

Child Abuse Recognition & Reporting Policy

Spooky Nook Sports is committed to ensuring the safety of all children participating in its programs. All Spooky Nook Sports employees, independent contractors and volunteers having direct contact with children during activities and programs of Spooky Nook Sports shall be required to comply with this Policy and Pennsylvania's Child Protective Services Law to protect against child abuse and to ensure complete reporting of suspected child abuse. Spooky Nook Sports will not tolerate the occurrence of child abuse during any activity or program of Spooky Nook Sports, nor will it tolerate the failure to report suspected child abuse by any individual who performs work on behalf of Spooky Nook Sports.

In determining whether this policy has been violated, Spooky Nook Sports will make decisions based on the safety of children. Therefore, any employee, independent contractor or volunteer alleged to be in violation of this policy will be prohibited from working, providing service or having direct contact with children until an investigation can be conducted. Upon determination that the policy has been violated, the violator will be subject to discipline, up to and including, without limitation, termination and permanently no-trespassed from the premises and any Spooky Nook Sports program or activity regardless of location.

The term "Child Abuse" shall mean intentionally, knowingly or recklessly doing any of the following:

1. Causing bodily injury to a child through any recent act or failure to act.
2. Fabricating, feigning or intentionally exaggerating or inducing a medical symptom or disease which results in a potentially harmful medical evaluation or treatment to the child through any recent act.
3. Causing or substantially contributing to serious mental injury to a child through any act or failure to act or a series of such acts or failures to act.
4. Causing sexual abuse or exploitation of a child through any act or failure to act.
5. Creating a reasonable likelihood of bodily injury to a child through any recent act or failure to act.
6. Creating a likelihood of sexual abuse or exploitation of a child through any recent act or failure to act.
7. Causing serious physical neglect of a child.
8. Engaging in any of the following recent acts:
 - a. Kicking, biting, throwing, burning, stabbing or cutting a child in a manner that endangers the child.
 - b. Unreasonably restraining or confining a child, based on consideration of the method, location or the duration of the restraint or confinement.
 - c. Forcefully shaking a child under one year of age.
 - d. Forcefully slapping or otherwise striking a child under one year of age.
 - e. Interfering with the breathing of a child.

- f. Causing a child to be present at a location while a violation of 18 Pa.C.S. § 7508.2 (relating to operation of methamphetamine laboratory) is occurring, provided that the violation is being investigated by law enforcement.
- g. Leaving a child unsupervised with an individual, other than the child's parent, who the actor knows or reasonably should have known:
 - i. Is required to register as a Tier II or Tier III sexual offender under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), where the victim of the sexual offense was under 18 years of age when the crime was committed.
 - ii. Has been determined to be a sexually violent predator under 42 Pa.C.S. § 9799.24 (relating to assessments) or any of its predecessors.
 - iii. Has been determined to be a sexually violent delinquent child as defined in 42 Pa.C.S. § 9799.12 (relating to definitions).
9. Causing the death of the child through any act or failure to act.
10. Engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102).

Background Certification Requirements

Spooky Nook Sports requires that all employees, independent contractors and volunteers having direct contact with children submit and maintain up-to-date and satisfactory background certification documentation. The following background certification information must be submitted prior to employment or service as an independent contractor or volunteer:

1. A report of criminal history record information from the Pennsylvania State Police, or a statement from the Pennsylvania State Police that the State Police central repository contains no such information.
2. A child abuse history clearance from the Pennsylvania Department of Human Services.
3. A report of Federal Criminal History Record Information from the Federal Bureau of Investigation.

Spooky Nook Sports maintains sole discretion to determine whether an employee, independent contractor or volunteer is deemed to have “direct contact with children” and is, therefore, required to produce and maintain background certification documentation. A mandatory training will also be administered electronically that each employee the Company deems to have “direct contact with children” must complete on a yearly basis. This training must be completed by the employee within 90 days of hire. Failure to complete this training will result in termination.

Employees, independent contractors and volunteers may work or provide service under a provisional period not to exceed ninety (90) days while waiting for receipt of an FBI background certification, subject to compliance with the following:

1. The individual applies for the FBI background certification and provides Spooky Nook Sports evidence of the application.
2. Spooky Nook Sports has no knowledge that would otherwise disqualify the individual under the Child Protective Services Law.
3. The individual swears or affirms in writing that they are not disqualified under the Child Protective Services Law.
4. The individual is not permitted to work alone with children and, instead, may only work in the immediate vicinity of an employee who has satisfactorily complied with all background certification requirements.

Employees, independent contractors and volunteers must provide Spooky Nook Sports updated background certifications as may be necessary from time to time prior to the expiration of their current background certifications. All employees, independent contractors or volunteers must immediately report to Spooky Nook Sports the occurrence of any incident(s) that would cause a material change to their background certification documentation. The ability of an employee, independent contractor or volunteer to produce and maintain satisfactory background certification documentation shall constitute a mandatory condition of their employment or services, and any inability to do so on the part of an employee, independent contractor or volunteer shall constitute grounds for immediate termination.

Reporting Requirements

All Spooky Nook Sports employees, independent contractors and volunteers must report suspected child abuse. A report of suspected child abuse must occur if the employee, independent contractor or volunteer has reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

1. They come into contact with the child in the course of their employment or service during a program or activity of Spooky Nook Sports and suspect the child is a victim of abuse.
2. They are directly responsible for the care, supervision, guidance or training of the child and suspect the child is a victim of abuse.
3. They become aware of a specific disclosure that an identifiable child is the victim of child abuse.
4. An individual 14 years of age or older makes a specific disclosure to the employee, independent contractor or volunteer that the individual has committed child abuse.

It is not required that the employee, independent contractor or volunteer be able to identify the person responsible for the child abuse prior to making a report of suspected child abuse, nor is it required that they have “proof” that the suspected child abuse occurred. Reports of suspected child abuse must occur when there is reasonable cause to suspect that a child is a victim of child abuse.

How to Report

Any employee, independent contractor or volunteer having reasonable cause to believe that a child is a victim of child abuse must make a report of that suspected child abuse directly to the Department of Human Service's Childline and Abuse Registry, at 1-800-932-0313. Following contact with Childline, such reports must also be made in writing. Employees, independent contractors and volunteers may consult with the Spooky Nook Sports onsite Security Supervisor, or member of management in making a report, but such consultation must not delay reporting. Following any report to Childline, the employee, independent contractor or volunteer must notify their immediate supervisor. The immediate supervisor or Security Supervisor shall ensure notification of Chris Leighty, Security Manager.

When making a report of suspected child abuse, Employees, independent contractors and volunteers should provide as much information as possible and shall work cooperatively with Childline and any other authorities. Examples of information to include in reports to Childline may include, without limitation:

- Information on the situation including all physical and behavioral indicators observed
- Other child(ren) who may be affected
- Nature of the abuse
- What you think happened or is happening to the child
- Nature of the child's disabilities, if any
- Any immediate concerns about the child's safety
- Location of the child
- Information about the family, parents/guardians and alleged offender(s)
- Name of a key support person
- Information on what location(s) this is occurring (or potentially occurring) within and/or outside the property

Additional Action

- If Spooky Nook Sports receives notification of alleged child abuse from a customer or guest, that employee is required to notify the onsite Security Supervisor immediately. Security will call East Hempfield Township Police Department to initiate an investigation.
- The Company insurance broker, Murray Securus, will be immediately notified upon receipt of a child abuse allegation by the Human Resources department or the Director of Facilities
- An internal investigation led by the Human Resources department will begin immediately after any and all allegations are made, but will not interfere with any investigations by Child and Youth Services or any law enforcement authority.
- Spooky Nook Sports will, based on the allegations received, notify the proper authorities of the child abuse allegations as required by the state of Pennsylvania.