Introduction.

This Policy is designed to educate Villanova University community members regarding the requirements under Pennsylvania law for reporting suspected cases of child abuse. This Policy explains under what circumstances suspected child abuse must be reported and the process for reporting.

This Policy is not intended to replace procedures for responding to or reporting imminent danger to a child, an emergency or crime in progress. In the event of imminent danger to a child, an emergency or a crime in progress, you should contact Public Safety ((610) 519-4444) or the local police (911), and then follow the procedures for reporting suspected child abuse in this Policy.

Villanova University is committed to the protection and safety of minors. In evaluating an incident of suspected abuse, 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.

Who Must Report?

The following members of the Villanova community have a duty to report suspected child abuse, as outlined below:

- **Villanova employees** – All full, part-time and temporary faculty and staff who come into direct contact with a child as part of their employment with Villanova.
- **Villanova students and volunteers** – Those members of the community who accept responsibility for a child as an integral part of a program, activity or service sponsored by Villanova. This includes all Villanova students and volunteers, whether paid or unpaid, participating in service programs, athletic or other camp programs, outreach and enrichment programs, or other programs associated with Villanova that involve contact with children.
- **Clergy** - Priests and other spiritual leaders of a regularly established church or other religious organization.1
- **Independent contractors** – Those individuals who provide services to the University relating to the care, supervision, guidance or control of a child and who have direct contact with a child in such role.

What Must I Report?

In general, reportable child abuse encompasses intentional or reckless actions or omissions that cause, or are reasonably likely to cause: bodily injury, death or serious mental injuries to a child; sexual abuse/sexual exploitation of a child; or serious physical neglect of a child. A definition of child abuse is found at the end of this Policy. A “child” is any individual under 18 years of age, which may include certain Villanova students.

When, in connection with your work or volunteer service for Villanova, you reasonably suspect an act of child abuse, you must report it. You must report child abuse you actually know about, see or have a

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1 Excluding confidential reports to a member of the clergy who has received the information in a manner protected by Pennsylvania law.
reasonable cause to suspect based on your own observations or knowledge, or based on information shared with you by the child or any other individual about an identifiable child.

How Do I Report?

If you see, know of or suspect child abuse, you must act immediately by making a report to the appropriate state authorities. In deciding whether or not to report, you are not required to have proof that abuse has occurred. Any uncertainty in deciding to report suspected abuse should be resolved in favor of making a report.

To make a report, take the following steps:

First, immediately report the information to the Department of Human Services ("DHS") toll-free ChildLine at (800) 932-0313 or via https://www.compass.state.pa.us/cwis/public/home. Within 48 hours of your oral report, you must follow up with a written report to DHS or the county agency assigned to the case. The written report should contain the information set forth on the attached reporting form, to the extent known or be submitted via https://www.compass.state.pa.us/cwis/public/home. For your report, you are not expected to investigate or gather any information you do not already know. The role of investigation lies with DHS and/or law enforcement.

Second, immediately after your first notification to DHS, you must report the suspected child abuse to Villanova’s 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 Executive Vice President. Contact information: (610) 519-4532; email – ken.valosky@villanova.edu. The President of the University has designated these officials to receive these reports on behalf of the institution. The designated official will then have the obligation to facilitate the cooperation of the institution with the investigation of the report and maintain records of all reports made. You must also send a copy of the reporting form you submit to DHS to the Director of Public Safety or the Executive Vice President.

Third, if you are a University employee and also a certified medical professional or other licensed or certified professional with additional reporting obligations, you must comply with any concurrent obligation to directly report injuries caused by suspected child abuse to the local or state police.

Fourth, after you have finished making these reports, you are encouraged, but not required, to report the information to your immediate supervisor. For Athletics Staff, you are also encouraged to report the information to the Director of Athletics.

Non-Villanova Programs.

If you reasonably suspect child abuse independent of your role at Villanova – such as, for example, your connection with a children’s local community organization -- you are encouraged to report such abuse as a private citizen to the Department of Human Services (800-932-0313). If someone makes a specific disclosure to you that an identifiable child is the victim of child abuse, or if someone who is 14 or older tells you that he or she has committed child abuse, independent of your role at Villanova, you must report such abuse to the Department of Human Services (“DHS”) toll-free ChildLine at (800) 932-0313 or via https://www.compass.state.pa.us/cwis/public/home.

Prohibition on Discrimination or Retaliation in Employment.

Any person who makes a good faith report of child abuse may not be subjected to discharge from employment or employment discrimination or retaliation on the basis of such report.
Penalties for Failure to Report.

Failure by any member of the Villanova community to report information related to suspected child abuse in accordance with this Policy will result in disciplinary action up to and including termination for employees and dismissal for students. Pennsylvania law also imposes criminal penalties for a willful failure to comply with these state-mandated reporting requirements.

Definition of Child Abuse

The term "child abuse" means intentionally, knowingly or recklessly doing any of the following:

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.

2 23 Pa. C.S. §6303(b.1)
CHILD ABUSE REPORTING FORM

If you reasonably suspect that a child is a victim of child abuse, you must immediately report the information to the Department of Human Services (DHS) toll-free ChildLine at (800) 932-0313 or at https://www.compass.state.pa.us/cwis/Public/Home. Within 48 hours after an oral report by phone, submit a written report to DHS or the county agency assigned to the case, which must include the following information. Please complete as much of the information as you know. You must also send a copy of the report submitted to DHS to Villanova’s Director of Public Safety, david.tedjeske@villanova.edu, or the Executive Vice President, ken.valosky@villanova.edu.

Include the following information, to the extent known:

1. Name and address of child

2. Name and address of child’s parents

3. Name and address of any other person responsible for child’s welfare

4. Where suspected abuse occurred

5. The age and sex of each child

6. The nature and extent of the suspected child abuse, including any evidence of prior abuse to the child or any sibling of the child

7. The name and relationship of each individual responsible for causing the suspected abuse and any evidence of prior abuse by each individual

8. Family composition

9. Source of the report

10. Please include any photographs, medical test, x-rays of the child and describe any other steps taken.
Submitted by:
Name__________________________________________
Telephone number________________________________
Email address____________________________________
Date: __________________________________________

Follow instructions provided by ChildLine for submitting a written report. If you need further information, contact information for DHS is available via http://www.dhs.state.pa.us and for county agencies in Pennsylvania via http://pcya.org/Pages/ContactYourAgency.aspx.