



## STATEMENT OF POLICY FOR THE PROTECTION OF CHILDREN & YOUTH

The current and effective version of Patterson Park Academy of Music's *Statement of Policy for the Protection of Children & Youth*, which incorporate any revisions that may be made from time to time, is available at [www.pattersonparkmusic.com/policies](http://www.pattersonparkmusic.com/policies). Because paper/printed copies of the *Statement of Policy for the Protection of Children & Youth* may be inaccurate or out of date, only the current version of the posted on the page [www.pattersonparkmusic.com/policies](http://www.pattersonparkmusic.com/policies) may be relied upon.

### INTRODUCTION

Patterson Park Academy of Music is committed to providing safe and healthy environments for children and youth. This commitment is expressed in the *Statement of Policy for the Protection of Children and Youth*.

Employees of Patterson Park Academy of Music are expected to promote the dignity of each person and to understand the power they have to do great good and the power to cause harm. We will exclude from employment and volunteer service anyone against whom there is a credible allegation of sexual abuse, physical abuse, or neglect of a child.

### POLICY SECTIONS

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#### 1.0 DEFINITIONS

**1.1 ABUSE:** (a) The physical injury or mental injury of a Child under circumstances that indicate that the Child's health or welfare is harmed or at substantial risk of being harmed by a parent, a household member or family member, a person who has permanent or temporary care or custody of the Child, a person who has responsibility for supervision of the Child, or a person who, because of the person's position or occupation, exercises authority over the Child; or (b) sexual abuse of a Child, whether physical injuries are sustained or not. "Abuse" does not include the physical injury of a Child by accidental means.

**1.2 ADULT:** A person who is 18 years of age and older.

**1.3 APPLICATION:** The "Application for Employment" or "Application for Volunteer Service."

**1.4 CHILD:** Any individual under 18 years of age.

**1.5 CHILD AND YOUTH PROTECTION POLICIES AND PROCEDURES:** Patterson Park Academy of Music's Child and Youth Protection Policies and Procedures are in the *Statement of Policy for the Protection of Children and Youth*. The most current policies and procedures are located at [www.pattersonparkmusic.com/policies](http://www.pattersonparkmusic.com/policies).

**1.6 CHILD PORNOGRAPHY:** Anything that fits the definition of child pornography under the civil law of Maryland or of the United States. Acts relating to Child Pornography might also constitute Abuse.

**1.8 PERSONNEL:** Employees of Patterson Park Academy of Music.

**1.9 CJIS FINGERPRINT-BASED CRIMINAL HISTORY RECORD INFORMATION CHECK:** The Criminal Justice Information Services (“CJIS”) Central Repository serves as the focal point and central repository for criminal information, including fingerprints. CJIS Fingerprint-based Criminal History Record Information Check is the submission of fingerprints to the state and FBI to obtain information on the existence and content of a criminal record. This check must be processed by the State of Maryland Department of Public Safety and Correctional Services.

**1.10 CRIMINAL HISTORY SCREENING:** An Internet-based background-check completed through a third party vendor.

**1.11 LAW ENFORCEMENT:** The police, sheriff, State’s Attorney’s Office, and/or Attorney General’s Office.

**1.12 Minor:** Any individual under 18 years of age.

**1.13 Misconduct with Minors (or Misconduct with a Minor):** Actions that compromise the safety and well-being of a child or violate appropriate boundaries with a minor. For purposes of this policy, Misconduct with Minors does not include Child Abuse.

**1.14 Neglect:** The leaving of a Child unattended or other failure to give proper care and attention to the child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of the Child under circumstances that indicate (a) that the Child’s health or welfare is harmed or placed at substantial risk of harm, or (b) mental injury to the Child or a substantial risk of mental injury.

**1.15 Sexual Abuse:** Any act that involves (a) sexual molestation or exploitation of a Child by a parent, a household or family member, a person who has permanent or temporary care or custody of the Child, a person who has responsibility for supervision of the Child, or a person who, because of the person’s position or occupation, exercises authority over the Child; or (b) sex trafficking of a Child by any individual.

**1.16 Substantial Contact:** Contact with Minors in which the duration and scope in both time and exposure to Minors is neither rare nor limited and may occur on a routine and/or ongoing basis. This includes all overnight activities with Minors.

## **2.0 EMPLOYMENT ELIGIBILITY AND REPORTING POLICY**

**2.1** Patterson Park Academy of Music will exclude from employment and volunteer service anyone against whom there is a credible allegation of sexual abuse, physical abuse, or neglect of a Child.

**2.2** Employees and volunteers are expected to act in a manner that is consistent with the Patterson Park Academy of Music’s *Statement of Policy for the Protection of Children & Youth*.

**2.3** Employees or volunteers must contact the Directors immediately if it is learned that anyone accused or convicted of Abuse, Neglect, Child Pornography, or Misconduct with Minors is involved in any program or activity at the institution. This requirement is in addition to the obligations discussed below regarding reporting to civil authorities and screening employees and volunteers.

**2.4** Restrictions may be placed on any individual credibly accused of Abuse, Neglect, Child Pornography, Misconduct with Minors, or similar conduct regarding participation in activities of Patterson Park Academy of Music.

**2.4.1** Such restrictions may be imposed even if the individual is not an employee or volunteer.

**2.4.2** If it is learned that a student’s parent is a registered sex offender, restrictions will be placed on that parent.

**2.4.3** Restrictions might also be placed on an individual who is accused of Abuse, Neglect, Child Pornography, Misconduct with Minors, or similar conduct, pending a final determination.

**2.5** Employees must not initiate any investigation before contacting the Directors.

### **3.0 EMPLOYEE SCREENING AND SELECTION**

Patterson Park Academy of Music seeks to engage competent, qualified people. To protect children and youth, Employees are screened for their fitness to work with Minors.

**3.1** All Employees of Patterson Park Academy of Music must be in compliance with the Child and Youth Protection Policies and Procedures, and all required documentation must be submitted on or before the first day of employment.

**3.2** The Directors will insure that all procedures and documentation have been completed by all Employees. If an individual fails to complete any part of the procedures, then he/she may not be offered employment.

**3.3** In accordance with Maryland law, employees of child care facilities, including schools and day care centers, must apply for CJIS Fingerprint-based Criminal History Record Information Checks on or before the first day of employment.

**3.4** Under Maryland law, a school may not hire or retain an employee who has been convicted of certain specified crimes.

**3.5** The employee's continued employment is always contingent upon favorable results of the Criminal History Record Information Check and a Criminal History Screening.

**3.6** If the application, interview, references, CJIS Fingerprint-based Criminal History Record Information Check, or the Criminal History Screening reveals that the applicant has ever been accused of Abuse or Neglect, charged with Abuse or Neglect, identified in the state's database or received an administrative finding after an investigation of Abuse or Neglect, or convicted of Abuse or Neglect employee may not be offered employment; In such a situation, the applicant may not begin employment until written approval from the Directors. An employee's employment is always conditioned on receipt of acceptable reports referenced above. If the institution receives negative information from the above checks after employment has begun, such as from a CPS Background Clearance Form submitted within three days of beginning employment, the employee's employment shall be suspended pending review by the Directors and the employment may be terminated.

### **3.7 VOLUNTEERS**

**3.7.1** All requirements of Patterson Park Academy of Music's Child and Youth Protection Policies and Procedures must be completed with required documentation before a volunteer may begin service.

**3.7.2** The Directors will confirm that these screening requirements have been completed. If any of the requirements is not completed, then the volunteer may not serve.

**3.7.3** All applicants for volunteer service who are at least 14 years of age must complete the Application for Volunteer Service. (If the applicant is under 18 years of age, the application must also be signed by the applicant's parent or guardian.)

**3.7.4** All applicants for volunteer service who are at least 14 years of age who will have Substantial Contact with Minors must provide three references. The references will be checked and documented by the Directors. The Application for Volunteer Service requires the applicant to list all prior volunteer and employment experience.

**3.7.5** All Adult applicants for volunteer service who will have Substantial Contact with Minors must complete a Criminal History Screening before beginning the volunteer service. A volunteer applicant's service is contingent upon favorable results of the Criminal History Screening.

**3.7.6** All Adult volunteers who have Substantial Contact with Minors must complete a Criminal History Screening every five years. Questionable or unfavorable Criminal History Screenings will be reviewed by the Directors. In such cases, the volunteer applicant may not begin or continue serving until an investigation by the Directors is complete. Criminal History Screenings offered by other organizations

(e.g., Boy Scouts of America, public schools) may not be substituted for the Patterson Park Academy of Music Criminal History Screening. Volunteers who are minors (under 18 years of age) do not receive a Criminal History Screening. However, when the volunteer reaches 18 years of age and he/she has Substantial Contact with Minors, the volunteer must complete a Criminal History Screening. The volunteer's continued service is contingent upon favorable results of the Criminal History Screening.

**3.8 INDEPENDENT CONTRACTORS, VENDORS, LESSEES, & OUTSIDE GROUPS:** If third parties (such as independent contractors, vendors, lessees, or outside groups using the facilities) will have Substantial Contact with Minors at the institution, the institution must obtain written verification from the third party that its employees, agents, volunteers, and subcontractors have been screened through a criminal background check which revealed no incidents of Abuse, Neglect, Child Pornography, Misconduct with Minors, or other criminal activity that would render them unsafe to have contact with minors. This requirement should be included in any lease, facility use agreement, or other written contract with the third party.

## **4.0 TRAINING AND EDUCATION**

Patterson Park Academy of Music is committed to education on how to prevent, recognize, and report Abuse, Neglect, Child Pornography, and Misconduct with Minors. By educating adults and children, risks to children are greatly reduced because there is a better understanding and awareness of the issue of Abuse.

**4.1** Employees must read Patterson Park Academy of Music's *Statement of Policy for the Protection of Children & Youth* and acknowledge his/her responsibility to comply with the Youth Protection Policies and Procedures.

**4.2** Volunteers must read Patterson Park Academy of Music's *Statement of Policy for the Protection of Children & Youth* and acknowledge his/her responsibility to comply with the Youth Protection Policies and Procedures.

**4.3** Employees receive appropriate training regarding preventing, recognizing, and reporting Abuse, Neglect, Child Pornography, and Misconduct with Minors.

**4.3.1** All Employees must complete an Internet-based training regarding preventing, recognizing, and reporting Abuse, Neglect, Child Pornography, and Misconduct with Minors. This training must be completed with required documentation or on before the first day of service.

**4.3.2** All Employees must renew this training every five (5) years regarding preventing, identifying, reporting, and responding to child sexual abuse.

**4.3.3** All volunteer applicants who will have Substantial Contact with Minors must complete an Internet-based training for Adults regarding preventing, recognizing, and reporting Abuse, Neglect, Child Pornography, and Misconduct with Minors. Training must be completed before the applicant is permitted to volunteer.

**4.3.4** Volunteers who have Substantial Contact with Minors must renew this training every five (5) years.

**4.3.5** Volunteers who are under 18 years of age must receive age appropriate training regarding preventing, recognizing, and reporting Abuse, Child Pornography, and Misconduct with Minors.

**4.4** Education or training offered by other organizations (e.g., Boy Scouts of America, public schools) may not be substituted for the institution-approved training required by Patterson Park Academy of Music.

**4.5** Due to the sensitive nature of the subject matter, some victims of child sexual abuse may not feel comfortable completing safe environment training. Employees in this situation may request to receive the materials in an alternative way. These requests are made directly to the Directors.

**4.6** Patterson Park Academy of Music will provide ongoing opportunities for additional training and education to Employees on preventing, recognizing, and reporting Child Abuse, Child Pornography, and Misconduct with Minors.

## **5.0 COMPLIANCE WITH MARYLAND REPORTING LAWS**

Patterson Park Academy of Music complies with Maryland laws regarding reporting suspected Abuse and Neglect to civil authorities and cooperates with civil authorities investigating reports of suspected Abuse or Neglect by anyone.

**5.1** Under Maryland law, any person who has reason to believe a child has been subjected to Abuse (including Sexual Abuse) or Neglect must make a report to the local office of Department of Social Services or Law Enforcement as soon as possible.

**5.2** Alleged Abuse or Neglect that occurred when the victim was under 18 years of age must be reported, even if the victim is now over 18 years of age and even in cases when the alleged perpetrator is deceased.

**5.3** Specific professionals, including educators and health practitioners who have reason to believe a child has been subjected to Abuse or Neglect must 1) make an oral report to the local office of Department of Social Services or law enforcement as soon as possible and 2) make a written report within 48 hours to the local Department of Social Services with a copy to the local State's Attorney.

**5.4** Employees must also notify the Directors about the suspected Abuse or Neglect.

**5.5** Employees shall follow all applicable federal and state reporting laws regarding the reporting of child pornography. The Directors can assist employees with questions about reporting obligations and with making reports, including as appropriate to the National Center for Missing & Exploited Children at [www.cybertipline.com](http://www.cybertipline.com), or 1-800-843-5678.

**5.6** Any person who has reason to believe a child resides with or is in the regular presence of an individual who poses a substantial risk of sexual abuse to the child, may notify the local Department of Social Services or law enforcement.

**5.7** An Employee should not investigate an allegation of Abuse before making the required report. Questions regarding reporting procedures may be directed to the Directors.

## **6.0 REPORTING ABUSE, NEGLECT, CHILD PORNOGRAPHY, AND MISCONDUCT TO PATTERSON PARK ACADEMY OF MUSIC**

**6.1** Any person who has reason to believe a child has been subjected to Abuse (including Sexual Abuse), Neglect, Child Pornography, or Misconduct with Minors by an employee shall immediately notify the Directors.

**6.1.1** Notification of Directors is in addition to any reporting required to civil authorities.

**6.1.2** Persons should report to the Directors at 336-471-5930.

**6.1.3** Persons making reports of Abuse, Neglect, Child Pornography, or Misconduct with Minors will be advised that the Directors takes such allegations seriously and will respond promptly.

**6.1.4** Persons making reports of Abuse, Neglect, Child Pornography, or Misconduct with Minors will not suffer prejudice, retaliation, or discrimination as a consequence of having submitted a report.

**6.1.5** The privacy and good name of those involved, as well as the confidentiality of their personal data shall be protected, and confidentiality is maintained, to the extent possible, consistent with the civil reporting requirements and the Patterson Park Academy of Music Child and Youth Protection Policies and Procedures, taking into account:

**6.1.5.1** The need to advocate for those who are victims.

**6.1.5.2** The need to provide appropriate outreach to victims.

**6.1.5.3** The need to be in compliance with civil law.

**6.1.5.4** The right of Employees to be treated fairly.

**6.1.5.5** The need to fairly investigate all complaints of Abuse, Neglect, Child Pornography, or Misconduct with Minors.

**6.1.6** An obligation to keep silent will not be imposed on any person with regard to the contents of his or her report.

## **7.0 INVESTIGATION BY PATTERSON PARK ACADEMY OF MUSIC**

Upon receiving a report of Abuse, Neglect, Child Pornography, or Misconduct with a Minor suspected to have been committed by an employee, the Directors are committed to investigating and providing both immediate and on-going care and assistance to victims and their families.

Investigations take place whether the Abuse, Neglect, Child Pornography, or Misconduct with a Minor was recent or occurred many years in the past. Because Patterson Park Academy of Music cooperates with civil authorities, an institutional investigation of reports of suspected Abuse or Neglect by employees might be delayed pending investigation by the Department of Social Services and/or Law Enforcement.

When the institution investigates a report of possible Abuse by Employees, the following guidelines apply. These guidelines may be modified as appropriate for the particular circumstances. They may also be used, with appropriate modifications, for reports of suspected Neglect, Child Pornography, or Misconduct with Minors.

**7.1** The Directors will speak with the person(s) making the report and others who may have relevant information in order to obtain as clear and detailed information as possible.

**7.2** After receiving the initial report, the Directors will determine the specific steps needed to proceed, guided by the following values:

**7.2.1** The safety and protection of children and youth.

**7.2.2** A fair and honest search for the truth.

**7.2.3** The need to provide appropriate outreach to victims.

**7.2.4** The need to be in compliance with civil law.

**7.2.5** The right of all persons to be treated fairly.

**7.2.6** The need to investigate and take appropriate action in all cases of alleged Abuse, Neglect, Child Pornography, or Misconduct with a Minor.

**7.3** The Directors will explain, as fully as possible, the process that is being undertaken.

**7.4** The Directors will advise the person of the reporting requirements under state law. The person will be informed of his/her right to also report to the civil authorities and encouraged to do so.

**7.5** The Directors will meet with the person who is accused.

**7.6** The accused may be placed on an administrative leave or pause of employment until the culmination of an investigation by Directors.

**7.6.1** Directors will remind the accused of the right to retain civil counsel.

**7.6.2** Directors will explain, as fully as possible, the process that is being undertaken.

**7.6.3** The accused will be instructed to have no contact with the person(s) making the allegation or with the victim(s).

**7.7** Patterson Park Academy of Music will cooperate with any investigation being conducted by the Department of Social Services and/or law enforcement.

## **8.0 APPROPRIATE ACTION TAKEN AS A RESULT OF THE INVESTIGATION**

**8.1** As a result of an investigation of Abuse, Neglect, Child Pornography, or Misconduct with Minors, Patterson Park Academy of Music will undertake appropriate personnel action and communications with affected communities consistent with this *Statement of Policy for the Protection of Children & Youth*.

**8.1.1** Appropriate personnel action may include termination of Employee.

**8.1.2** In those instances when there is a credible allegation of Child Sexual Abuse by an Employee, the alleged offender will be permanently relieved of all employment and/or volunteer service.

**8.2** The Directors shall make and keep on file a formal written report on all allegations of Child Sexual Abuse, Child Pornography, or sexual Misconduct with Minors by Employees to include the following:

**8.2.1** A summary of the allegation and the investigation.

**8.2.2** Any findings or conclusions reached by institution personnel as a result of the investigation.

**8.2.3** A record of the report made to civil authorities.

**8.2.4** A record of and/or recommendations for the care of any victims who were identified.

**8.2.5** An assessment of the accused's fitness for employment.

**8.2.6** A record of the notification of the preliminary findings of the investigation to the accused.

**8.2.7** Recommendations for the restoration of the person's good name in those instances when the person is falsely accused.

**8.2.8** A record of and/or recommendations for appropriate personnel action which may include termination of Employee.

**8.2.9** A record of and/or recommendations for an appropriate communications strategy that is as transparent as possible while respecting the confidentiality of victims, other individuals, and the law.

**8.2.10** A copy of the report will also be placed in the accused's personnel file.