

YMCA of Metropolitan Los Angeles Policy

Welcome to the policies of the YMCA of Metropolitan Los Angeles. To complete this course, carefully read the document and then closed the window. Finally click the Acknowledge button on the other screen to complete the course.

GENERAL STATEMENT

It is the policy of the YMCA of Metropolitan Los Angeles that all members, guests, and staff will be afforded an environment for participation that is healthy and positive. Any form of physical, emotional, mental or sexual abuse is not tolerated. This policy describes appropriate conduct of YMCA staff, members, and guests; required steps to be taken in the screening, hiring, training, and supervision of YMCA employed and volunteer staff; appropriate conduct related to the supervision of children; and reporting requirements in case of suspected abuse. See “Management Guidelines and Recommended Practices for Prevention of Abuse in YMCA Programs and Facilities” for additional information.

DEFINITION OF TERMS

Abuse: An injury inflicted by other than accidental means on another person.

Child: Person under the age of eighteen.

Child Abuse (Reference California Penal Code Section 11164-11174.3)

- A physical injury inflicted by other than accidental means on a child by another person.
- Sexual abuse, including both sexual assault and sexual exploitation.
- Willful cruelty or unjustifiable punishment of a child, resulting in physical pain or mental suffering.
- Unlawful corporal punishment or injury.
- Neglect, including both severe and general neglect.

Mandated Reporter: Any “child care custodian” as defined in California Penal Code Section 11166 including any administrator or employee whose duties include direct contact and supervision of children.

Non-Mandated Reporter: All other YMCA staff.

Member: All participants and guests in YMCA programs.

Supervised Youth Program: Any program where a child’s parent or guardian is not in attendance and YMCA staff assumes responsibility for the health and safety of the child. Examples include licensed child care, day camps, and resident camp programs. Parent-child programs (Y-Indian Guides, Parent-Child Swim, Family Camp) would not be considered supervised programs. In most cases, youth sports and facility-based youth classes are not considered supervised youth programs so long as parents are expected to attend all program meetings.

If parents are not in attendance, program is treated as a supervised youth program.

Staff (Employed and Volunteer): Includes all employees and volunteers in all departments and all program areas. An involved member is to be considered a volunteer staff member if they:

- serve in a group leadership role with adults or children, or,
- are left alone to be responsible for the safety and supervision of children in the course of volunteer duties, or,
- are placed in any situation of trust and responsibility with children.

Examples of Volunteer Staff positions

- Youth sports coach, co-coach, assistant coach
- Child care program leader or program assistant, any adult providing regular leadership assistance in a childcare program.
- Resident camp leader, co-leader, junior leader, volunteer director, counselor-in-training
- Youth club leader (older youth clubs, youth in government, teen lead volunteers, assistant leader or any adult advisor.
- Volunteer fitness class leader, healthy lifestyle instructor, child watch leader, child watch assistant, sport clinic instructor

Examples of Involved Member positions and Program Participants

- Team parent
- Parent child program leaders, tribe leaders, event organizers
- Parent/event assistant, support parents, leaders-in-training (under eighteen)
- Support parents, youth program event volunteers
- Member services assistant (who will not be left alone in the performing of volunteers duties), childwatch parent cooperative (who will not be left alone with children while performing volunteer duties).

I. REQUIRED BEHAVIOR OF YMCA STAFF, MEMBERS AND GUESTS

Conduct in YMCA programs and facilities must be conducive to a diverse constituency where people of all ages and backgrounds feel welcomed and safe. YMCA members and guests are expected to behave in a civilized manner towards one another and towards YMCA employed and volunteer staff at all times. Use of foul language, violent or physically aggressive actions, sexual activity, participating under the influence of alcohol or other substances, or other behavior in which fellow members or staff are subject to emotional, physical, mental, or sexual abuse will not be tolerated.

II. EMPLOYED AND VOLUNTEER STAFF HIRING, TRAINING AND SUPERVISION

- A. In addition to an application for employment, a minimum of two reference checks are conducted, documented and filed prior to employment or engagement as a volunteer. References must include immediate prior employment and/or any employment or volunteer positions involving supervision of children. (Reference checks required for licensed child care staff by Health & Safety Code Section 1596.871). If the prior employment involving supervision of youth indicates that the candidate is not eligible for re-hire, they cannot be hired for a like position in the YMCA.
- B. All staff, paid and volunteer, must complete the Live Scan process and have clearance prior to employment or engagement as a staff member. A report of any undisclosed convictions will be cause for immediate termination.
- C. All staff in supervised youth programs shall wear YMCA photo identification badges during hours of operation.
- D. All staff shall receive written notification of state requirements for mandatory reporting of suspected child abuse and YMCA policies related to swimming pools and waterfronts, transportation and prevention of child abuse. Written acknowledgment is required within the first week of employment.
- E. All staff shall receive YMCA of Metropolitan Los Angeles and Branch emergency procedures and YMCA program or operating standards and policies related to their area of work.
- F. All staff shall be trained in recognizing signs of suspected child abuse within sixty days of employment. Seasonal staff must be trained prior to their first day worked. Failure to do so will result in a recommendation of termination.
- G. To insure proper oversight and compliance with this policy, the supervisor of decentralized program sites of operation shall make site visits at least twice per month to each site, at least one of which will be unannounced. YMCA of Metropolitan Los Angeles site observation forms are submitted to the Branch Executive Director or designee, initialed and dated by him/her, and kept in Branch files.
- H. The Branch Executive Director or Associate Executive shall visit each YMCA operating site at least once each year. YMCA of Metropolitan Los Angeles site observation forms are filled out and filed at the branch.

III. REQUIREMENTS FOR SUPERVISION OF CHILDREN

- A. In order to protect children from abuse as well as protect staff from allegations of abuse, staff members shall avoid situations where they may be alone with a child for a substantial period of time in an area or location where others cannot observe them. In unavoidable situations, such as when transporting children in YMCA vehicles, advance approval for exceptions may be given by the Executive Director or designee.
- B. Because of the vulnerable nature of the living and sleeping environment, YMCA programs involving supervision of children away from home overnight shall meet the following requirements.
 - 1. At least two staff members (a minimum of one staff member must be of the same gender as the supervised youth) are required in any living unit (cabin, tent, lodge room, hotel room and other facility). Appropriate adult staff-child ratios must be maintained according to applicable regulations or program operating standards.
 - 2. Any supervising staff member must be at least four years older than the children supervised.
 - 3. Children twelve (or entering middle school within three months) and over may sleep on their own or in groups of three or more so long as the supervising staff leader is within reasonable contact distance.
 - 4. In settings where the design of the living unit is for fewer than ten people, supervising staff for children under twelve may sleep in adjacent living space alone with children.
- C. Each site of operation will install or have access to a telephone or cell phone on location during operating hours.
- D. Licensed child care participants must be supervised at all times including bathrooms and/or locker rooms.
- E. Children under the age of twelve participating in a supervised youth program will not be left unsupervised including bathrooms, locker rooms or showers.
- F. Staff may not be alone with children they meet in YMCA programs outside the YMCA. This includes babysitting, sleepovers, driving or riding in cars, and inviting children to their homes. Any exceptions require a written explanation before the fact and are subject to prior administrator approval. Specifically, a parent, the employee, and the Executive Director must all sign the *Parental consent for Child Activity Outside Course and Scope of YMCA Program and Release of Waiver and Liability Thereon form.*

- G. Employed and Volunteer Staff behavior and disciplinary steps with children must avoid all abusive actions as outlined in “Definitions of Terms” section (Penal Code 11165). All Staff must also comply with California Administrative Code, Title 22, Section 31240 which states, “Constructive methods must be used for maintaining group control and handling individual behavior. Corporal punishment and other humiliating or frightening techniques are prohibited. Punishment must not be associated with food, rest, isolation for illness or toilet training.”

IV. REQUIRED COMMUNICATIONS

- A. YMCA Member Information handbooks, manuals, welcome packets, or other materials provided as a part of participation shall include information related to expected behavior while participating.
- B. Parent information for all youth programs shall clearly indicate the nature of supervision provided (or not provided) by the YMCA, when supervision begins and ends, and requirements for checking in and picking up for each program meeting.
- C. Parent information for all supervised youth programs shall include statements related to abuse prevention policies and practices, including expected behavior of parents while observing or participating with their children.
- D. Parents will be informed that they are invited to visit and observe YMCA programs at any time.
- E. YMCA staff members will only release children to the authorized parent(s)/guardian(s), unless confirmation by parents is received in writing and/or verified by phone. Sign-in and sign-out sheets are maintained on a daily basis for all licensed childcare, childwatch, and camp programs and kept on file for the duration of licensing period or a minimum of one year for non-licensed programs. Full signatures are required. (California Administrative Code, Title 22). Child must be released to legal parents or guardians unless the YMCA is provided with a court order specifying loss of custody privileges.
- F. Each time a child reports to a supervised youth program, staff will look for signs of illness, physical injury or emotional abnormality. (California Administrative Code, Title 22).

V. REQUIREMENTS FOR REPORTING SUSPECTED ABUSE

It is the policy of the YMCA of Metropolitan Los Angeles to comply with all laws and regulations related to the reporting of abuse.

- A. **Mandatory Reporting of Child Abuse:** California Penal Code Section 11166 requires any child care custodian to report known or suspected child abuse to the Department of Social Services and/or a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. A child protective agency is “a police or sheriff’s department, a county probation department, or a county welfare department.” Reasonable suspicion means that: “...it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his or her training and experience, to suspect child abuse.” A Mandated Reporter who fails to report as required is guilty of a misdemeanor, punishable by confinement in jail for a term not to exceed 6 months or by a fine of not more than \$1,000 or by both (Penal Code Section 11172).
- B. **Optional Reporting of Emotional Abuse.** The suspected infliction of mental or emotional suffering may be reported, but it is not required to be, as is the case with physical abuse.
- C. **Reporting of illegal acts:** Any illegal action by a YMCA staff person, member or guest will be referred immediately to the Executive Director or designee who will report to law enforcement authorities.
- D. **Reporting of other acts of abuse:** The Branch Executive Director, or designee, will respond to any other allegations of abusive behavior and take appropriate steps to insure that a healthy and positive environment is maintained. The Branch Executive Director, or designee, is authorized to revoke membership privileges for any individual unable to maintain appropriate behavior while participating.

YMCA of Metropolitan Los Angeles Child Abuse Reporting Procedures

The YMCA promotes a positive guidance and discipline policy with an emphasis on positive reinforcement, redirection, prevention, and the development of self-discipline. At no time will the following disciplinary techniques be tolerated: physical punishment, striking, biting, kicking, squeezing, shaming, withholding food or rest-room privileges, confining children in small locked rooms, or verbal or emotional abuse.

Affectionate touch and the warm feelings it brings are important factors in helping a child grow into a loving and caring adult. YMCA staff and volunteers, however, need to be sensitive to each person’s need for personal space (i.e., not everyone wants to be hugged). The YMCA encourages appropriate touch; at the same time, however, it prohibits inappropriate touch or other means of sexually exploiting children.

In the event of an accusation of child abuse, the YMCA will take prompt and immediate action as follows:

1. At the first report or allegation that child abuse has occurred, the employed staff person it has been reported to will notify the program director, who will then review the incident with the YMCA executive director or his or her designate. If the program director is not immediately available, this review by the supervisor cannot in any way deter the reporting of child abuse by the mandated reporters.
2. California Penal Code Section 11166 requires any child care custodian to report known or suspected child abuse to the Department of Social Services and/or a child protective agency by telephone immediately or as soon as practically possible and in writing within 36 hours. A child protective agency is "a police or sheriff's department, a county probation department, or a county welfare department." Reasonable suspicion means that: "...it is objectively reasonable for a person to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his or her training and experience, to suspect child abuse." A Mandated Reporter who fails to report as required is guilty of a misdemeanor, punishable by confinement in jail for a term not to exceed 6 months or by a fine of not more than \$1,000 or by both (Penal Code Section 11172).
3. In the event the reported incident involves a program volunteer, employed staff, or YMCA member, the executive director will immediately, without exception, suspend the volunteer or staff person from the YMCA until an investigation is complete. Accused should be suspended immediately and removed from the program in which the allegation occurred.
4. The parents of legal guardian of the child or children involved in the alleged incident will be promptly notified in accordance with the directions of the relevant state or local agency. If more than one set of parents is involved (e.g., child-on-child abuse), the YMCA's responsibility is to keep the names and contact information of those involved confidential. People may learn that information some other way, such as through other children, but YMCA staff and volunteers should not provide it. The YMCA needs to protect itself from disclosing information on a minor.
5. Whether the incident or alleged offense takes place on or off YMCA premises, it will be considered job related (because of the youth-involved nature of the YMCA).
6. Reinstatement of the program volunteer, employed staff person, or YMCA member will occur only after all allegations have been cleared to the satisfaction of the executive director or his or her designate.
7. All YMCA staff and volunteers must be sensitive to the need for confidentiality in the handling of this information and therefore should discuss the incident only with the executive director or his or her designate.
8. All full-time and part-time employees and program volunteers must read and sign this policy.

YMCA of Metropolitan Los Angeles Code of Conduct (YMCA Paid and Volunteer Staff)

1. To protect YMCA staff, volunteers, and program members, at no time during a YMCA program may a staff person be alone with a single child where he or she cannot be observed by others. As staff supervise children, they should space themselves in such a way that other staff can see them.
2. Children under the age of 12 participating in a supervised youth program will not be left unsupervised including bathrooms, locker rooms or showers.
3. Rest room supervision: Staff will make sure the rest room is not occupied by suspicious or unknown individuals before allowing children to use the facilities. This policy allows privacy for the children and protection for the staff (not being alone with a child). If staff are assisting younger children, doors to the facility must remain open. No child, regardless of age, should ever enter a bathroom alone or with another child. Always send multiple children to ensure staff members are never alone with a child.
4. Staff should conduct or supervise private activities in pairs – diapering, putting on bathing suits, taking showers, and so on. When this is not feasible, staff should be positioned so that they are visible to others.
5. Employed and Volunteer Staff behavior and disciplinary steps with children must avoid all abusive actions as outlined in “Definitions of Abuse”, including
 - > physical abuse – striking, spanking, shaking, slapping, and so on;
 - > verbal abuse – humiliating, degrading, threatening, and so on;
 - > sexual abuse – touching or speaking inappropriately;
 - > mental abuse – shaming, withholding kindness, being cruel, and so on;
 - > neglect – withholding food, water, restroom rights or basic care;
 - > corporal punishment – standing in the corner, running laps, doing pushups.

No type of abuse will be tolerated and may be cause for immediate dismissal.

6. Staff must use positive techniques of guidance, including redirection, positive reinforcement, and encouragement rather than competition, comparison, and criticism. Staff will have age-appropriate expectations and set up guidelines and environments that minimize the need for discipline. Physical restraint is used only in predetermined situations (when necessary to protect the child or other children from harm), administered only in a prescribed manner, and must be documented in writing.
7. Staff will conduct a health check of each child upon his or her arrival each time the program meets, noting any fever, bumps, bruises, burns, and so on. Questions or comments will be addressed to the parent or child in a non-threatening way. Staff will document any questionable marks or responses.
8. Conduct by Staff and Volunteers in YMCA programs and facilities must be conducive to a diverse constituency where people of all ages and backgrounds feel welcomed and safe. YMCA Staff and Volunteers will respond to members with respect and consideration and treat all members equally, regardless of sex, race, sexual orientation, religion, culture, economic level of the family, or disability.

9. Staff will respect children's rights not to be touched or looked at in ways that make them feel uncomfortable, and their right to say no. Other than diapering, children are not to be touched on areas of their bodies that would be covered by a bathing suit.
10. Staff will refrain from intimate displays of affection toward others in the presence of children, parents, and staff.
11. Staff are not to transport children in their own vehicles or allow youth participants old enough to drive to transport younger children in the program.
12. Staff must appear clean, neat, and appropriately attired.
13. Using, possessing, or being under the influence of alcohol or illegal drugs during working hours is prohibited.
14. Smoking or use of tobacco in the presence of children or parents during working hours is prohibited.
15. Possession or use of any type of weapon or explosive device is prohibited.
16. Using YMCA computers to access pornographic sites, send e-mails with sexual overtones or otherwise inappropriate messages, or develop online relationships is not allowed.
17. Profanity, inappropriate jokes, sharing intimate details of one's personal life, and any kind of harassment in the presence of children, parents, volunteers, or other staff is prohibited.
18. Staff may not be alone with children they meet in YMCA programs outside the YMCA. This includes babysitting, sleepovers, driving or riding in cars, and inviting children to their homes. Any exceptions require a written explanation before the fact and are subject to prior administrator approval. Specifically, a parent, the employee, and the Executive Director must all sign the Parental consent for Child Activity Outside Course and Scope of YMCA Program and Release of Waiver and Liability Thereon form.
19. Staff must be free of physical and psychological conditions that might adversely affect children's physical or mental health. If in doubt, an expert should be consulted.
20. Staff will portray a positive role model for youth by maintaining an attitude of loyalty, patience, courtesy, tact, and maturity.
21. Staff should not give excessive gifts (e.g., TV, video games, jewelry) to youth.
22. Staff may not date program participants who are under the age of 18.
23. Under no circumstances should staff release children to anyone other than the authorized parent, guardian, or other adult authorized by the parent or guardian (written parent authorization on file with the YMCA.)
24. Staff are to report to a supervisor any other staff or volunteer who violates any of the policies listed in this Code of Conduct.
25. Staff are required to read and sign all policies related to identifying, documenting, and reporting child abuse and attend trainings on the subject, as instructed by a supervisor.
26. Staff will act in a caring, honest, respectful, and responsible manner consistent with the mission of the YMCA.
27. All staff in supervised youth programs shall receive written notification of state requirements for mandatory reporting of suspected child abuse and YMCA policies related to Swimming pool safety, transportation and prevention of child abuse. Written acknowledgement is required within the first week of employment.

What Do I Do Next?

Now that you have read this policy course, you will want to click the Acknowledgement button. To do so, close this window and then click the Acknowledge button on the previous slide. This will mark the course complete.