

## **GSPLG Criminal Background Screening & Child Abuse Prevention and Reporting Procedures/Policies for Council Volunteers and Employees**

### **GSLPG Child Abuse Policy**

The council supports and maintains environments that are free of child abuse and neglect as defined by the Child Abuse Prevention and Treatment Act.

*Child abuse and neglect are unlawful acts, and it is against the council's policy for any volunteer/employee, male or female, to physically, sexually, mentally, emotionally, or verbally abuse or neglect any girl member.*

The council reserves the right to refuse membership endorsement or reappointment, and to dismiss or exclude from affiliation with the council, any volunteer/employee implementing Girl Scout program who is found guilty of child abuse and neglect or has been convicted of child abuse and neglect.

Retaliation against anyone who reports an incident or cooperates in an investigation conducted will not be tolerated.

Adopted by board of directors on 10/4/08

Revised by board of directors on 2/10/11; 1/26/2013; 2/6/2014

### **Volunteer and Employee Applicant Criminal Background Screening Procedures**

#### **Applicant Packet**

All individuals wishing to apply to become a Girl Scout volunteer/employee will be expected to complete a Volunteer/Employee Applicant Packet. All applicants will be provided with an applicant background screening packet, included in this packet will be:

- Volunteer/employee screening process requirements
- Information on minimum standards for volunteer/employee disqualification and restriction
- Information on how to access the online background screening portal
- Potential employees will be given information on how to complete the employee criminal background screening process
- Information on what to expect once the background screening is complete

Applicants must complete a consent form authorizing the council to conduct a criminal background screening. If consent is not given, the council reserves the right to disqualify the applicant. Once appointed as a volunteer or hired as an employee, the council may request repeat background screening checks based on council guidelines. All potential council volunteers will be provided with a link via e-mail from the council designated background check company with instructions for submitting a

background check. Potential employees will be given criminal background screening information by the hiring manager.

### **Minimum Standards for Volunteer/Employee Disqualification and Restriction**

The decision whether to exclude or limit an individual's participation because of a background check remains within the sole discretion of the council. Relevant factors that may be considered in making such determinations include, but are not limited to, the nature and severity of the criminal conduct and length of time since the criminal conduct occurred. The council's primary concern is always to safeguard the best interests of its members.

Below is a detailed list of considerations that will be considered when evaluating background screening results for a volunteer/employee.

- The relationship between the incident and the type of service the individual will provide.
- The individual's employment and/or volunteer history.
- The likelihood that the incident would prevent the individual from performing her or his responsibilities in a manner consistent with the safety and welfare of girls.
- The age of the individual at the time of the incident.
- The amount of time that has passed since the incident occurred.

**The list of convictions below will be grounds for automatic disqualification.** Additionally, close attention will be paid to all convictions such as theft or larceny, substance/alcohol abuse, and driving offenses.

- Sex offense
- Child abuse/any offense involving a minor
- Animal abuse/cruelty
- Pornography

Certain restrictions may be placed on volunteer appointments such as driving or banking and fund-access based on background screening results. If a negative decision regarding an individual is reached, it may be based in whole or part on information contained in a background search result. The individual will be provided, in writing, with reason for disqualification as well as information on how to contact Asurint, the council's screening agency for any and all disputes and a summary of their rights under the Fair Credit Reporting Act.

If false information is provided or if relevant information is omitted from the application or consent form, this will be grounds for exclusion from participation in the council regardless of the result of the background screening.

It is the responsibility of the individual to immediately notify the council office in writing of any circumstance that might alter the background search results following its completion.

**All applicants must input their social security number into the online portal or in writing on council consent form. The council reserves the right to disqualify a candidate for not providing a social security number for background screening.**

Girl Scouts of Louisiana – Pines to the Gulf will not discriminate against any person on the basis of race, color, creed, national origin, socioeconomic status, disability or other qualifiers covered under the law.

## **Volunteer/Employee Position Screening Requirements**

One of GSLPG's highest priorities is ensuring that the girls are safe. Because Girl Scouts is driven by volunteers who hold a wide variety of roles, both working directly with girls and supporting councils behind-the-scenes, as well as employees, the first line of defense for girls is to effectively screen all potential volunteers and employees in appropriate ways and use that information to place trustworthy adults into volunteer and employee positions. Below you will find a chart showing what screening tools are recommended and used.

All troop leaders/co-leaders and assistants will be required to complete the following:

- Volunteer application
- 3 personal references
- Criminal background screening
- Motor vehicle record screening
- Sex offender check
- Interview with membership specialist

All potential employees will be required to complete the following:

- Employee application
- 3 professional references
- Criminal background screening
- Motor vehicle record screening
- Sex offender check
- Interview with appropriate council director or officer

\*Screening will be repeated every three years. The council does reserve the right to screen any volunteer at any time during their appointment as a Girl Scout Volunteer and any council employee during their employment with Girl Scouts of Louisiana – Pines to the Gulf.

## **Confidentiality and Access**

Background screening information will be kept strictly confidential at all times. Access to volunteers' information is limited to the Chief Executive Officer or her/his designee and the Membership Department. Access to all employee information is limited to the Chief Executive Officer or her/his designee and the Human Resource Department. Results will be shared with legal counsel if the council seeks legal guidance. All files are archived with the council screening agency. Results of background

screening will be shared with others who have a legitimate human resource, business, or safety/security purposes.

All information is protected, whether in electronic or paper form, from unauthorized access, and is kept only if necessary for the intended purposes. Information no longer needed for intended purposes will be destroyed in a secure manner.

## **Background Screening for Volunteers Who Do Not Have Access to the Online Portal**

An individual who does not have access to the online background screening portal will be provided with a Background Check Authorization and Consent for Release of Information form and council volunteer application upon recruitment.

The individual will be required to complete a Background Check Authorization and Consent for Release of Information form and submit it along with their volunteer application to the Membership Department.

Upon receipt of the consent form, the Membership Department will enter the individual's information into the online portal for background screening purposes within seven to ten business days.

The individual will be notified of results within seven to ten business days of the Volunteer Services Department receiving them.

An individual who does not have access to the online portal may wish to visit one of our service centers or satellite offices in order to complete their background screening online using a designated council computer.

## **Appeals**

If an individual is not approved as a volunteer due to results from the criminal background check, and if that volunteer would like to appeal that decision, he or she should:

Within five days of being notified of the council's decision, request in writing a personal meeting with the Chief Operating Officer of Direct Services and the Membership Director. During this meeting, the disqualified individual can openly discuss the problem, review all aspects of the issue, and make their argument for being approved as a volunteer.

The Membership Director and Chief Operation Officer for Direct Services will meet with the CEO to discuss the appeal and all information gathered in the appeals process. Management will respond, in writing, either supporting or overturning the earlier decision of disqualification to be a volunteer with the council. Any decision rendered by the CEO and/or COO of Direct Services is final. No further appeal is available.

The Volunteer Services Department will retain all documentation according to the council's policy and procedure.

## Child Abuse and Prevention Procedures for GSLPG Volunteer and Employees

### Child Abuse Prevention Act (CAPTA)

All 50 states have passed some form of mandatory child abuse and neglect reporting law.

**Child abuse or neglect** means, at a minimum, any recent act or failure to act on the part of a parent or caretaker which results in death, serious physical or emotional harm, sexual abuse or exploitation, or an act or failure to act which presents an imminent risk of serious harm.

**Sexual abuse** is defined by CAPTA as "the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct for the purpose of producing a visual depiction of such conduct; or the rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children."

All states require certain professionals and institutions to report suspected child abuse. Failure to report suspected child abuse can result in criminal and/or civil liability. All states require the report to be made to some type of law enforcement authority or child protection agency. Reporting to a parent or relative will not satisfy the reporter's legal duty under the statutes.

In accordance with these statutes, GSLPG will neither condone nor tolerate:

- Infliction of physically abusive behavior or bodily injury upon girl members
- Physical neglect of girl members, including failure to provide adequate safety measures, care, and supervision in relation to Girl Scout activities
- Emotional maltreatment of girl members, including verbal abuse and/or verbal attacks

As defined by the state of Louisiana:

- **Emotional maltreatment** is behavior by a parent(s) such as the failure or inability to nurture, protect, or provide appropriate guidance for the child to the extent that his/her emotional wellbeing and functioning are seriously impaired.
- **Caretaker** is any person legally obligated to provide or secure adequate care for a child. This includes: parents, tutor, guardian, legal custodian, foster parent, employee of a public or private day care or any other person providing a residence for the child.
- **Child** is any person under age 18 who has not been emancipated either judicially or by marriage.

It is the intent of Girl Scouts of Louisiana – Pines to the Gulf that any volunteer or employee found guilty of abuse or neglect of a child will be fully prosecuted to the extent allowed by law.

GSLPG reserves the right to refuse membership, to dismiss or to exclude from affiliation with the organization any employee or volunteer who is found guilty of child abuse or neglect or has been convicted of child abuse or neglect. Local (more stringent) prevailing statutes may supersede Girl Scout policies.

## **Supervision Requirements**

The council requires that each troop/group follow a three person rule by always ensuring that at least one registered female adult leader and one or more registered assistant leaders who are non-related (not related by blood, marriage, or living in the same household). **It is important to remember that anytime Girl Scouts gather there must be two (2) non-related (not related by blood, marriage, or living in the same household) adults present at all times.**

## **Who is a Mandatory Reporter?**

Mandated Reporters are individuals who frequently work with children. They are often the first adults to see signs of child abuse or neglect. Their child-friendly professions make these individuals uniquely qualified to identify children who may be abused or neglected. In general, people who provide care, training, supervision, or protection of children by nature of their profession are mandated reporters. **All GSLPG Volunteers and Employees are considered mandatory reporters in accordance with the Louisiana Children's Code.**

Any mandatory reporter who has cause to believe that a child's physical or mental health or welfare is endangered as a result of abuse or neglect or that abuse or neglect was a contributing factor in a child's death must report it in accordance with Louisiana Children's Code, Articles 609 and 610.

Any person who in good faith makes a report will have immunity from any civil or criminal liability that otherwise might be incurred or imposed. Generally, a reporter will be in good faith as long as they do not make a report which they know, or have good reason to believe is false (Article 611).

## **Training**

GSLPG will provide volunteers and employees with opportunities for training to familiarize themselves with their legal mandate for reporting suspected child abuse and neglect and recognizing the signs and symptoms of child abuse. **All volunteers and employees will be required to complete mandatory child abuse and neglect training every three years.** This training will include information on recognizing the signs and symptoms of child abuse and neglect to include physical abuse, verbal abuse, emotional abuse and sexual abuse.

## **What is my responsibility as a mandatory reporter and how do I report suspected abuse?**

You are on the frontlines of girls' lives, and you are in a unique position to identify a situation in which a girl may need help. In order to protect the child, the suspected abuse must be brought to the attention of professionals who can intervene to help both the child and the abusive person. Because we are an agency

working directly with children we have a legal, ethical and moral responsibility to report suspicions of abuse or neglect to the proper authority (child protection office or your local police department). You are legally obligated to report your suspicions even if you are not sure. It is important to remember that reporting your concerns is not making an accusation; rather, it is a request for an investigation and assessment to determine if help is needed.

**GSLPG asks that you follow the steps listed below when Child Abuse is suspected.**

1. Take the child to a quiet, private location to talk. Sit next to the child, but do not use physical touch without consent from the child.
2. Encourage the child to tell you if he or she is being abused, which can be in the form of physical, emotional or sexual abuse or neglect. Always use age-appropriate words, listen more and talk less and don't ask questions beyond the disclosure.
3. Avoid asking too many questions or the child may feel intimidated and shut down. Additionally, the child will be asked to provide more specific details to an investigator once an official investigation is opened.
4. Tell the child that you are not going to tell the other girls in the troop, but you are going to tell someone who can help. Never say that you will keep this a secret and remember not to tell anyone except those whom you are required to tell for a proper investigation to take place.
5. It is important to explain that you still care about them.
6. Avoid getting upset yourself, and remain calm and attentive. Getting anxious or angry can increase fear in the child.
7. Next you must report. Mandatory reporters are permitted and encouraged to do **dual reporting**. Dual reporting means when child abuse is suspected, one **may contact Child Protection and Law Enforcement**. The determining factor is the status of the suspected perpetrator:
  - If it is an in-home suspected perpetrator, **Report suspected child abuse by calling the DCFS Child Protection Hotline 1-855-4LA-KIDS (1-855-452-5437) toll free 24 hours a day, 365 days a year**. Be prepared to provide details about the signs of abuse the child exhibits or described to you and be as specific as you can. DCFS will identify the appropriate Parish Office to respond to the report
  - If it is an out-of-home suspected perpetrator, report to the law enforcement agency where the incident occurred
  - It is better to report even if you are not sure, than to not report at all
  - Reporting in good faith gives you immunity from civil or criminal liability
  - When you report in good faith, your identity is protected by LA law
  - Additionally, call and report any future incidents
8. All mandatory reporters are required to follow up an oral report with a written report within five business days. You will be expected to provide the following details if known:
  - Child's name, age (DOB if known), race and gender
  - Child's home address and telephone number
  - Child's parent or caretaker names

- Suspected perpetrators and their relationship to the child
  - Suspected perpetrator's address
  - Nature and extent of abuse
  - Any other pertinent information
9. You may also wish to call KIDLINE (1-800-CHILDREN) for information on how to report child abuse in your area. For more information on child abuse, you can consult Prevent Child Abuse Louisiana at 733 East Airport Ave., Suite 101, Baton Rouge, La 70806, or call or e-mail at 225-925-9520 or [prevent@pcal.org](mailto:prevent@pcal.org).
10. Call your membership specialist to make a verbal report of the incident. A written report of the incident must be filed using the GSLPG Incident/Accident Report within five to seven business days after suspected child abuse is reported.

## Recognizing the Signs and Symptoms of Child Abuse

Child abuse and neglect are serious issues for many children. When children are being abused, their only chance for safety is through the intervention of a caring adult. The first step in helping abused or neglected children is learning to recognize the signs of child abuse and neglect. The presence of a single sign does not mean that child maltreatment is occurring in a family, but a closer look at the situation may be warranted when these signs appear repeatedly or in combination. The list below is intended to help you better understand the legal definition of child abuse and neglect, learn about the different types of abuse and neglect, and recognize the signs and symptoms of abuse and neglect.

**While recognizing the signs and symptoms of child abuse and reporting is important, it is crucial to stop any child abuse you witness. Do not stand by idly if you see a child being abused. If you believe a child is in immediate danger to their health or well being call 911 and explain the situation to the police and allow them to handle it.**

### The Child:

- Shows sudden changes in behavior or school performance
- Has not received help for physical or medical problems brought to the parents' attention
- Has learning problems (or difficulty concentrating) that cannot be attributed to specific physical or psychological causes
- Is always watchful, as though preparing for something bad to happen
- Lacks adult supervision
- Is overly compliant, passive, or withdrawn
- Comes to school or other activities early, stays late, and does not want to go home
- Is reluctant to be around a particular person
- Discloses maltreatment

### The Parent:

- Denies the existence of—or blames the child for—the child's problems in school or at home
- Asks teachers or other caregivers to use harsh physical discipline if the child misbehaves
- Sees the child as entirely bad, worthless, or burdensome
- Demands a level of physical or academic performance the child cannot achieve
- Looks primarily to the child for care, attention, and satisfaction of the parent's emotional needs



- Shows little concern for the child

#### **The Parent and Child:**

- Rarely touch or look at each other
- Consider their relationship entirely negative
- State that they do not like each other

The above list may not be *all* the signs of abuse or neglect. It is important to pay attention to other behaviors that may seem unusual or concerning. In addition to these signs and symptoms, Child Welfare Information Gateway provides information on the risk factors and perpetrators of child abuse and neglect fatalities: [https://www.childwelfare.gov/can/risk\\_perpetrators.cfm](https://www.childwelfare.gov/can/risk_perpetrators.cfm)

### **More help on defining and recognizing the signs and symptoms**

**Physical abuse** is non-accidental physical injury (ranging from minor bruises to severe fractures or death) as a result of punching, beating, kicking, biting, shaking, throwing, stabbing, choking, hitting (with a hand, stick, strap, or other object), burning, or otherwise harming a child, that is inflicted by a parent, caregiver, or other person who has responsibility for the child. Such injury is considered abuse regardless of whether the caregiver intended to hurt the child. Physical discipline, such as spanking or paddling, is not considered abuse as long as it is reasonable and causes no bodily injury to the child.

#### **Signs of Physical Abuse**

Consider the possibility of physical abuse when the child:

- Has unexplained burns, bites, bruises, broken bones, or black eyes
- Has fading bruises or other marks noticeable after an absence from school
- Seems frightened of the parents and protests or cries when it is time to go home
- Shrinks at the approach of adults
- Reports injury by a parent or another adult caregiver
- Abuses animals or pets

Consider the possibility of physical abuse when the parent or other adult caregiver:

- Offers conflicting, unconvincing, or no explanation for the child's injury, or provides an explanation that is not consistent with the injury
- Describes the child as "evil" or in some other very negative way
- Uses harsh physical discipline with the child
- Has a history of abuse as a child
- Has a history of abusing animals or pets

**Neglect** is the failure of a parent, guardian, or other caregiver to provide for a child's basic needs. Neglect may be:

- Physical (e.g., failure to provide necessary food or shelter, or lack of appropriate supervision)
- Medical (e.g., failure to provide necessary medical or mental health treatment)
- Educational (e.g., failure to educate a child or attend to special education needs)
- Emotional (e.g., inattention to a child's emotional needs, failure to provide psychological care, or permitting the child to use alcohol or other drugs)

Sometimes cultural values, the standards of care in the community, and poverty may contribute to maltreatment, indicating the family is in need of information or assistance. When a family fails to use information and resources, and the child's health or safety is at risk, then child welfare intervention may be required. In addition, many states provide an exception to the definition of neglect for parents who choose not to seek medical care for their children due to religious beliefs.

### **Signs of Neglect**

Consider the possibility of neglect when the child:

- Is frequently absent from school
- Begs or steals food or money
- Lacks needed medical or dental care, immunizations, or glasses
- Is consistently dirty and has severe body odor
- Lacks sufficient clothing for the weather
- Abuses alcohol or other drugs
- States that there is no one at home to provide care
- Consider the possibility of neglect when the parent or other adult caregiver:
- Appears to be indifferent to the child
- Seems apathetic or depressed
- Behaves irrationally or in a bizarre manner
- Is abusing alcohol or other drugs

**Sexual abuse** includes activities by a parent or caregiver such as fondling a child's genitals, penetration, incest, rape, sodomy, indecent exposure, and exploitation through prostitution or the production of pornographic materials. Sexual abuse is defined by CAPTA as "the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or simulation of such conduct for the purpose of producing a visual depiction of such conduct; or the rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children."

### **Signs of Sexual Abuse**

Consider the possibility of sexual abuse when the child:

- Has difficulty walking or sitting
- Suddenly refuses to change for gym or to participate in physical activities
- Reports nightmares or bedwetting
- Experiences a sudden change in appetite
- Demonstrates bizarre, sophisticated, or unusual sexual knowledge or behavior
- Becomes pregnant or contracts a venereal disease, particularly if under age 14
- Runs away
- Reports sexual abuse by a parent or another adult caregiver
- Attaches very quickly to strangers or new adults in their environment

Consider the possibility of sexual abuse when the parent or other adult caregiver:

- Is unduly protective of the child or severely limits the child's contact with other children, especially of the opposite sex

- Is secretive and isolated
- Is jealous or controlling with family members

**Emotional abuse** (or psychological abuse) is a pattern of behavior that impairs a child’s emotional development or sense of self-worth. This may include constant criticism, threats, or rejection, as well as withholding love, support, or guidance. Emotional abuse is often difficult to prove, and therefore, child protective services may not be able to intervene without evidence of harm or mental injury to the child. Emotional abuse is almost always present when other types of maltreatment are identified.

### Signs of Emotional Maltreatment

Consider the possibility of emotional maltreatment when the child:

- Shows extremes in behavior, such as overly compliant or demanding behavior, extreme passivity, or aggression
- Is either inappropriately adult (parenting other children, for example) or inappropriately infantile (frequently rocking or head-banging, for example)
- Is delayed in physical or emotional development
- Has attempted suicide
- Reports a lack of attachment to the parent

Consider the possibility of emotional maltreatment when the parent or other adult caregiver:

- Constantly blames, belittles, or berates the child
- Is unconcerned about the child and refuses to consider offers of help for the child’s problems
- Overtly rejects the child

**Abandonment** is now defined in many States as a form of neglect. In general, a child is considered to be abandoned when the parent’s identity or whereabouts are unknown, the child has been left alone in circumstances where the child suffers serious harm, or the parent has failed to maintain contact with the child or provide reasonable support for a specified period of time. Some states have enacted laws—often called safe haven laws—that provide safe places for parents to relinquish newborn infants. Child Welfare Information Gateway produced a publication as part of its State Statute series that summarizes such state laws. *Infant Safe Haven Laws* is available on the Information Gateway website:

[https://www.childwelfare.gov/systemwide/laws\\_policies/statutes/safehaven.cfm](https://www.childwelfare.gov/systemwide/laws_policies/statutes/safehaven.cfm)

**Substance abuse** is an element of the definition of child abuse or neglect in many states. Circumstances that are considered abuse or neglect in some states include the following:

- Prenatal exposure of a child to harm due to the mother’s use of an illegal drug or other substance
- Manufacture of methamphetamine in the presence of a child
- Selling, distributing, or giving illegal drugs or alcohol to a child
- Use of a controlled substance by a caregiver that impairs the caregiver’s ability to adequately care for the child

For more information about this issue, see Child Welfare Information Gateway’s *Parental Drug Use as Child Abuse* at [https://www.childwelfare.gov/systemwide/laws\\_policies/statutes/drugexposed.cfm](https://www.childwelfare.gov/systemwide/laws_policies/statutes/drugexposed.cfm)

In addition to working to prevent a child from experiencing abuse or neglect, it is important to recognize high-risk situations and the signs and symptoms of maltreatment. If you do suspect a child is being harmed, reporting your suspicions may protect him or her and get help for the family. Any concerned

person can report suspicions of child abuse or neglect. Reporting your concerns is not making an accusation; rather, it is a request for an investigation and assessment to determine if help is needed.

**Sources:**

**Helpline.org**

**Department of Child and Family Services**

**Ehow.org**

**Child Welfare Information Gateway [www.childwelfare.gov](http://www.childwelfare.gov)**