



## **UNITED SYNAGOGUE YOUTH Policies and Procedures for the Safety of Program Participants**

United Synagogue of Conservative Judaism (USCJ) and United Synagogue Youth (USY), a program of USCJ, are committed to promoting the well-being of the Participants in USCJ/USY programs. In accordance with USCJ's mission of inspiring Jews to seek meaning, find connection, and experience wholeness in a complex and evolving world, USY Policies and Procedures for the Safety of Program Participants address the steps USCJ/USY Personnel will take to create the safest environments for Participants in USCJ/USY programs.

USCJ/USY Personnel, including all employees and Volunteers of USCJ/USY and its programs, have a legal and ethical responsibility to respond to and report to Authorities suspected Abuse or Maltreatment of Youth or Vulnerable Adults. This includes when a person makes a disclosure of Abuse or Maltreatment – current or having occurred in the past and even when the incident occurred outside of USCJ/USY programs. USCJ/USY Personnel also have a duty to respond to any allegation of Assault, Sexual Assault, or Misconduct with Participants in USCJ/USY programs.

Any questions about USY Policies and Procedures for the Safety of Program Participants should be directed to USCJ/USY's Chief Executive Officer, Chief Financial Officer, Chief Program Officer, General Counsel, Senior Director of Teen Engagement, Director of Teen Engagement, Director of Nativ, or Director of USY Summer Programs.

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## 1.0 DEFINITIONS

**1.1 Abuse:** Any act or failure to act on the part of a parent or other Person Legally Responsible for a Youth, who is younger than the age of 18, which results in serious physical or emotional injury and/or risk of a serious injury, a sex offense against a Youth, or exploitation of a Youth. Abuse is also an act or failure to act which presents an imminent risk of serious harm to a Youth. Abuse includes situations where a parent or other person legally responsible for a Youth knowingly allows someone else to inflict such harm on a Youth.

The abuse of a Vulnerable Adult is the mistreatment of an impaired adult, age 18 or over, who may be dependent on someone else for basic needs.

**1.2 Adult:** Any person who is 18 years of age or older.

**1.3 Application:** USCJ/USY online application for employment or USCJ/USY online application for Volunteer service.

**1.4 Assault:** A criminal offense that involves intentionally or recklessly harming another person, including striking or other non-consensual touching of another person and causing injury to that person. The reporting requirements for Assault are different from the reporting requirements for the Abuse or Maltreatment of a Youth or Vulnerable Adult. Abuse must always be reported to Authorities.

**1.5 Authorities:** Includes Child Protective Services, Adult Protective Services, and/or law enforcement of a state or province. Also includes the State's Attorney's office/District Attorney's Office, and/or Attorney General's Office.

**1.6 Criminal History Screening:** A FBI Criminal Justice Information Services (CJIS) Identity History Summary obtained from the submission of fingerprints or an Internet-based background check completed through a third-party vendor. The type of Criminal History Screening received depends on the position of the USCJ/USY Personnel.

**1.7 Leadership:** Includes USCJ/USY's Chief Executive Officer, Chief Financial Officer, Chief Program Officer, General Counsel, Senior Director of Teen Engagement, Director of Teen Engagement, Director of Nativ, and Director of USY Summer Programs.

**1.8 Maltreatment (includes Neglect):** Maltreatment occurs when a Youth's physical, mental or emotional condition has been impaired, or placed in imminent danger of impairment, by the failure of the Youth's parent or other Person Legally Responsible for a Youth to exercise a minimum degree of care by failing to provide sufficient food, clothing, shelter, education; or failing to provide proper supervision, guardianship, or medical care; or inflicting excessive corporal punishment, abandoning the Youth, or misusing alcohol or other drugs to the extent that the Youth was placed in imminent danger.

Maltreatment occurs of a Vulnerable Adult when a Vulnerable Adult's physical, mental or emotional condition has been impaired, or placed in imminent danger of impairment, by the failure of the Vulnerable Adult's caregiver or other Person Legally Responsible for the Vulnerable Adult.



**1.9 Mandated Reporter:** A person who, in the course of their professional work, or other paid employment, provides services to Youth or Vulnerable Adult or interacts with Youth or Vulnerable Adults and therefore, is required by law to report suspected Abuse or Maltreatment. The legal definition of Mandated Reporters of Abuse and Maltreatment varies by jurisdiction.

The legal definition of Mandated Reporters of Sexual Assault also varies by jurisdiction. The reporting of Sexual Assault should be determined by the victim, when possible. Oftentimes informed consent is required from the victim before a report may be made by a third party.

**1.10 Misconduct with Participant(s):** Actions by USCJ/USY Personnel that compromise or endanger the safety and well-being of a Participant in a USCJ/USY program or violate appropriate boundaries with a Participant in a USCJ/USY program. For purposes of this policy, Misconduct with Participants does not include Abuse or Maltreatment. Misconduct does not meet the threshold of being reportable to Authorities.

**1.11 Participant:** Any Youth, preteen, teen, or Adult who participates in USCJ/USY programs. This does not include USCJ/USY Personnel.

**1.12 Person Legally Responsible:** Includes a Youth or Participant's custodian, guardian, or any other person responsible for the Youth or Participant's care at the relevant time. It is important to note that Abuse or Maltreatment can result from the acts of a parent, caregiver, or Person Legally Responsible.

**1.13 Personnel:** Includes all USCJ/USY employees and Volunteers.

**1.14 Physical Abuse:** Physical Abuse occurs when a parent or other Person Legally Responsible for a Youth inflicts or allows someone to inflict serious physical injury other than by accidental means. This includes, but is not limited to, shaking, beating, biting, kicking, punching, and burning. It is also considered Abuse if a parent or other Person Legally Responsible for a Youth creates a condition or allows the condition to be created, that leads to a Youth becoming the victim of serious physical injury.

**1.15 Sexual Abuse:** Any act that involves sexual molestation or exploitation of a Youth by a parent or other Person Legally Responsible for a Youth. Sexual Abuse includes incest, rape, obscene sexual performance, fondling a Youth's genitals, intercourse, sodomy, and any other contact such as exposing a Youth to sexual activity, or commercial sexual exploitation such as human trafficking of a Youth or production of child Sexual Abuse materials.

**1.16 Sexual Assault:** Sexual contact without consent. The reporting requirements for Sexual Assault are different from the reporting requirements for the Abuse of a Youth or Vulnerable Adult. Sexual Abuse must always be reported to Authorities.

**1.17 Volunteer:** Any person who performs a service or provides assistance willingly and without any compensation for USCJ/USY. Examples of Volunteer service include staffing at a USY convention in a non-paid capacity or serving on shemira at an international convention.



**1.18 Vulnerable Adult:** Any person who is over the age of 18 who lacks the physical or mental capacity to provide for their daily needs. Often, the person has some sort of physical or mental impairment that makes them more susceptible to abuse or maltreatment.

**1.19 Youth:** Any person under 18 years of age; a child.

## **2.0 SERVICE ELIGIBILITY AND COMMUNICATION WITH USCJ/USY LEADERSHIP**

**2.1** In addition to the screening and education of USCJ/USY Personnel, the interaction and performance of USCJ/USY Personnel with Participants in USCJ/USY programs must be monitored as described in USY Policies and Procedures for the Safety of Program Participants.

**2.2** USCJ/USY will exclude from employment or Volunteer service anyone against whom there is a credible allegation of Abuse or Maltreatment of Youth or Vulnerable Adults, Assault, or Sexual Assault.

**2.3** USCJ/USY Personnel are expected to act in a manner that is consistent with federal, state, provincial, and foreign laws as well as with *USY Policies and Procedures for the Safety of Program Participants*.

**2.4** USCJ/USY Personnel must immediately contact the USCJ/USY Chief Program Officer, General Counsel, AND the director of the relevant program if it is learned that anyone accused or convicted of Abuse or Maltreatment of Youth or Vulnerable Adults, Assault, Sexual Assault, or any form of Misconduct with Participants is involved in any capacity at USY. This requirement is in addition to the obligations discussed below regarding screening of USCJ/USY Personnel and reporting suspected Abuse or Maltreatment of Youth or Vulnerable Adults to Authorities.

**2.5** Restrictions, including suspension from employment or Volunteer service, may be placed on any USCJ/USY Personnel accused of Abuse or Maltreatment of Youth or Vulnerable Adults, Assault, Sexual Assault, or any form of Misconduct with Participants pending a final determination of an investigation by Authorities and/or USCJ/USY Leadership.

**2.6** Because USCJ/USY cooperates with Authorities, USCJ/USY Personnel should only proceed in accordance with the direction of Authorities and USCJ/USY Leadership. USCJ/USY Personnel may not initiate any kind of investigation before contacting Authorities and USCJ/USY Leadership. To avoid interfering with potential criminal investigations, permission from the appropriate Authorities should be sought to communicate with the alleged victim or alleged offender.

**2.7** In the rare case when it is not possible to receive guidance from Authorities and USCJ/USY Leadership immediately, USCJ/USY Personnel should intervene when it is believed that USCJ/USY Personnel are putting a Participant in harm's way or engaging in behavior that is a violation of *USY Policies and Procedures for the Safety of Program Participants*.



**2.8** During the course of employment or Volunteer service, any USCJ/USY Personnel arrested or convicted for any crime (excluding moving violations) or named in an investigation involving Youth or Vulnerable Adults must provide written notice to USCJ Human Resources no later than 72 hours after the arrest, conviction, or investigation notification. Depending on the facts, convictions and/or investigation findings may result in termination of employment, Volunteer service, and/or revocation of any right, privilege, license, or permission to attend/participate in USCJ/USY events and programs.

**2.9** USCJ Human Resources must notify USCJ/USY Leadership of the disciplining of any USCJ/USY Personnel for a credible allegation of Abuse or Maltreatment of Youth or Vulnerable Adult, Assault, Sexual Assault, or any form of Misconduct with a Participant.

### **3.0 SCREENING AND SELECTION**

**3.1** USCJ/USY are committed to healthy conduct with Participants and seeks to engage only competent, qualified people as USCJ/USY Personnel. To protect Participants, USCJ/USY Personnel are screened for their fitness to work with Participants. USCJ/USY Leadership and USCJ/USY designated staff will be accountable for the proper implementation and compliance with *USY Policies and Procedures for the Safety of Program Participants*.

**3.2** All requirements set forth in the *USY Policies and Procedures for the Safety of Program Participants* must be followed with required documentation and completed before an applicant may begin employment or Volunteer service at USCJ/USY.

**3.3** USCJ Human Resources and/or USCJ/USY designated staff will confirm that the screening requirements set forth herein have been completed. If any of the requirements are not completed, then the applicant may not begin working or serving as USCJ/USY Personnel.

**3.4** All applicants for USCJ/USY Personnel positions must complete a USCJ/USY online application.

**3.5** All applicants for USCJ/USY Personnel positions must be interviewed by USCJ/USY designated staff before an offer is extended.

**3.6** All applicants for USCJ/USY Personnel positions must provide three relevant references as specified by USCJ Human Resources. The references must be checked and documented by USCJ Human Resources and/or USCJ/USY designated staff before the applicant may begin working or serving as USCJ/USY Personnel. References must be obtained from any USCJ/USY program where applicant worked or served previously.

**3.7** All applicants for USCJ/USY Personnel positions must complete a Criminal History Screening before beginning employment or Volunteer service after being made a conditional offer for a USCJ/USY Personnel position. No individual can begin working or serving as USCJ/USY Personnel until favorable results of the Criminal History Screening are approved by USCJ Human Resources.



**3.8** USCJ/USY Personnel must contact USCJ Human Resources if the application, interview, references, and/or Criminal History Screening reveals any questionable or unfavorable information. In such a situation, the applicant may not begin working or serving as USCJ/USY Personnel until written approval is given by USCJ Human Resources

No person may work or serve as USCJ/USY Personnel who has a conviction on their record of certain felonies or misdemeanors, including, but not limited to, any of the following:

- Sexual Abuse of a Youth or Vulnerable Adult
- Sexual Exploitation of a Youth or Vulnerable Adult
- Sexual Assault
- Assault
- Criminal homicide
- Crimes related to the possession, use, or sale of drugs or controlled substances
- Injury to a Youth or Vulnerable Adult
- Possession or promotion of child pornography
- The sale, distribution, or display of harmful material to a Youth
- Neglect, abandonment, or endangerment of a Youth or Vulnerable Adult
- Kidnapping or unlawful restrain
- Public lewdness or indecent exposure

**3.9** All active USCJ/USY Personnel must complete a Criminal History Screening annually. If the Criminal History Screening reveals any questionable or unfavorable information, USCJ Human Resources must review and provide written approval for the USCJ/USY Personnel to continue working or serving at USCJ/USY.

## **4.0 TRAINING AND EDUCATION**

**4.1** USCJ/USY is committed to education on how to prevent, recognize, and report Abuse, Maltreatment of Youth and Vulnerable Adults, Assault, Sexual Assault, and any form of Misconduct with Participants in USCJ/USY programs. By educating Adults, risks to program Participants are greatly reduced because there is a better understanding and awareness of the issues of Abuse, Maltreatment, Assault, Sexual Assault, and Misconduct.

**4.2** All USCJ/USY Personnel must complete safe environment training annually, and applicants for USCJ/USY Personnel positions must complete a safe environment training before beginning employment or Volunteer service.

**4.3** Training should include: responsibility as a Mandated Reporter, process for making a report of suspected Abuse or Maltreatment, process for reporting Misconduct; signs and symptoms of Abuse and Maltreatment, consequences for failure to report, appropriate boundaries and interactions with Youth, documentation, and confidentiality.



**4.4** Training documentation must be reviewed and maintained by USCJ Human Resources in a confidential, safe, and secure location with controlled access. This includes digital files.

**4.5** All USCJ/USY Personnel must read *USY Policies and Procedures for the Safety of Program Participants* and acknowledge their responsibility to comply.

## **5.0 COMPLIANCE WITH ABUSE AND MALTREATMENT REPORTING LAWS**

**5.1** USCJ/USY complies with federal, state, provincial, and foreign laws regarding reporting suspected Abuse and Maltreatment to Authorities and cooperates with Authorities investigating any such reports by anyone, including but not limited to USCJ/USY Personnel. Any suspected Abuse or Maltreatment of Youth and/or Vulnerable Adults shall be immediately reported to Authorities by USCJ/USY Personnel regardless of where the incident occurred or by whom it was committed. USCJ/USY should not investigate an allegation of Abuse or Maltreatment before making the required report to Authorities.

**5.2** USCJ/USY Personnel must notify the USCJ/USY Chief Program Officer, General Counsel, AND the director of the relevant program about suspected Abuse or Maltreatment of Youth and/or Vulnerable Adults as soon as possible.

**5.3** USCJ/USY Personnel must immediately report suspected Abuse or Maltreatment to Authorities. The report should be made to the jurisdiction where the suspected abuse occurred. If it is not known where the suspected abuse occurred, then a report should be made to the jurisdiction where the victim resides. Because reporting laws vary by jurisdiction, it is the responsibility of USCJ/USY Leadership and Personnel to know the applicable reporting laws.

**5.4** Oral reports to child protective services must be followed within 48 hours by a written report to the local office of child protective services. In some jurisdictions, a copy of the written report must also be sent to the local State's Attorney's Office/District Attorney's Office.

**5.5** When programs or events are held outside the United States or Canada, all appropriate actions should be taken to comply with USCJ/USY's reporting policies, considering the venue of the program or events, the resources and facilities available, and the laws of the country of the program or events.

**5.6** Any person who has knowledge of an incident involving the production, possession, distribution, or receipt of child pornography must make a report to the applicable Authorities as soon as possible.

**5.7** Approximately 49 states impose criminal and/or civil penalties on Mandated Reporters who knowingly or willfully fail to make a report when Abuse or Maltreatment of Youth is suspected.



**5.8** Past incidents of Abuse or Maltreatment that are alleged to have occurred when the Participant was a Youth, even if the Participant is now an Adult, also must be reported. In addition to USCJ/USY Personnel making a report to the applicable Authorities, USCJ/USY Personnel shall inform the alleged survivor of their independent right to report to the Authorities.

**5.9** Any person who reports suspected Abuse or Maltreatment in good faith cannot be held civilly or criminally liable for making a report to Authorities.

**5.10** Nothing set forth in these *USY Policies and Procedures for the Safety of Program Participants* is intended to limit or delay mandated reporting to the Authorities.

**5.11** USCJ/USY will not take any retaliatory personnel action against any USCJ/USY Personnel who report suspected Abuse or Maltreatment to Authorities, such as demotion, disciplinary action, termination, or transferring to another job/position.

**5.12** USCJ/USY will not impose any conditions, including prior approval or prior notification, upon any USCJ/USY Personnel to report suspected Abuse or Maltreatment to Authorities.

**5.13** Any requests for additional information from Authorities should be responded to promptly and the requested information provided. To the extent time and circumstances permit, any such request for additional information should be handled by USCJ/USY Leadership.

## **6.0 REPORTING SUSPECTED ABUSE, MALTREATMENT, AND MISCONDUCT TO USCJ/USY LEADERSHIP**

**6.1** In addition to reporting to Authorities when required, any person who suspects Abuse or Maltreatment of Youth or Vulnerable Adults, Assault, Sexual Assault, or any form of Misconduct with Participants by USCJ/USY Personnel must immediately notify the USCJ/USY Chief Program Officer, General Counsel, AND the director of the relevant program. This includes any occurrence of Assault or Sexual Assault by a Youth towards another Youth. An USCJ/USY Incident Report form should also be completed.

**6.2** USCJ/USY takes any allegation of Abuse, Maltreatment, Assault, Sexual Assault, of Misconduct very seriously and will respond promptly.

**6.3** To respect the privacy of those involved, privacy and confidentiality should be maintained, to the extent possible, consistent with the mandated reporting requirements and *USY Policies and Procedures for the Safety of Program Participants*, taking into account:

- The need to advocate for those who are victims.
- The need to provide appropriate outreach to victims.
- The need to be in compliance with federal, state, provincial, and foreign laws.





- The right of USCJ/USY Personnel to be treated fairly.
- The need by Authorities and/or USCJ/USY Leadership to fairly investigate complaints of Abuse or Maltreatment of Youth or Vulnerable Adults, Assault, Sexual Assault, or any form of Misconduct with Participants.
- The need to make a report to USCJ/USY Leadership in a timely manner.

**6.4** All reports and documentation regarding Abuse, Maltreatment, Assault, Sexual Assault, or Misconduct must be maintained by USCJ Human Resources in a confidential, safe, and secure location with controlled access. This includes digital files. Personnel files may be reviewed by appropriate USCJ/USY Leadership and Personnel but may not be copied or removed from where they are maintained.

## **7.0 INVESTIGATION BY USCJ/USY LEADERSHIP**

**7.1** Upon receiving a report of Abuse or Maltreatment of Youth or Vulnerable Adults, Assault, Sexual Assault, or any form of Misconduct with Participants suspected to have been committed by USCJ/USY Personnel, USCJ/USY Leadership will assist in investigating and providing immediate care to victim(s), their families, and members of the affected community.

**7.2** Investigations will take place whether the Abuse, Maltreatment, Assault, Sexual Assault, or Misconduct was recent or occurred in the past. Because USCJ/USY cooperates with Authorities, a USCJ/USY internal investigation of an allegation may be delayed pending an investigation by Authorities.

**7.3** USCJ/USY Leadership will be assisted by appropriate USCJ/USY Personnel in responding to and investigating allegations of Abuse, Maltreatment, Assault, Sexual Assault, or Misconduct by USCJ/USY Personnel. USCJ/USY Leadership will speak with the person(s) making the report and others who may have relevant information in order to obtain as clear and detailed information as possible.

**7.4** After receiving the initial report, USCJ/USY Leadership will determine the specific steps needed to proceed, guided by the following values:

- The safety and protection of the victim.
- A fair and honest search for the truth.
- The need to provide appropriate outreach to victims.
- The need to be in compliance with civil and criminal laws.
- The right of all persons to be treated fairly.
- The need to investigate and take appropriate action in all reports of Abuse or Maltreatment of Youth or Vulnerable Adults, Assault, Sexual Assault, or any form of Misconduct with Participants suspected to have been committed by USCJ/USY Personnel.

**7.5** USCJ/USY Leadership will explain, as fully as possible, the process that is being undertaken to a person who has reported alleged Abuse, Maltreatment, Assault, Sexual Assault, or any form of Misconduct committed by USCJ/USY Personnel. USCJ/USY



Leadership will advise the person of the reporting requirements to Authorities. The person will be informed of their right to also report to the Authorities.

**7.6** Any report of Assault or Sexual Assault by a Youth towards another Youth should also be responded to and investigated promptly. The course of action will depend on the nature of the offense, the age of the Youth involved, the behavioral history of the Youth who committed the offense, and the likelihood of the offense being repeated.

**7.7** USCJ/USY Leadership and Personnel will cooperate with any investigation being conducted by Authorities.

## **8.0 COMMUNICATIONS**

**8.1** USCJ/USY is committed to openness and transparency. USCJ/USY will meet this commitment to the extent possible while also respecting the privacy and reputations of all persons and applicable law.

**8.2** Should a person disclose Abuse, Maltreatment, Assault, Sexual Assault, and/or any form of Misconduct, USCJ/USY Personnel should only obtain the minimal facts required by law or reasonably necessary in order to make a full and meaningful report.

**8.3** USCJ/USY Leadership or Personnel are not required to notify the parent, legal guardian, or caregiver of a Youth or Vulnerable Adult before or after making a report to Authorities. In some cases, alerting a parent, legal guardian, or caregiver may hinder the Authorities' investigation. In consultation with the Authorities, USCJ/USY Leadership will determine when it is appropriate to communicate with a parent, legal guardian, or caregiver. In the case that an accused parent, legal guardian, or caregiver is USCJ/USY Personnel and involved in an allegation with their own Youth or Vulnerable Adult, USCJ/USY Leadership will defer to the Authorities when contact may be made with the USCJ/USY Personnel regarding the allegations and/or when USCJ/USY Leadership may communicate with the non-offending caregiver. USCJ/USY Personnel are to refer any questions to USCJ/USY Leadership.

**8.4** Any media requests and contacts will be handled by USCJ/USY Leadership. USCJ/USY Personnel (other than Leadership) are not authorized to make statements to, or discuss cases with, the media.

**8.5** USCJ/USY shall communicate the key components of *USY Policies and Procedures for the Safety of Program Participants* to families and all USCJ/USY Personnel.

**8.6** *USY Policies and Procedures for the Safety of Program Participants* will be readily available publicly on the USCJ website.



## **9.0 APPROPRIATE ACTION TAKEN AS A RESULT OF THE INVESTIGATION**

**9.1** Appropriate personnel action may include any action up to and including termination of USCJ/USY Personnel or revocation of any right, privilege, license, or permission to attend/participate in USCJ/USY events and programs.

**9.2** In those instances when there is a credible allegation of Abuse, Maltreatment, Assault, or Sexual Assault, by USCJ/USY Personnel, the USCJ/USY Personnel will be permanently relieved of all employment or Volunteer service with USCJ/USY except and unless the allegation is subsequently determined to be unfounded.

## **10.0 COMPLIANCE WITH USY POLICIES AND PROCEDURES FOR THE SAFETY OF PROGRAM PARTICIPANTS**

**10.1** It is the expectation that all USCJ/ USY Personnel comply with *USY Policies and Procedures for the Safety of Program Participants* and contribute to a safe and healthy environment for those served by USCJ/USY.

**10.2** USCJ/USY Leadership are responsible for ensuring that all USCJ/USY Personnel are in compliance with the requirements of *USY Policies and Procedures for the Safety of Program Participants* and that all required documentation is maintained.

**10.3** USCJ Human Resources must maintain appropriate confidentiality regarding sensitive information and make sound judgments regarding an applicant's eligibility for employment or Volunteer service in accordance with these policies.

**10.4** USCJ Human Resources maintains all records or reports received, whether deemed to be credible or not, incident reports, and all actions taken in response to such reports shall be kept by USCJ Human Resources. For the protection of all persons involved, records will be kept in a confidential, safe, and secure location with controlled access. This includes digital files. Records and reports will be kept indefinitely.

**10.5** Failure to follow and document all requirements of *USY Policies and Procedures for the Safety of Program Participants* may result in disciplinary action, up to and including termination.

**10.6** USCJ/USY Leadership and USCJ/USY designated staff will provide training to appropriate *USCJ/USY Personnel on USY Policies and Procedures for the Safety of Program Participants*.

**10.7** Questions regarding the interpretation or application of USY Policies and Procedures for the Safety of Program Participants are encouraged and should be directed to USCJ/USY's Chief Executive Officer, Chief Financial Officer, Chief Program Officer, General Counsel, Senior Director of Teen Engagement, Director of Teen Engagement, Director of Nativ, or Director of USY Summer Programs.