

CENTRAL BUCKS ATHLETIC ASSOCIATION

MANDATORY REPORTER PROCEDURES

Mandatory Reporters

Per Pennsylvania State law, CBAA has identified certain individuals as Mandatory Reporters while performing their role within CBAA:

- 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 Clearances

As a mandatory reporter, certain clearances will be required for an individual to participate as a volunteer/independent contractor (IC) or employee 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. A fingerprint based federal criminal history (FBI) unless the mandatory reporter is a (1) 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 Clearance will be provided with an affidavit that must be signed and returned to the CBAA Compliance Director affirming in writing that they are not disqualified from service based upon a conviction of an offense under §6344. See below for information regarding offenses.

Offenses That Will Define the Individual as Ineligible

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 CBAA Mandatory Reporter Policy, Exhibit 1.

If an offense listed in the CBAA Policy appears on the clearance, the individual will be contacted, in writing by the CBAA Compliance Director. The individual will be provided the opportunity to clarify any errors that may have occurred.

Approval as a CBAA Mandatory reporter

Prior to all required clearances being obtained, mandatory reporters are not authorized to act in a role defined as a Mandatory Reporter within CBAA. All required clearances must be received by CBAA Compliance Director and approval received by the individual in order to act in a mandatory reporter capacity with CBAA.

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Disclosure of Approved Individuals

Individuals that have submitted the proper clearances and have received approval to participate within CBAA agree to have their name added to the “Approved” list that will be distributed to head coaches and other leaders within the organization. Individuals that do *not* receive approval will *not* be disclosed and will remain confidential.

Submission and Retention of Clearances

Mandatory reporters must produce clearance documents to the CBAA Compliance Director prior to serving as a mandatory reporter (except provisional employees for limited periods as outlined in the CBAA policy.) CBAA is required to maintain copies of the results of all required clearances and will do so on a secured site.

Once approved, the individual will be added to the ‘CBAA Approved’ list that will be used as a resource when determining who will be allowed to act in a mandatory reporter capacity.

Note: The CBAA Compliance Director, or agent of the Director, are the only individuals within CBAA that can receive clearances directly from the individual. No other individual acting as an agent for CBAA can receive clearances directly from the individual without express consent of the CBAA Compliance Director. As such, all individuals, paid or unpaid, who have been identified in the “Mandatory Reporter” section above will need to be identified approximately 30 days prior to service date to allow for clearances to be processed.

Renewal Requirement for Clearances

Beginning August 25, 2015, 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. Mandatory reporters will not be authorized to continue to perform their role if new clearances have not been submitted to the CBAA Compliance Director after the 60 month deadline.

Provisional Clearance for Mandatory reporters

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.”

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Responsibility of Team Management

Prior to the start of each season, the head coach will be asked to provide a list of all assistant coaches, trainers and others that meet the following definition of someone needing clearances:

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.

During the course of the season, if any additional coaches / trainers are desired, the CBAA Compliance Director must be contacted immediately to start the clearance process. These individuals will not be allowed to perform their desired role until clearances have been received and the individual has been added to the "Approved" list.

The CBAA Compliance Director will approve all head coaches and provide the Program Presidents with a list of approved head coaches, in addition, the CBAA Compliance Director will approval all managers for teams that have a paid coach.

Prior to the start of the season, the head coach will receive a list of all "Approved" individuals that are eligible to participate as a mandatory reporter for CBAA.

The head coach is responsible for ensuring that all assistants and trainers appear on the "Approved" list. The head coach should contact the CBAA Compliance Director if an assistant or trainer is not on the "Approved" list. For teams that have a paid coach, this responsibility should be that of the team manager.

All mandatory reporters will be required to read and sign off on CBAA Mandatory Report Polices and CBAA Mandatory Reporter Procedures prior to starting service.

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Reporting of Mandatory Reporter Activity Subsequent to Clearances

As outlined in the CBAA Policy, if an individual 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 individual must provide the written notice to the CBAA Compliance Director no later than 72 hours after the arrest, conviction or notification that the person has been listed as a perpetrator in the statewide database. The age requirements to be defined as a mandatory reporter are as follows:

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

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

Reporting Obligations of Mandatory Reporter

Individuals that have reasonable cause to suspect abuse are required to immediately report the suspected abuse. “Reasonable cause to suspect” is defined as follows:

- a. personally witnesses an incident of abuse,
- b. when an allegation of an event of abuse is made by a third party, and/or
- c. when a child, youth, or vulnerable adult discloses which meets the criteria of the PA law.

Individuals that have reasonable cause to suspect abuse are required to immediately report the suspected abuse to the Pennsylvania Child Abuse Hotline (24/7 service) at 800-932-0313.