

## **BSA Youth Protection Policy and Mandatory Reporting of Child Abuse as Seen on *The Buzz Today***

Please ensure that all of your employees are familiar with the information below.

This is an affirmation of current Youth Protection incident reporting practices. For some, this is a clarification of the BSA's tradition of Youth Protection. For many of you, there will be no change in how you conduct business.

There are two types of Youth Protection–related reporting:

- When you witness or suspect any child has been abused or neglected—See the attached “Mandatory Reporting of Child Abuse.”
- When you witness a violation of the BSA's Youth Protection policies—See the attached “Scouting's Barriers to Abuse.”

### **The BSA's Mandatory Reporting of Child Abuse policy may exceed your state's reporting requirements.**

Several states are considering legislation to change their mandatory reporting of child abuse laws. Many of those states are informed by our policy. Historically, youth-serving organizations have been unclear as to whether they are required to report abuse. As has become clear with recent allegations of abuse at Penn State University, society expects that organizations not only *follow* the law, but *do more than is legally required* in reporting suspicions or allegations of child sexual abuse and protecting children. In other words, the failure to report in one state, though legally justified, creates a perception of organizational failure in other states where reporting is mandated.

Keeping in mind our operating principle of being united, Scouting's commitment to Youth Protection, and that Youth Protection is of paramount importance in Scouting, it is clear that in order for the BSA to fulfill its Youth Protection mandate, we must have a policy that

- Protects our youth
- Protects our volunteers
- Protects our employees
- Protects the BSA

### **Violations of the Mandatory Reporting of Child Abuse**

BSA policy requires allegations of child abuse be reported to local law enforcement and child protection organizations. When such an allegation is brought to your attention as an employee, you should:

- Ensure the safety of the child.
- Get detailed information from the person who is reporting the abuse.
- Inform that person of his or her duty to report to local law enforcement or child protective services.
- Notify the Scout executive or his/her designee immediately.

### **Scout Executive Responsibility in Reported Cases of Abuse**

- Accumulate information.
- Determine if revocation of membership is appropriate.
- Follow procedures outlined in the standards of membership.
- Ensure law enforcement/child protection agency/other agencies are notified as necessary.

### **Authorities to Contact**

- State child and family protective service agencies are generally responsible for investigating abuse by family members (within the home).
- Law enforcement agencies are responsible for investigating allegations of abuse both in the home and by non-family members (out of home).
- Instances of online solicitation and/or exposure of youth to illicit material are reported to the Cyber Tipline at [www.cybertipline.com](http://www.cybertipline.com) or 1-800-843-5678.

### **Violations of Scouting's Barriers to Abuse**

When witnessing a violation of any of Scouting's Barriers to Abuse, all volunteers, parents, and employees are instructed to:

- Maintain two-deep leadership.
- Stop the violation immediately.
- Request any assistance needed.
- Ensure the safety and adequate supervision of all youth.
- Contact the Scout executive.

### **Scout Executive Responsibility in Cases of Policy Violation (Scouting's Barriers to Abuse)**

- Gather and review information.
- Seek advice from the national Youth Protection director if needed.
- Determine if the person meets BSA standards of membership.
- Err on the side of protecting youth.

Questions that may arise:

**Do you need to determine if child abuse occurred?** No. If abuse is suspected, your responsibility is to report and ensure the safety of the child.

**Are you a mandated reporter in your state?** BSA policy is at least as stringent as each state's laws: Every instance of suspected abuse or policy violation in Scouting must be reported. We report all instances to protect youth.

**What about concerns surrounding the character or reputation of the accused?** A report of suspected abuse is not an accusation; we are reporting what we know to authorities for their follow-up. Whenever an employee receives a report of child abuse—in any form, in or out of Scouting—he or she is acting not only on his or her own behalf, but also on behalf of the chartered organization, the local council, and Scouting, in maintaining the character and reputation of those organizations. If you have any questions, seek advice.

**Do we have enough information to report?** In many instances, you may not. It is not our responsibility to conduct an investigation—that is for the police and child protection agencies. However, you should gather certain basic information. We are responsible for ensuring our program is a safe environment for youth. Follow our standards of membership.

**What about gray areas, such as a person who repeatedly violates Scouting’s Barriers to Abuse—such as no one-on-one contact—but there is no indication a Scout has been abused?** Gather the information and contact the national Youth Protection director to discuss. Several options will need to be considered, including

- Details of the situation
- The possible revocation of membership
- The possibility of listing an offender as an ineligible volunteer

**What basic information needs to be included in the report to the Scout executive and to law enforcement?**

Basic information includes:

- Who is involved?
- What happened?
- Where did it occur?
- Are there witnesses or others with information?
- How did you come to know of the violation?
- What did you do about it?

#### **A Final Note**

If ever you are unsure how to handle a Youth Protection incident or issue, please contact National Youth Protection Director Michael Johnson, at 972-580-2359 or via email at [michaelvjohanson@scouting.org](mailto:michaelvjohanson@scouting.org).