

# First State Ballet Theatre Child Protection Policy

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**First State Ballet Theatre  
Child Protection Policy**

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# **First State Ballet Theatre Child Protection Policy**

## **Youth Protection Statement**

First State Ballet Theatre takes the protection of children in 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 children and families we serve. The policy covers all the things we believe are critical to keeping children 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 children.

First State Ballet Theatre is devoted to the safety of children and our goal is to provide an atmosphere for children to 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 children safe rests with adults.

## **Introduction**

First State Ballet Theatre has a zero-tolerance policy for incidents of child abuse or grooming in all forms. Protecting children is our most important responsibility. Our program's greatest impact is eliminated if we do not ensure the safety of the children in our care. In EVERY case, a suspicion of molestation or abuse, will be treated as an absolute priority and in accordance with state reporting laws.

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 First State Ballet Theatre. Such "Individuals" does not include outside vendors, contractors, or service providers, unless they are directly involved with First State Ballet Theatre youth programming or are providing services while youth are present.

## **Policy Overview**

First State Ballet Theatre's policy is reviewed annually by administration and, with employee involvement, updated accordingly. Should any subsequent 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. Employee and volunteer signatures 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

First State Ballet Theatre, as part of our Child Protection Policy, will appoint a Compliance Team. The Compliance Team ensures the organization is acting in accordance with any requirements outlined in the policy. The Compliance Team, the First State Ballet Theatre's Administration Staff, is 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 Team audits each outside entity to make sure policy guidelines are followed, ensures that any reports/incidents are reported and responds to requests for information from internal and external clients.

Other duties of the Compliance Team 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 the chief executive officer of any incident reports;
- Ensuring adherence to the Code of Conduct guidelines by all employees, volunteers and vendors

## Code of Conduct

First State Ballet Theatre's code of conduct sets forth the requirements to which all employees, volunteers and vendors must comply. The code is reflective of our values, expectations and ethics.

- Supervision  
All persons associated with First State Ballet Theatre will strive to ensure optimal child protection. It is our policy that children shall be in situations and settings which are continuously **observable** and can be **interrupted at any time**, including and especially, one-on-one instruction. Other forms of communication and interaction, such as social media, online chats, email, phone or text message are only permissible if an administrator or parent/caregiver is copied on or included in the communication.
- Relationships Outside the Organization  
Relationships with children formed as a result of the organization are prohibited outside of the organization (i.e., babysitting, tutoring). Exceptions are permitted only where the child's parent/caregiver and director/principal are fully aware and express their approval in writing.

Staff, volunteers and vendors must not share their personal contact information with children or follow or friend them on social media platforms. All persons associated with First State Ballet Theatre (young people and their families, staff, volunteers, administration and committee members) have the right to be treated with respect and courtesy. Relationships with children should be reinforced with respect for their personal space and their bodies.

- *Physical Contact*

While acknowledging that physical touch correction has long been a tradition in the instruction of all forms of ballet and dance, it must also be measured against respect for body autonomy, consent, and for many, the presence of a trauma history. In order for touch to be constructive, it must be consensual and clear. In every instance, consent is enthusiastic and freely given, or it is not consent.

Physical contact between students and teachers in class is an essential part of ballet training. It is normal and appropriate for faculty to physically position a student's feet, arms, legs, hands, shoulders, torso, hips, or head or to clarify a point of instruction or to illustrate the correct anatomical placement of the body, especially with younger students. In pas de deux classes, faculty must physically demonstrate correct supporting and lifting, so that students learn the proper way to do so to prevent injury. FSBT does not tolerate any touching of students by faculty or volunteers that is inappropriate, invasive, or that violates body autonomy of any student.

During instruction, touch, if necessary, should be used to awaken a student's alertness to a particular area of his/her body necessary for proper positioning and never as a tool for manipulation. Whenever possible, instructors should also assess if there are alternative teaching methods which may also affect the desired correction.

In every circumstance, all physical contact with a child should be appropriate and observable by others. Examples of appropriate touching are: fist bump, handshake, side hug, and high five. Smaller children 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. Children should always be encouraged to complete these behaviors themselves. Privacy shall be preserved when practicable.

- *Professional Integrity*

Staff, volunteers and affiliates accept that professional responsibility takes precedence over personal needs and opinions. Professionalism is paramount in an organization serving families. Children are impressionable and oftentimes model the behaviors of others. At First State Ballet Theatre, 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 children;
- 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

### **Orientation and Training**

Employees will be provided with training annually each September. New hires will be made aware of our Child Protection Policy along with all other FSBT policies during their new hire orientation, but always prior to working directly with children.

Orientation/Training will cover:

- Background checks
- Mandated Reporting Training
- Child Abuse Recognition and Prevention Training
- Comprehensive Review of First State Ballet Theatre's Policies and Procedures

### **Background Checks**

First State Ballet Theatre requires all employees and volunteers to submit to a background check prior to any instruction or interactions with students. Required background checks vary depending on the level and reoccurrence of interaction with students and as such, are classified in Tiers (see Definitions for Specific Tier classifications). First State Ballet Theatre will perform a SSN trace and address history search as well as national criminal/sex offender search for every Tier 1 and Tier 2 applicant (including: part-time or full-time employees, volunteers, or interns) prior to commencing employment/volunteering.

First State Ballet Theatre repeats background checks every three (3) years. A selected applicant who refuses to undergo a criminal background check shall be deemed ineligible for employment/participation and shall not be hired. Every Tier Employee and Volunteer shall be advised of our Child Protection Policy and sign an acknowledgement stating they will adhere to said policy.

#### **1. Tier 1 Employees and Volunteers** Background checks shall include:

- a) Fingerprint check (criminal background) 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.
- b) Search of the National Sex Offender Registry by entering the name of the applicant at. <https://www.nsopw.gov/>
- c) Submit an application to request a name search of the Delaware Child Protection Registry <https://childprotectionregistry.delaware.gov/s/login/> through The Division of Family Services, Criminal History Unit in the Office of Childcare Licensing. Delaware Child Protection Registry costs \$14/person. For further information, go to: [https://kids.delaware.gov/pdfs/fs\\_ChildProtectionRegistryGuidebook-English-2015.pdf](https://kids.delaware.gov/pdfs/fs_ChildProtectionRegistryGuidebook-English-2015.pdf)

**2. Tier 2 Employee and Volunteer Background checks shall include:**

- a) A SSN Trace & Address History Search and Nationwide Criminal/Sex Offender Search conducted by 3<sup>rd</sup> party vendor. The 3<sup>rd</sup> party vendor is asked to perform these background checks and will email applicants a disclosure and authorization form granting First State Ballet Theatre permission to perform checks. Any selected applicant who chooses not to sign the disclosure and authorization form shall be deemed to have withdrawn from the hiring process.
- b) Search of the National Sex Offender Registry by entering the name of the applicant at <https://www.nsopw.gov/>

**3. Tier 3 Employee and Volunteer Background checks shall include:**

- a) Search of the National Sex Offender Registry by entering the name of the applicant at <https://www.nsopw.gov/>

Prospective Employees and Volunteers with prohibited convictions will be denied employment. Prohibited Convictions include:

1. Any arrest or conviction for any misdemeanor or felony involving a child, child abuse or neglect, spousal abuse, crimes against children (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 (5) 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.

First State Ballet Theatre 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.

**Definitions**

- Tier 1 employees and volunteers are those who have “direct access” to children which means “the opportunity to have personal contact with persons receiving care or education during the course of one’s assigned duties.”
  - Yearly school faculty
  - DuPont Country Club school faculty

- Danceworks! Program faculty
- Tier 2 employees and volunteers are those who have moderate exposure to children
  - Summer Intensive faculty
  - Wardrobe Manager
  - Stage Manager
  - Business Manager
  - Managing Director
  - Guest Choreographers
- Tier 3 employees and volunteers are those who have occasional exposure to children
  - Parent volunteers for performances
  - Costume room volunteers
  - Volunteer FSBT Guild Members
  - Company Dancers
  - National Ballet Competition judges/guest faculty

**Arrests Between Background Checks (Interim arrests)**

All arrests shall be reported to their immediate supervisor within 24 hours or the next business day.

**Protection from Abuse/Court Orders**

All valid court orders First State Ballet Theatre is made aware of will be adhered to by staff, employees and volunteers of First State Ballet Theatre, regardless of the issuing state (per Article IV, Section 1 of the U.S. Constitution, known as the Full Faith & Credit Clause).

For privacy concerns, only those personnel who are responsible for the compliance with the order or whose safety may be of concern should be notified of the order and its contents. The court order should never be discussed beyond the necessary work function.

If a violation of a court order is witnessed which jeopardizes safety or a custodial kidnapping has occurred, 9-1-1 must be notified immediately. Staff, employees and volunteers should not place themselves in danger by interceding, if there is concern for their own safety. Any such incidents shall be reported to supervision when it is safe to do so.

**Vendors**

Vendors who maintain a presence in our facility, in all circumstances, shall not have unobservable, uninterrupted interaction with children.

Service providers with a reoccurring presence during operating hours while children are present, shall acknowledge that every employee engaged in providing services at this location, has received within the past 24 months: a criminal background check, National Sex Offender Registry and Delaware Child Protection Registry check, prior to the commencement of such



services. Service providers who cannot assure the above-listed requirements, must be provided direct supervision at all times while on the premises.

No service provider employee shall be eligible to perform services for the organization if First State Ballet Theatre knowingly is aware that he or she, (1) has been arrested for any felony, or any misdemeanor where the victim is a child, that has not yet been adjudicated; (2) convicted of, pled guilty to, or placed in a pre-trial diversion program for any crime involving any felony, all crimes against children (including any child endangerment statute); and/or (3) has been convicted of any sex offense, weapons or violent crime.

It is our policy that whenever in the presence of children, all vendors' interaction with children shall be continuously observable and interrupted at all times.

### **Volunteers**

Volunteers must adhere to the Volunteer Handbook regarding appropriate interaction with the children we serve. Additionally, volunteers who dedicate 5 days or 40 hours or more per year shall obtain a social security check, National Sex Offender Registry and Delaware Child Protection Registry checks.

All volunteers who serve less than 5 days or 40 hours per year will not be in a position of sole responsibility for children. In all circumstances, interactions with children and volunteers shall be observable and interruptible.

### **Mandated Reporter Responsibility**

Delaware is one of several states which currently requires any adult (18 years or older) having reasonable suspicion of child abuse or neglect to report it immediately. 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. Notably, 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. No one shall prevent or otherwise discourage another from making a good faith report child abuse or neglect.

### **Drop-Off/Pick-Up Policy**

- No drop-offs are permitted outside of operating hours.
- Parent/guardians shall observe their child's safe entry into our secured facility.
- Once on site, children/students must report directly to their assigned area.
- Parents must drive/walk up to pick up their children in view of the exit doorway.

## **Social Media Policy**

Employees and volunteers must be mindful of First State Ballet Theatre's Mission and Value Statement, and the children 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 are our utmost priority and no staff or volunteer should discuss a child's or family's personal circumstances or experiences.

- First State Ballet Theatre professionals, advisors, staff and volunteers shall not initiate or participate in any one-on-one communications with children 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, volunteers and those students who have ascended to instructor status must not accept invitations to profiles, groups, and events, nor initiate any one-on-one communication with youth under their supervision or any children who have since graduated or otherwise left the organization until the student (current or former) has reached the age of 21.
- Employees and volunteers must not share images, videos, or names of children they have met through First State Ballet Theatre on personal social media accounts.
- On public, official organization accounts, images, videos, or names of children may only be shared with prior written consent of the child's caregiver.
- Employees and volunteers should not use personal devices to take photographs or video of children who are not their own. If photos are taken on personal devices, all photos are sent to the Administration Team to be posted to FSBT social media accounts. Once images are sent to Administration Team, all photos taken on personal devices, must be immediately deleted.
- First State Ballet Theatre professionals, advisors, staff and volunteers must recognize that they are role models for children 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.
- Any electronic communication shall pertain only to programmatic related topics and be conducted only through institution approved mediums.

## **Annual Review**

This policy shall be reviewed once a year by administration as well as staff and employees. Any updates or changes shall be communicated as soon as reasonably possible.

## **First State Ballet Theatre Employee and Volunteer Policy Review**

This policy shall be reviewed once a year by administration as well as staff and employees. Any updates or changes shall be communicated as soon as reasonably possible.

**Your signature below indicates your understanding of and promise to adhere to the provisions of this policy and considered a condition of continued employment/participation with the organization.**

Signature: \_\_\_\_\_

Name (Printed): \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

## 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 Children, 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 extent 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 Resources

### Help/Hotlines

<b>Child Abuse &amp; Neglect Mandatory Reporting Line</b> <b>Division of Family Services (DFS) – 24 hours</b> 1-800-292-9582	<b>Mobile Crisis (adult services)</b> 1-800-652-2929 (NCC) 1-800-345-6785 (KC/SC)
<b>Child Priority Response Crisis Helpline</b> 1-800-969-4357 (HELP) or Text DE to 741741	<b>Domestic Violence Hotline</b> NCC: (302) 762-6110 KC/SC: (302) 422-8058
<b>ContactLifeline Crisis Helpline</b> <b>(Sexual Assault)</b> NCC: (302) 761-9100 KC/SC: 1-800-262-9800	<b>National Center for Missing and Exploited Children - CyberTipline</b> www.cybertipline.com 1-800-THE-LOST (1-800-843-5678)
<b>RAINN – National Sexual Assault Hotline</b> 1-800-656-4673 (HOPE)	<b>Delaware Victim Services</b> 1-800-VICTIM-1
<b>YWCA Sexual Assault Response Center (SARC)</b> 1-800-773-8570	<b>Delaware Helpline</b> 211

### Healing Resources- Treatment Providers

<b>Delaware Guidance - Children</b> NCC: (302) 652-3948 KC: (302) 678-3020 SC: (302) 645-5338	<b>SOAR (Survivors of Abuse in Recovery)</b> NCC: (302) 655-9049 KC/SC: (302) 422-3811 Lewes: (302) 645-4903
<b>Jewish Family Services of Delaware</b> (302) 478-9411	<b>La Esperanza Community Center</b> SC: (302) 854-9262

### Additional Resources

<b>Children’s Advocacy Center of Delaware</b> NCC:(302) 651-4566 KC: (302) 741-2123 SC: (302) 854-0323 www.cacofde.org	<b>Beau Biden Foundation for the Protection of Children</b> Patty Dailey Lewis, Executive Director (302) 477-2018 patty@beaubidenfoundation.org www.beaubidenfoundation.org
<b>Prevent Child Abuse Delaware</b> www.pcadelaware.org	<b>One Love Foundation</b> www.joinonelove.org
<b>Stop it Now</b> www.stopitnow.com	<b>Child Inc. – Runaway &amp; Homeless Youth</b> (302) 762-6373

For more information on the initiative to train 5% of Delaware’s adult population or to schedule a training:  
[info@beaubidenfoundation.org](mailto:info@beaubidenfoundation.org)

