



Down Syndrome Association of Delaware Child Protection Policy

Youth Protection Statement

We take the protection of children and the individuals with Down syndrome under our care very seriously. It is at the root of the work we do. This policy is intended to provide multiple layers of protection for the individuals with Down syndrome and families we serve and covers all the things we think are critical to keeping individuals with Down syndrome safe from abuse: the screening/hiring process, our faculty code of conduct, the physical and virtual environment of our organization, and the training and educational programs for our employees, volunteers, families and individuals with Down syndrome.

Mission

We are devoted to the safety of individuals with Down syndrome and our goal is to provide an atmosphere for individuals with Down syndrome and children can safely flourish while in our care. We take pride in our ongoing efforts to improve our services to young people and their families. The primary responsibility to keep individuals with Down syndrome and children safe rests with adults.

Introduction

Each day, as many as 150 individuals with criminal records apply for positions with nonprofit organizations, many of whom are registered sex offenders. The National Center for Missing and Exploited Individuals with Down syndrome reports that, on average, a serial child sex offender will commit 150 acts of molestation against a child prior to being caught. This data was captured as part of survey completed by the Federal Bureau of Investigation among incarcerated child molesters. We understand that organizations serving individuals with Down syndrome, particularly those from distressed circumstances, are most susceptible to being targeted by those who prey on individuals with Down syndrome.

The Down Syndrome Association of Delaware has a zero-tolerance policy for incidents of child abuse in all its forms. Protecting individuals with Down syndrome and children is our most important responsibility. Our program's greatest impacts are wiped out if we do not ensure the safety of the individuals with Down syndrome in our care. In EVERY case, the report of molestation and abuse, or suspected molestation or abuse, will be treated as an absolute priority.

This document provides guidelines and establishes procedures for employees, board members, volunteers, consultants, or anyone conducting or involved (defined as "Individuals") in youth

programming on behalf of The Down Syndrome Association of Delaware. Note that such “Individuals” do not include outside vendors, contractors, or service providers, unless they are directly involved with The Down Syndrome Association of Delaware youth programming or are providing services while youth are present.

Policy Overview

The Down Syndrome Association of Delaware’s policy is reviewed annually by administration and, with employee involvement, updated accordingly. Should any legislative or other best practices necessitate, the policy will be updated immediately. The policy is issued to all employees, volunteers and long-term vendors for review; their signature of understanding and agreement to comply is required. The policy is available electronically on our website, posted within our facilities and readily accessible to the families we serve. Any updates in the policy will be communicated immediately. Violation of this policy may be grounds for immediate dismissal or discharge from this organization.

Compliance

The Down Syndrome Association of Delaware, as part of its Child Protection Policy, is responsible for appointing a Compliance Officer. The Compliance Officer ensures the organization is acting in accordance with any requirements outlined in the policy. He/she is also responsible for designing and implementing any internal controls, policies, and/or procedures to assure compliance with the internal policy and with any outside parties. The Compliance Officer audits each outside entity to make sure they are following the policy guidelines, ensures that any reports/incidents are handled appropriately and in a timely manner, and responds to requests for information from internal and external clients.

Other duties of the Compliance Officer include but are not limited to:

- Conducting, or arranging for, the orientation and training of internal new hires
- Ensuring that background checks are conducted for all staff, volunteers and long-term vendors
- Notifying President and/or COO of any incident reports
- Upholds the Code of Conduct guidelines to all employees, volunteers and vendors

Code of Conduct

The Down Syndrome Association of Delaware code of conduct sets out the requirements to which all employees, volunteers and vendors must conform. The code is reflective of our values, expectations and ethical policies.

- Supervision
All persons associated with The Down Syndrome Association of Delaware will strive to ensure optimal child and youth protection. It is our policy that individuals with Down syndrome are in the care of two or more adults or in settings which are continuously observable and can be interrupted at any time. Other forms of communication and interaction, such as on social media, in online chats, over email, on the telephone or through text message conversations are only permissible if another adult is copied on or included in the message/conversation.

- Relationships
Relationships with individuals with Down syndrome and children formed as a result of the organization are prohibited outside of the organization unless the child's parent/caregiver and director/principal are fully aware. Staff, volunteers and vendors must not share their personal contact information with individuals with Down syndrome or follow or friend them on social media platforms. All persons associated with The Down Syndrome Association of Delaware (young people and their families, staff, volunteers, administration and committee members) have the right to be treated with respect and courtesy. Relationships with individuals with Down syndrome should be reinforced with respect for their personal space and their bodies.

- Physical Contact
Touch with a child should always be observable by others. Appropriate touching should only be initiated if it is clear that the child is comfortable with the interaction. Examples of appropriate touching are: fist bump, handshake, side hug, and high five. Smaller children and individuals with Down syndrome requiring assistance with personal needs such as: the bathroom, applying sunscreen, or getting dressed, requires the presence of an additional employee, volunteer or child who is able to witness to the interaction. Child and individuals with Down syndrome should always be encouraged to complete these behaviors themselves whenever possible. Privacy shall be preserved when practicable.

- Professional Integrity
Staff, volunteers and affiliates accept that professional responsibility must take precedence over personal aims, needs and views. Professionalism is paramount in an organization serving families. Children and individuals with Down syndrome are impressionable and model the behaviors of others. As you are a representative of the organization/school, the following behaviors are strictly forbidden:
 - Obscenities, profanity, or vulgar language;
 - Harassing or intimidating behaviors;
 - Sexually explicit, suggestive, humiliating or demeaning comments;
 - Viewing of any material inappropriate for a child viewing audience while on the premises or during sanctioned activities or events;
 - To be under the influence of alcohol or drugs (prescription or illicit) which interferes with the proper care and attention necessary to supervise individuals with Down syndrome;
 - Use of any derogatory language regarding: race, gender, religion, sexual orientation, citizenship, socio-economic status or ability; and
 - Any form of physical, verbal, sexual, or mental abuse or neglect

Any arrest or indictment of an employee shall be immediately communicated to the director/principal.

Attire shall be professional and modest.

Orientation and Training

Staff members are required to complete Child Sexual Abuse Prevention Training at least once every three years. Returning volunteers are required to complete Child Sexual Abuse Prevention Training every other year. All internal new hires will be provided with training during their new hire orientation within one month of hire, but always prior to working directly with individuals with Down syndrome.

Orientation/Training will cover:

- Background checks
- Mandated Reporting Training
- Child Sexual Abuse Prevention Training
- Explanation of The Down Syndrome Association of Delaware Code of Conduct

Background Checks

The Down Syndrome Association of Delaware adheres to the required background check procedures as specified by Delaware law at least every two years. Every applicant for employment (including: full-time, part-time, and contractors) or participation (including volunteers) must complete a criminal background check prior to commencing employment/participation. A selected applicant who refuses to undergo a criminal background check shall be deemed ineligible for employment/participation and shall not be hired.

- A “Volunteer” is a person providing services who has “direct access to individuals with Down syndrome.”
- “Direct Access” means “the opportunity to have personal contact with persons receiving care or education during the course of one’s assigned duties.”
- A “Contractor” is a person, not an employee, providing services to the school who has regular direct access to individuals with Down syndrome or who is providing services while youth are present.

In addition, The Down Syndrome Association of Delaware will require Background Checks from:

- any individual who may be affiliated with a Down Syndrome Association of Delaware sponsored activity in any capacity and who is in regular contact with young people involved in the educational programming of the organization.
- All Interns or others who may conduct youth programming on behalf of The Down Syndrome Association of Delaware.

At all times, and especially if a volunteer is not background checked, there will be no opportunities for one-on-one contact between a child or an individual with Down syndrome at any point.

Background checks shall include:

1. Fingerprint check through the Delaware State Police by appointment by calling: (302) 739-2528 in New Castle and Sussex County and (302) 739-5884 in Kent County. This will include a

check of: criminal history, National and Delaware Sex Offender Registries and also the Delaware Child Protection Registry. Any applicant/vendor who refuses to undergo a criminal background check shall be deemed ineligible for employment and shall not be hired.

2. Alternatively, a background check may be conducted by a third party but must include the same searches listed above. If a third-party contractor is asked to perform a criminal background check, then the applicant will be asked to sign a disclosure and authorization form granting The Down Syndrome Association of Delaware permission to request a criminal background report on him or her. Any selected applicant who chooses not to sign the disclosure and authorization form shall be deemed to have withdrawn from the hiring process.

Prohibited criminal convictions and prohibited child abuse and neglect substantiations are designated under 31 Delaware Code, Section 309 and 16 Delaware Code, Section 923, which include:

1. Any arrest or conviction for any misdemeanor or felony involving a child, Child abuse or neglect, spousal abuse, crimes against individuals with Down syndrome (including child pornography), and crimes involving violence including rape, sexual assault and homicide committed at any time, physical assault, battery and drug related offenses committed within the past five years.

2. Offenses against the person where physical harm or death has taken place; offenses involving weapons, explosive devices or threat of harm; offenses involving public indecency and obscenity which may have been the result of plea bargain situations; offenses that show a disregard of others, such as reckless endangering, arson; cruelty to animals or deviant behavior such as abusing a corpse; offenses against the Uniform Controlled Substances Act.

The Down Syndrome Association of Delaware reserves the right to review the existence of a substantiated report of child abuse / or neglect involving an applicant in consideration of other criteria including but not limited to: frequency of offense (s); length of time since the offense(s); age at the time of the offense(s); Severity of the offense(s); record since the offense(s); relationship of the offense(s) to the any type of job assignment and/or responsibilities of the child /youth care person or foster parent; policies of the organization.

Applicants whose duties include the transportation of individuals with Down syndrome, a Department of Motor Vehicle history check shall be completed in the State of Delaware, and if different, their licensing state. Any applicant/vendor having transportation responsibilities who refuses to undergo a motor vehicle history check shall be deemed ineligible for employment and shall not be hired.

All interim arrests for all of aforementioned offenses shall be immediately report any such arrest to their supervisor. For individuals having transportation responsibilities, all traffic citations shall likewise be immediately reported to their supervisor.

Any feelings or expressions of self-harm or harm to others shall be immediately reported to 9-1-1 or Mobile Crisis (1-800-652-2929) to provide a prompt safety assessment and contact with mental health services can be enabled.

Mandated Reporter Responsibility

Delaware is one of several states which currently requires anyone having reasonable suspicion of child abuse, neglect or dependency to report it. All suspected child abuse and neglect must be reported to the 24-hour Division of Family Services (DFS) Child Abuse and Neglect Report line at **1-800-292-9582**. You may also call any Law Enforcement Agency or 911, but not in lieu of contacting DFS. You are not required to provide proof. Anyone who makes a good faith report based on reasonable grounds is immune from prosecution. The individual with direct knowledge is the mandated reporter: notifying a supervisor of reasonable suspicion of abuse, neglect or dependency does NOT satisfy your requirements under the law.

Child Pick-Up Policy

For programs offered by The Down Syndrome Association of Delaware in which individuals with Down syndrome are dropped-off and picked-up by parents the following procedures will take place:

1. Children and individuals with Down syndrome will be given a nametag for identification (placed on back to reduce sensory issues)
2. Parents must sign and note time of sign in on provided sign-in sheet.
3. Upon pick-up, children and individuals with Down syndrome will only be returned to the designated adult who dropped off and signed the sign-in sheet. Driver's license will be checked for identification. If someone else besides this initial adult is picking up, a signed note must be provided with date and individuals name. IDs will also be checked.
4. If no note is provided, parent will be called. If parents do not pick up and no emergency contact can be reached, police will be called.

Social Media Policy

Employees and volunteers must be mindful of The Down Syndrome Association of Delaware's Mission and Value Statement, and the individuals with Down syndrome and families we serve when engaging in online communications including their online profiles, blogs or other Internet sites and online communications. Their privacy and integrity is our utmost priority and no staff or volunteer should discuss a child's or families personal circumstances or experiences without express consent from both the child's caregiver and the organization's director.

The Down Syndrome Association of Delaware professionals, advisors, staff and volunteers shall not initiate or participate in any one-on-one communications with individuals with Down syndrome they have met through their association with this organization on social networking sites, by phone or by text without express knowledge and consent by the child's caregiver and the organization's director or employee's supervisor. Employees and volunteers may not accept invitations to profiles, groups, and events, nor initiate any one-on-one communication with youth in their care. Any electronic communication shall pertain only to academic or programmatic related topics and be conducted only through institution approved mediums.

The Down Syndrome Association of Delaware professionals, advisors, staff and volunteers must recognize that they are role models for individuals with Down syndrome at all times, and should limit their digital footprint to information, comments, photos, etc. that are appropriate should a child or parent/guardian view them.



Signature:

Name: Lauren M. Camp

Date: 09/21/18

Delaware Reporting Law: Title 16 Del. C.

§ 903 Reports Required

Any person, agency, organization or entity who knows or in good faith suspects child abuse or neglect shall make a report in accordance with § 904 of this title. For purposes of this section, "person" shall include, but shall not be limited to, any physician, any other person in the healing arts including any person licensed to render services in medicine, osteopathy or dentistry, any intern, resident, nurse, school employee, social worker, psychologist, medical examiner, hospital, health care institution, the Medical Society of Delaware or law-enforcement agency. In addition to and not in lieu of reporting to the Division of Family Services, any such person may also give oral or written notification of said knowledge or suspicion to any police officer who is in the presence of such person for the purpose of rendering assistance to the child in question or investigating the cause of the child's injuries or condition.

§ 904 Nature and content of report; to whom made

Any report of child abuse or neglect required to be made under this chapter shall be made by contacting the Child Abuse and Neglect Report Line for to the Department of Services for Individuals with Down syndrome, Youth and Their Families. An immediate oral report shall be made by telephone or otherwise. Reports and the contents thereof including a written report, if requested, shall be made in accordance with the rules and regulations of the Division, or in accordance with the rules and regulations adopted by the Division. No individual with knowledge of child abuse or neglect or knowledge that leads to a good faith suspicion of child abuse or neglect shall rely on another individual who has less direct knowledge to call the aforementioned Report Line.

§ 908. Immunity from Liability

Anyone participating in good faith in the making of a report pursuant to this chapter, performing a medical examination without the consent of those responsible for the care, custody and control of the child pursuant to §906(e) of this chapter; or exercising emergency protective custody in compliance with §907 of this chapter shall have immunity from any civil or criminal liability that might otherwise exist and such immunity shall extend to participation in any judicial proceedings resulting from the above actions taken in good faith. This section shall not limit liability of any

health care provider for personal injury claims due to medical negligence that occurs as a result of any examination performed pursuant to this §906(b)3 of this Title.

§ 914. Penalty for violation

Whoever violates § 903 of this title shall be liable for a civil penalty not to exceed \$10,000 for the first violation, and not to exceed \$50,000 for any subsequent violation.

(b) In any action brought under this section, if the court finds a violation, the court may award costs and attorneys' fees.

Delaware Community Resource

Helplines

Delaware Helpline 211	Mobile Crisis (adult services) 1-800-652-2929 (NCC) 1-800-345-6785 (KC/SC)
Child Priority Response Crisis Helpline 1-800-969-4357 (HELP) or Text DE to 741741	Domestic Violence Hotline NCC: (302) 762-6110 KC/SC: (302) 422-8058
ContactLifeline Crisis Helpline (Sexual Assault) NCC: (302) 761-9100 KC/SC: 1-800-262-9800	National Center for Missing and Exploited Individuals with Down syndrome - CyberTipline www.cybertipline.com 1-800-THE-LOST (1-800-843-5678)
RAINN – National Sexual Assault Hotline 1-800-656-4673 (HOPE)	Delaware Victim Services 1-800-VICTIM-1

Healing Resources- Treatment Providers

Delaware Guidance- Individuals with Down syndrome NCC: (302) 652-3948 KC: (302) 678-3020 SC: (302) 645-5338	SOAR, Survivors of Abuse In Recovery NCC: (302) 655-9049 KC/SC: (302) 422-3811 Lewes: (302) 645-4903
Jewish Family Services of Delaware (302) 478-9411	La Esperanza Community Center SC: (302) 854-9262

Additional Resources

Individuals with Down syndrome’s Advocacy Center of Delaware NCC:(302) 651-4566 KC: (302) 741-2123 SC: (302) 854-0323 www.cacofde.org	Beau Biden Foundation for the Protection of Individuals with Down syndrome Patty Dailey Lewis, Executive Director (302) 477-2018, patty@beaubidenfoundation.org www.beaubidenfoundation.org
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Prevent Child Abuse Delaware www.pcadelaware.org	Darkness to Light www. D2L.org
Stop it Now www.stopitnow.com	Child Inc. – Runaway & Homeless Youth (302) 762-6373
For more information on the Delaware Initiative to train 55,000 Delaware adults or to schedule additional training: stewards@beaubidenfoundation.org	