

VILLANOVA UNIVERSITY

CHILD ABUSE REPORTING POLICY

Introduction.

This Policy applies to suspected cases of child abuse. This Policy explains when reporting is mandatory, who must report suspected abuse, and the process for reporting.

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.

The Pennsylvania Child Protective Services Law (the "Law") provides the authority for these requirements. The full Law can be located at 23 Pa. Cons. Stat. § 6301.

Do I Have Obligations Under This Policy?

The Policy applies to all employees of Villanova University who, in the course of their employment, come into contact with children. A "child" is any individual under 18 years of age.

At Villanova University, persons obligated to report child abuse would include, but not be limited to, licensed physicians, members of the clergy (*except* for confidential reports to a member of the clergy who has received the information in a manner protected by 42 Pa. Const. Stat. § 5943), university administrators, professors, student health employees, licensed mental health professionals, members of the public safety department, and individuals who may come into contact with children through camps, Conference Services, retreats, academic presentations or other University programs. If your job responsibility is not specifically listed here, but you come into contact with children in the course of your employment, you have a mandatory reporting obligation.

What Must I Report?

You must report child abuse you 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*: this includes 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 or parent's control, such as inadequate housing, income, clothing, and medical care.

What Do I Do If I See, Know of, Or Suspect Child Abuse?

If you are someone with an obligation to report, you must act.

Your primary required action under this Policy is to make a report. In deciding whether or not to report an incident or situation of suspected abuse, it is not required that you have proof that abuse has occurred. Any uncertainty in deciding to report suspected abuse should be resolved in favor of making a report.

In doing so, your actions should be as follows.

First, immediately report the information to the Director of Public Safety. Contact information: Phone - (610) 519-6982; email - david.tedjeske@villanova.edu. If for some reason you are unable or prefer not to contact the Director of Public Safety, contact the Vice President for Administration and Finance. Contact information: Phone - (610)-519-4532; or email - ken.valosky@villanova.edu. The President of the University has appointed these officials to receive these reports on behalf of the institution.

Second, do not directly question or solicit information from the child. That is not your role; the role of investigation lies with the Pennsylvania Department of Public Welfare and, in certain circumstances, with law enforcement.

Third, if you are a University employee and also a registered medical professional, you have a concurrent obligation to directly report injuries caused by suspected child abuse to the local or state police.

Fourth, immediately after you have finished making the foregoing reports, report the information to your immediate supervisor. An initial oral report to your supervisor is acceptable, but written detail should be supplied upon request and may be supplied in every instance. For Athletics Staff, reports must also be made to the Director of Athletics.

Responsibilities of the Director of Public Safety.¹

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. Reports must be made orally, and immediately, to the Department of Public Welfare'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.

Within 48 hours of reporting to ChildLine, the Director of Public Safety must make a written report on forms provided by the Department of Public Welfare (Report of Suspected Child Abuse [CY-47]) to the county children and youth agency in the county where the suspected child abuse occurred. The Director of Public Safety shall maintain records of all reports made under this Policy.

¹ Or, in circumstances where the Director for some reason is not/cannot be involved, the Vice President for Administration and Finance.

Permissible Reporting.

Even if you are not someone with a mandatory reporting obligation under the Law, you are still permitted to report known or suspected child abuse as a private citizen to the Department of Public Welfare in circumstances not related to your employment at Villanova² such as, for example, your connection with a children's local community organization.

Prohibition on Retaliation.

Any person who makes a good faith report of child abuse may not be subjected to retaliation in employment.

² See 23 Pa. Cons. Stat. § 6312.