

CENTRAL BUCKS ATHLETIC ASSOCIATION MANDATORY REPORTER POLICY

Mandatory Reporters

An individual paid or unpaid, who, on the basis of the individual's role as an integral part of a regularly scheduled program, activity or service, accepts responsibility for a child and has direct contact with a child is defined as a *mandatory reporter* under Pennsylvania law. “*Direct contact*” is defined as the care, supervision, guidance or control of children and routine interaction with children. “*routine interaction with children*” is defined as regular and repeated contact that is integral to a person's employment or volunteer responsibilities.

Individuals performing one of these roles for CBAA is considered a mandatory reporter (MR):

- Head Coaches
- Assistant Coaches
- Trainers
- Referees
- Others as defined by each program

The age requirements to be defined as a mandatory reporter who require clearances are as follows:

- Volunteers – 18 and older
- Independent Contractors – 14 and older
- Employees – 14 and older

Required Clearance

As a mandatory reporter, certain clearances will be required for an individual to participate within CBAA.

All prospective mandatory reporters must obtain the following clearances:

1. Report of criminal history from the Pennsylvania State Police
2. Child Abuse History Clearance from the Department of Human Services
3. Additionally, a fingerprint based federal criminal history (FBI) submitted through the Pennsylvania State Police or its authorized agent is required unless the mandatory reporter is (1) a volunteer or employee ages 14-17 or independent contractor ages 14-17 **and** (2) has been a Pennsylvania resident continuously for the past 10 years. *

- * Mandatory reporters who are not required to obtain the FBI must swear or affirm in writing that they are not disqualified from service based upon a conviction of an offense under §6344.

For a list of offenses that will preclude an individual from acting in a role that has been defined above as a mandatory reporter, see Exhibit 1.

Renewal Requirement for Clearances

All mandatory reporters will be required to obtain clearances every 60 months. Timeframes for renewed clearances are based upon the date of each individual clearance.

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Provisional Clearance for Mandatory reporter

Individuals who reside in another state or country may serve as a mandatory reporter for no more than 30 days as long as they provide clearances from their state or country of residence. If the individual will be volunteering/working for more than 30 days, they must obtain clearances as outlined above under “Required Clearances”.

Mandatory reporters who reside in Pennsylvania do not have a provisional period and must obtain clearances as outlined above under “Required Clearances.”

Retention of Clearances

CBAA is required to maintain copies of the results of all required clearances. All clearance information is confidential and may not be released to other individuals by CBAA.

Transferability of Clearances

Any person who has obtained the required certifications from one sport/program within CBAA may transfer or provide services to another sport/program run by CBAA, or serve in a mandatory reporter capacity for any CBAA program during the length of time the person’s certifications are current.

Reporting of Mandatory Reporter Activity Subsequent to Clearances

If a mandatory reporter is arrested for or convicted of an offense that would constitute grounds for denying participation in a program, activity or service, or is named as a perpetrator in a founded or indicated report, the mandatory reporter must provide the CBAA Compliance Director with written notice not later than 72 hours after the arrest, conviction or notification that the person has been listed as a perpetrator in the statewide database. The individual will be suspected from their role within CBAA until which time updated acceptable clearances are obtained by CBAA.

A mandatory reporter who willfully fails to disclose information as required above will be subject to discipline up to and including termination or denial of a mandatory reporter position.

Reporting Obligations of Mandatory Reporter

Individuals that have reasonable cause to suspect abuse must do the following as per Pennsylvania state law:

- Immediately report the suspected abuse to the Pennsylvania Child Abuse Hotline (24/7 service) at 800-932-0313

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EXHIBIT 1

Offenses

Child Abuse History Clearance results:

Founded - individual is not eligible to participate

Unfounded – acceptable result

Pending - individual is not eligible to participate until resolved

Criminal History Clearance results:

Below is a list of criminal offenses that will deem an individual ineligible to perform in a mandatory reporter role for CBAA. This list may be revised per PA law – please see the link below for the most updated list of offenses. The list below is as of May 2015.

http://keepkidssafe.pa.gov/cs/groups/webcontent/documents/document/c_160267.pdf

Chapter 25	(relating to criminal homicide)
Section 2702	(relating to aggravated assault)
Section 2709	(relating to stalking)
Section 2901	(relating to kidnapping)
Section 2902	(relating to unlawful restraint)
Section 3121	(relating to rape)
Section 3122.1	(relating to statutory sexual assault)
Section 3123	(relating to involuntary deviate sexual intercourse)
Section 3124.1	(relating to sexual assault)
Section 3125	(relating to aggravated indecent assault)
Section 3126	(relating to indecent assault)
Section 3127	(relating to indecent exposure)
Section 4302	(relating to incest)
Section 4303	(relating to concealing death of child)
Section 4304	(relating to endangering welfare of children)
Section 4305	(relating to dealing in infant children)
Section 5902(b)	(relating to prostitution and related offenses)
Section 5903(c) (d)	(relating to obscene and other sexual material and performances)
Section 6301	(relating to corruption of minors)
Section 6312	(relating to sexual abuse of children), or an equivalent crime under Federal law or the law of another state.

I have not been convicted of a felony offense under Act 64-1972 (relating to the controlled substance, drug device and cosmetic act) committed within the past five years.