

# **Blue Grass Council, BSA Youth Protection Guidelines, Policies and Procedures For Responding to Child Abuse**

## **I. Mission and Goals**

The Boy Scouts of America have identified five society-wide problems that it deems unacceptable: drug abuse, illiteracy, hunger, unemployment, and child abuse. Child abuse in any form is unacceptable and requires an immediate response.

In 1994, the Blue Grass Council, BSA, established a Youth Protection Committee to address the issue of child abuse. The mission of the Youth Protection committee is to foster an understanding of youth protection/child abuse issues as they relate to youth and adult members throughout the council.

This mission will be realized through ongoing training and education; consultation; community outreach; policy development, implementation, review; and support. This mission will be met through three objectives:

- Educating youth in protecting themselves from being abused;
- Educating adult leaders in how to respond to abuse of which they are aware; and
- Educating adults to protect themselves from having an abuse allegation made against them.

The guidelines, policies and procedures for responding to child abuse in this manual are designed to meet the objectives described above. Adherence to these policies not only enhances the protection of our membership, but also insures that the basic values of scouting are preserved. The Council Youth Protection Committee is prepared to help units develop strategies for implementing these guidelines.

## **II. The Law**

The Commonwealth of Kentucky in KRS 620.020 defines an abused or neglected child as a child under eighteen (18) years of age whose health or welfare is harmed or threatened with harm when his/her parent, guardian or person supervising the child

- inflicts or allows to be inflicted physical or emotional injury on the child by other than accidental means;
- creates or allows to exist a risk of physical or emotional injury;
- engages in a pattern of conduct that renders the caretaker incapable of caring for the child;
- continuously or repeatedly fails or refuses to provide essential care and protection for the child;
- commits or allows to be committed on the child an act of sexual abuse, sexual exploitation or prostitution;

- abandons the child; or does not provide for adequate care, supervision, or basic needs.

To summarize... Child abuse is an act of commission by a parent, guardian or caretaker.

**Physical abuse** is physical violence or harm inflicted on a child by other than accidental means. **Sexual abuse** is any sexual act between an adult and child or between a child and a significantly older child for the sexual gratification of the abuser.

Neglect and dependency, on the other hand, are acts of omission. **Child neglect** is the continuous or repeated failure to provide for a child's physical, environmental, educational, emotional or nutritional needs. **Child dependency** refers to the status of a child who has not been abused or neglected but who is under improper care that is not due to an intentional act of the parent or caretaker.

### **III. Reporting Abuse**

KRS 620.030 states that any person who has a reasonable cause to believe that a child is being neglected or abused, or is dependent, shall report the suspicion to the Kentucky State Police, local law enforcement, or to the Department of Community Based Services/Protection and Permanency (DCBS/PP) in the county where the abuse occurred.

Some important things to keep in mind:

- The law does not require proof that the abuse, in fact, occurred; only that there is a valid suspicion that abuse has occurred.
- Neither the husband-wife privilege nor any other professional-client privilege except attorney-client and priest-penitent are grounds for refusing to report abuse.
- Both civil and criminal immunity is given to any person making a report as long as the report is made in good faith. Good faith simply means an honest belief that the suspicion is valid.
- Failure to report suspected abuse is a class B misdemeanor with a penalty of up to 90 days in jail and/or a fine of up to \$250.
- Keep the information as confidential as possible. The fewer who know, the better for the abused child and the accused abuser.

**Who reports the abuse:** The person with the most direct information about the suspected abuse or the person with the strongest suspicion.

#### **To who do I report my suspicions?**

**First...** Report the suspicion of abuse to the local law enforcement agency or DCBS/PP in the county where the abuse reportedly occurred. This reporting fulfills your obligation under the law. County phone numbers for the DCBS/PP and the Child Abuse hotline are provided in Section IX of this document.

**Second...** If and only if the abuse occurred during a scouting activity or if a registered scouter is reported to be the abuser, the Council Scout Executive should also be notified.

Reporting to the Council Scout Executive does not fulfill your obligations to report your suspicions under the law.

If the alleged abuser is a member of a scout unit, that person should be immediately suspended from active participation in the scouting unit pending the outcome of the investigation. The Council Scout Executive can advise you on how to proceed with this process. The Scout Executive should be consulted before suspending the leader.

**What do I report?** The child's name, the person believed to be the abuser, the circumstances of the abuse as you are aware of them, and where the child can be found. You do not have to give your name as the reporting person; abuse reports can be made anonymously.

Once the abuse report is received, the DCBS/PP will conduct an investigation. In physical abuse reports, the information from the investigation is forwarded to the local County Attorney for a decision about filing criminal charges against the abuser.

DCBS/PP and the Kentucky State Police do all sexual abuse investigations jointly. The Kentucky State Police will make a determination about filing criminal charges against the abuser.

It is important to remember that neither you, nor the unit leaders, nor the chartered organization, nor the local council are investigative agencies. It is possible that your interviewing a youth who tells you about abuse could jeopardize any criminal prosecution. Child abuse could be a criminal offense and must be investigated by proper authorities that are trained to conduct such an investigation and take appropriate action. Your responsibility is to report your suspicions; let the professionals do the interviewing.

Frequently a child who first relates abuse will retract his statement of having been abused. Such retracting of the statement, called recanting, does not absolve you of the responsibility to report your suspicions. Again, tell the authorities what you've been told and let them investigate and make the decisions.

#### **IV. Protecting youth from abuse**

An important element of the youth protection strategy is to educate youth to know how to protect themselves from being abused and what to do if they believe they have been abused.

The BSA has developed the concept of the "Three R's of Youth Protection": **Recognize** when abuse is starting and the strategies abusers use to place the youth in a risky situation; **Resist** attempts of the abuser since only a small percentage of sexual abuse involves force; educate the youth to **Report** any attempts of someone to abuse them to parents or a trusted adult.

The BSA has developed two videos for units to use to help educate youth about sexual abuse and the Three R's of youth protection. "It Happened to Me" is a thirty-minute video for use with Cub Scout Packs. "A Time To Tell" can be shown to Webelos and Boy Scout units. These videos can be obtained for use through your District Executive.

## **V. Educating Adult Leaders**

Not only must adult leaders know how to respond if they are told about abuse or suspect abuse to have occurred, but they also must know how to protect themselves from situations wherein they are at risk for being accused of child abuse.

BSA has identified ten barriers that, if implemented, can protect leaders in scouting units from situations in which they are vulnerable to allegations of abuse.

- Always have two-deep leadership
- No one-on-one contact between an adult and a youth
- Respect of privacy
- Separate accommodations for youth and adults
- Proper training before engaging in outdoor activities
- No secret organizations
- Appropriate attire
- Constructive discipline (corporal punishment is never permitted!)
- Hazing is prohibited
- Junior leader training

Here are some specific other suggestions gleaned from conversations with experienced leaders

- When meeting with a boy, always be visible to other scouters.
- Never go into a room with a boy and shut the door.
- Never put a boy in a tent with an adult unless the adult is his parent.
- Boys less than 18 and over 18 shower separately (especially at Camp McKee).
- Be cautious about how and where you touch a boy.
- Use caution about tenting prepubescent and post pubescent boys in the same tent.

## **VI. Selecting adults**

BSA can be described as a magnet drawing people who abuse boys into applying for membership. It is important to the integrity of Scouting, and for the protection of the youth, for councils and units to establish leader-selection procedures to prevent offenders from entering BSA adult leadership positions.

- Personally check all three references given on the Adult Application before signing the application and forwarding it to the Council.
- All applications received at the council office are sent to Frankfort for a background check. If nothing is revealed, i.e., a "clean" report, then you will not be notified. If

the background check is “dirty” the Charter Representative will be notified and the local unit will need to decide about the person being admitted to membership.

- BSA has national guidelines for denying membership to adults. Crimes related to drugs, sexual charges, children and violence might be grounds for denial of membership.

## VII. Training

Each adult scouter should view the “Youth Protection Guidelines” video and participate in a discussion of the Blue Grass Council’s youth protection policies and procedures annually. This can be done at the unit or district level. It is also available weekly during summer camp and during the Scoutmastership Fundamentals course. **The Youth Protection Committee strongly recommends that this training be renewed annually for adult leaders.**

The requirements for any unit earning the Quality Unit award include having a leader trained in Youth Protection.

Each unit annually should show the youth protection video to its youth. Cub packs should show the video “It Happened to Me.” Webelos units, Boy Scout Troops, Explorer Posts and Venture Crews should show the video “A Time To Tell.” **The Council Youth Protection Committee strongly recommends that this training be done annually in all units.**

## VIII. Resources

There are numerous resources available to units to address Youth Protection.

- “Youth Protection Guidelines”, BSA, 2000.
- “A Time to Tell” video. There is a troop-meeting guide to accompany this video
- “It happened To Me” video
- “How To Protect Your Children From Child Abuse and Drug Abuse: Parent Guide” Inside the cover of the BSA Handbook.
- “Child Abuse: Let’s Talk About It.” BSA No. 3943. A policy statement on abuse by the BSA.
- “Drugs: A Deadly Game.” An information booklet for boys.
- “Reporting Child Abuse, Neglect and Dependency: A Guide for People Who Work with Kentucky Children.” Kentucky Department for Community Based Services, 2001.

## IX. Phone numbers

**The statewide, 24-hour child protection hotline phone number is 1-800-752-6200.**  
For reporting abuse incidents to the Council Executive or his assistant, the Blue Grass Council Office phone number is (859) 231-7811.

Each county in the Commonwealth of Kentucky has an office of the DCBS/PP. Below is the DCBS/PP phone number for each county in the Blue Grass Council.

Anderson	(502) 839-5176	Bath	(606) 674-6308
Bell	(606) 337-6171	Bourbon	(859) 987-4655
Boyle	(859) 239-7105	Breathitt	(606) 666-7506
Casey	(606) 787-8369	Clark	(859) 737-7771
Clay	(606) 598-2027	Clinton	(606) 387-6655
Elliott	(606) 738-5167	Estill	(606) 723-5146
Fayette	(859) 246-2282	Floyd	(606) 886-8192
Franklin	(502) 564-3540	Garrard	(859) 792-2186
Harlan	(606) 573-4670	Harrison	(859) 234-3884
Jackson	(606) 287-7114	Jessamine	(859) 885-9451
Johnson	(606) 789-4373	Knott	(606) 785-3106
Knox	(606) 546-5154	Laurel	(606) 878-7060
Lee	(606) 464-8801	Leslie	(606) 672-2313
Letcher	(606) 633-0191	Lincoln	(606) 365-3551
McCreary	(606) 376-5365	Madison	(859) 623-1204
Magoffin	(606) 349-3123	Martin	(606) 298-7633
Menifee	(606) 768-2154	Mercer	(859) 734-5448
Montgomery	(859) 498-6312	Morgan	(606) 743-3158
Nicholas	(606) 289-7123	Owsley	(606) 593-5191
Perry	(606) 435-6060	Pike	(606) 433-7596
Powell	(606) 663-2881	Pulaski	(606) 677-4086
Rockcastle	(606) 256-2138	Rowan	(606) 784-4178
Russell	(270) 343-3512	Scott	(502) 863-0565
Wayne	(606) 348-9361	Whitley	(606) 528-4234
Wolfe	(606) 668-3101	Woodford	(859) 873-8041

## Appendix A

### Coeducational Venturing

With the addition of the coeducational Venturing program the Blue Grass Council, to remain proactive, needed to expand youth protection guidelines to cover coeducational activities. It is important that each gender respect the other. The following policies are established to govern coeducational Venture activities:

- All policies contained in the Youth Protection procedures materials are in effect for coeducational activities.
- Coed overnight activities require a male and a female adult leader, both of whom must be 21 years of age or older.
- Male and female youth participants must have separate sleeping facilities
- Male and female advisors must have separate sleeping facilities. Married couples serving as adult advisors may share the same sleeping quarters where appropriate.
- Female advisors will be responsible for female participants; male advisors will be responsible for male participants.
- All adult advisors will submit the Boy Scout Adult Application and submit to the background check required of Boy Scout and Cub Scout leaders.
- Maintaining a close social or dating relationship between an adult advisor and a crew/post member is prohibited.
- Any intimate contact between male and female youth members, whether in private or within view of others, is prohibited.
- When using the buddy system, mixed-gender buddies should be a three-buddy group. Same-sex buddies may be a two-buddy group.
- Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature is prohibited.

Training of adult Crew leaders to serve in coeducational units is a special concern. In addition to the usual youth protection training, adult training in coeducational units should also include viewing and discussing the video “Youth Protection Guidelines: Training for Young Venturing Leaders.” BSA No.AV-03V014.