

Isaac W Bernheim Foundation

Child and Youth Protection Policy

Isaac W Bernheim Foundation (Bernheim) is committed to the protection of all children and youth from abuse and neglect while participating in any program and/or activities conducted by Bernheim and the prevention of child abuse in the community at large.

In furtherance of these commitments, Bernheim enforces a zero-tolerance policy for any act of abuse or neglect committed by any employee or volunteer. Bernheim prohibits and does not tolerate physical, emotional, verbal or sexual abuse in the workplace or in any sponsored program or activity whether committed by an employee, volunteer, or participant. This policy provides procedures for employees, volunteers, family members, parents, and/or victims to report abuse and disciplinary penalties, up to and including termination of employment/exclusion from participation for those who commit such acts.

In addition to disciplinary action, all credible allegations of physical and/or sexual abuse will be promptly reported to appropriate law enforcement agencies and regulatory agencies for appropriate investigation and action.

I. Definitions

For purposes of this policy, the following terms shall have the meanings set forth below.

Child- any person 11 years of age or younger.

Youth – any person between the ages of 12 and 17.

Adult – any person aged 18 or older.

Adult Volunteer – an adult who has completed Bernheim Volunteer Application and Background Screening process and has been cleared for participation.

Vulnerable Adult - any person 60 years of age or older with functional, physical, or mental inability to care for self; or an adult 18 years of age or older who has a developmental disability, has a guardian, lives in a nursing facility, boarding home, adult family home, or any facility licensed or required to be licensed by the Department of Social and Health Services (DSHS), or receives in-home services through a licensed health care agency, hospice, or an individual provider.

Abuse—Abuse includes physical abuse, sexual abuse, emotional and/or verbal abuse.

Emotional abuse – any pattern of behavior capable of causing harm to the cognitive, emotional, psychological, and/or social development of the victim. Emotional abuse includes, but is not limited to, verbally assaulting, terrorizing, bullying, and/or neglecting the victim.

Physical abuse – Intentional contact intended to cause feelings of physical pain, injury, or other physical suffering or bodily harm.

Sexual abuse - the 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 sexual contact.

Sexual abuse includes, but is not limited to, sexual molestation, sexual assault, sexual exploitation, or sexual injury.

Verbal abuse – a pattern of verbal communication with the intent or effect of belittling, shaming, ridiculing, or verbally threatening the victim.

II. Screening, Selection of Staff and Volunteers, and Training

The Human Resources Department in conjunction with Bernheim Senior Management is responsible for implementing and evaluating the process for recruiting, screening, selecting, and training all employees.

The Volunteer Coordinator submits the Volunteer Application to the Human Resource Department for a background check to be run.

A. Screening and Selection of Staff and Volunteers

Any person seeking employment with or to volunteer for Bernheim must complete an employment application or volunteer Application and submit to the required background screening. All adult volunteers and employees must pass the criminal background check imposed by Kentucky statute 160.151.

B. Training

All employees and volunteers working with any child and youth program sponsored by Bernheim will review the Child and Youth Protection Policy and will complete the mandatory Darkness and Light Stewards of Children training. This training will detail how to prevent, recognize, and react responsibly to child physical, emotional, verbal or sexual abuse. Failure to review Bernheim written policy or complete the Stewards of Children training will result in automatic disqualification from employment or volunteering. In addition, all Bernheim employees and volunteers must refresh this training every three years as a condition of employment.

III. Supervision of Children and Youth

A. Classroom Activities (Enclosed Space)

1. In general, all classroom activities involving children or youth should be supervised by a minimum of one adult per ten youth.
2. In addition to the required adult supervision, all classrooms shall be periodically checked by a Bernheim staff member who shall provide additional assistance and/or supervision as needed.

B. Non-classroom activities

1. In general, all non-classroom activities involving children and youth should be supervised by a minimum of one adult per ten youth. Two adults per ten children or youth are preferred.
2. In addition to the required adult supervision, all non-classroom activities shall be periodically checked by a Bernheim staff member who shall provide additional assistance and/or supervision as needed.

3. Bernheim will strive to have at least one screened adult per ten youth or child participants present for all non-classroom activities.
4. Where the activities involve multiple groups such as field trips and day camps, Bernheim shall strive to maintain the same child/youth to adult ratio for both classroom and non-classroom activities. During school-supervised field trips, this number may include school sanctioned adult chaperones.
5. Bernheim also conducts activities throughout the Arboretum and Natural Areas during the year.

C. After Program/Activity Release of Children and Youth

Upon enrollment in any Bernheim program or activity, the parent or guardian or school representative shall be required to pick up the child/youth following the conclusion of the activity or for early release. Verification of identity of persons not personally known by the designated personnel shall be made by photo identification. No child or youth shall be released to an unauthorized person or to an individual whose identity cannot be verified by staff.

IV. Prohibited Conduct

All employees and volunteers involved in any program or activity sponsored by Bernheim are required to adhere to the requirements set forth in this policy and in a manner consistent with reasonable standards for those charged with the supervision of children and youth. All acts of abuse, whether sexual, physical, verbal, and/or emotional are strictly prohibited. Employees determined to have violated the provisions of this policy are subject to immediate dismissal from employment. Volunteers acting in violation of this policy are subject to immediate and permanent disqualification from participation as a volunteer in any Bernheim-sponsored programs.

Reporting Allegations of Abuse

A. Duty to Report

Any employee or volunteer who becomes aware of or suspects that any child or youth is a victim of physical and/or sexual abuse must immediately report such suspicion to the Education Director, Executive Director or Chief Operating Officer (COO). Such report shall be made promptly. Failure to report reasonable suspicions of abuse under this policy is grounds for immediate dismissal from employment and/or disqualification from volunteer service.

B. Investigation Procedure

1. Upon receipt of a report of suspected abuse, the Education Director shall document the allegations and refer the report to either the Executive Director or COO for investigation on the same day the allegation is received.
2. If the accused is an employee, he or she shall immediately be suspended and prohibited from contact with children or youth in Bernheim-sponsored programs. If the accused is a volunteer, he or she shall immediately be suspended from all contact with children or youth in Bernheim programs.

4. The victim's parents or legal guardians shall be notified of the allegations. However, if one or both of the parents/guardians is the alleged abuser, staff shall follow the directions provided by the authorities concerning parental notification.

5. All employees and volunteers are required to fully cooperate with any investigation into allegations of abuse contacted by law enforcement, and/or other regulatory agencies. Refusal to cooperate with an investigation is grounds for disciplinary action, including termination of employment.

6. Bernheim will make every effort to keep the matters involved in the allegation, including the identification of the parties confidential to the extent allowable under the circumstances.

C. Anti-retaliation

Bernheim strictly prohibits retaliation against any person who reports a good faith complaint of abuse under this policy or who participates in any investigation arising from or related to such a complaint. Retaliation is a separate offense under this policy. Individuals determined to have engaged in retaliation are subject to disciplinary action, up to and including termination of employment.