failure to act.

2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
3. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
4. Causing sexual abuse or exploitation of a child through any act or failure to act.
5. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
6. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
7. Causing serious physical neglect of a child.
8. Engaging in any of the following recent acts:
  - i. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
  - ii. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
  - iii. Forcefully shaking a child under one year of age.
  - iv. Forcefully slapping or otherwise striking a child under one year of age.
  - v. Interfering with the breathing of a child.
  - vi. Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.
  - vii. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:
    - a. Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.
    - b. Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.
    - c. Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).
9. Causing the death of the child through any act or failure to act.

Direct contact by library system staff with children shall mean the care, supervision, guidance or control of children, or routine interaction with children (23 Pa. C.S. §6303 (a)).

Direct contact by volunteers with children shall mean the care, supervision, guidance or control of children and routine interaction with children (23 Pa. C.S. §6303 (a))

### **Policy Notice**

This policy is subject to change at any time without notice. Updates to the policy may be obtained from the Library System