

# **Preserving Our Southern Appalachian Music, Inc.**

## **Child Protection Policy**

**(Article III as amended by POSAM Board of Directors 06/05/2023)**

### **I. Statement of Purpose**

One of Preserving Our Southern Appalachian Music, Inc.'s ("POSAM") and Young Appalachian Musician's ("YAM") primary objectives is to provide children with a healthy, safe, and supportive environment in which they can discover and develop their talents. The nature of the programs we offer necessarily require that adults mentor, supervise, and support children. To ensure the safety and well being of the children we serve, POSAM/YAM will endeavor to prevent and promptly address any concern that a child participating in a POSAM program has been treated improperly.

### **II. Relationship with Other Policies and Law**

POSAM is a 501(c)(3) non-profit corporation that is not affiliated with the School District of Pickens County or any other district or entity. However, some individuals who volunteer with or become employed by POSAM/YAM also may be employed with a school district. This occurs, for example, when the program director of an after-school program also works for the school. In such instances, this policy does not override any rules or requirements that the school may have for the handling of concerns that occur. In other words, if a concern arises over an occurrence on school grounds, an employee or volunteer with POSAM may be required to comply with school district as well as POSAM policy. Any concern that any such policies conflict should be addressed to the principal and the POSAM executive director.

South Carolina law imposes a requirement on certain entities and persons (including teachers, principals, counselors) to report instances of abuse and neglect. (S.C. Code § 63-7-310 to -440). Federal law may impose additional requirements. Nothing in this policy should be construed as requesting or requiring any person to not comply fully with such legal obligations.

### **III. Background Checks**

Any person seeking to serve as a program director, instructor, or other employee / subcontractor of POSAM must provide two references, which

can be checked by the executive director, co-director, or his or her designee. Applicants may be required to execute a consent for a background check and to check references.

No adult person may serve as a program director, instructor, or in any other capacity which requires or establishes direct contact with students until such person has undergone both: (1) a successful SLED or National background check; and (2) his or her name has been searched on the South Carolina Sex Offender Registry.

Any youth (18 and under) working directly with students in an instruction or leadership capacity must be accompanied at all times by an adult who has provided references as noted above and undergone both: (1) a successful SLED or National background check; and (2) his or her name has been searched on the South Carolina Sex Offender Registry.

The executive director or co-director may also condition other employee, subcontractor, or volunteer status upon the successful completion of a background check as he or she determines the circumstances warrant.

For the purpose of discerning between the use of a SLED or a National background check, any person subject to the above criteria who has not resided in the State of South Carolina continuously for the past seven (7) years shall be subject to a National background check.

The executive director or co-director retains discretion to disqualify any person with a criminal history.

Records of the background checks conducted will be retained by the executive director or co-director, along with any records of any reference checks.

#### **IV. Definitions** For purposes of this policy:

- A. Concern regarding the treatment of a child** means conduct that could be construed as harsh, rude, inappropriate, or unwarranted but that does not: (1) rise to the level of "physical or emotional abuse;" or (2) involve "sexual abuse," as those terms are defined below.
- B. Physical or emotional abuse** means any situation in which someone inflicts or allows to be inflicted upon a child physical or mental injury or engages in acts or omissions which present a substantial risk of physical or mental injury to the child, including excessive corporal punishment.

**C. Sexual abuse means:**

- (1) committing or allowing to be committed any sexual conduct with or in the presence of a child;
- (2) any act or omission that present a substantial risk of any sexual conduct with or in the presence of a child;
- (3) attempting to engage in sexual behavior with or in the presence of a child; or
- (4) exposing a child to any material that contains a visual representation depicting nudity or sexual activity.

**D. Appropriate authority means:**

- (1). the county Department of Social Services ("DSS") office for the county in which the child resides or can be found. In Pickens County, the number for reporting abuse and neglect is (864) 898-5292 during office hours and 898-5500 after hours. DSS is located at 212 McDaniel Ave. Pickens, SC 29671. For other counties, consult the DSS website and click on the appropriate county:  
<https://dss.sc.gov/content/about/counties/index.aspx>

and/or

- (2) a law enforcement agency in the county in which the child resides or can be found.. In Pickens County, the number for the Sheriff's office is (864)-898-5500. The office is located at 216 L.E.C Road Pickens, SC 29671. The Sheriff maintains a confidential sex offender questions and concerns email, which can be found under "contacts" on the main page of the Sheriff's web site. <http://www.pickenscosheriff.org/index.html>

**V. Reporting Concerns**

**A. Concerns regarding treatment of a child**

POSAM encourages any parent, guardian, or other person to address any concerns regarding the treatment of a child (as defined above in section IV(A)) with the individual with whom the concern relates unless the person raising the concern is uncomfortable doing so.

If the issue is not resolved satisfactorily, or if the person raising the concern does not feel comfortable doing so, the issue may be addressed with the individual's supervisor. For example, if the concern relates to a YAM after-school instructor, the issue may be addressed to the YAM program director.

If the issue is not resolved satisfactorily, or if the person raising the concern does not feel comfortable addressing the concern at that level, he or she may address the concern to the executive director of YAM.

The executive director's decision/actions shall be final as to the manner in which the concern is resolved.

## **B. Concerns regarding physical, emotional, or sexual abuse**

### **\*\*\* Important information regarding reporting \*\*\***

- Reports should be made as soon as possible
- You are not required to have proof of an accusation - reports should be made when you have reason to believe that physical, emotional, or sexual abuse has occurred. The authorities will handle the investigation.

#### **1. Policy applicable to directors, officers, employees, and volunteers of POSAM/YAM**

It is the policy of POSAM that any director, officer, employee or volunteer who has reason to believe that a child has been subjected to physical, emotional, or sexual abuse (as those terms are defined above in Sections IV(B)-(C)) is **required** to promptly report the matter to both: (1) an appropriate authority (as that term is defined above in Section IV(D)); and (2) the executive director of POSAM. The person raising the concern should **not** rely on the executive director or anyone else to make such a report, but should report the matter directly to the appropriate authority (see Section IV(D)).

#### **2. Policy applicable to parents/guardians/others**

POSAM strongly urges that any person who has reason to believe that a child's physical or mental health or welfare has been or may be adversely affected by physical, emotional, or sexual abuse report such concerns immediately to an

appropriate authority (as that term is defined above in Section IV(D)).

If you are concerned about revealing your identity, you can discuss with the appropriate authority (as defined above in Section IV(D)) the ability to make a report in an anonymous manner.

POSAM further requests that any such concerns be promptly reported to POSAM's executive director. If the individual raising such a concern is uncomfortable addressing the matter with the executive director, then he or she is welcome to raise the concern with the Chair of the POSAM Board of Directors.

## **VI. Prohibitions**

- A. Directors, officers, employees and volunteers are strictly forbidden from engaging in any physical, emotional, or sexual abuse.
- B. It is a violation of this policy for any director, officer, employee, or volunteer to fail to report physical, emotional, or sexual abuse in accordance with this policy .
- C. Directors, officers, employees and volunteers may not retaliate against any person who makes a good-faith report of physical, emotional, or sexual abuse or any concern regarding the treatment of a child. Nor may any director, officer or employee retaliate against any child or participant in a POSAM program as the result of any concerns raised regarding the treatment of that child.
- D. Violations of this policy subject an offender to discipline up to and including termination or removal by the executive director or the Board.
- E. This policy does not alter the at-will relationship between POSAM and any employee of POSAM. Either POSAM or the employee may terminate employment at any time and for any reason.

## **VII. Dissemination**

All directors, officers, and employees of POSAM are required to sign an acknowledgment of this policy and are required to adhere to its terms as a condition of their continued association with POSAM. The acknowledgments will be retained by the executive director.

This policy will be distributed to parents/guardians at the time of enrollment.

This policy will be posted on the YAM website ([www.yamupstate.org](http://www.yamupstate.org))

### **VIII. Additional Resources**

The Children's Trust of South Carolina maintains a website with a wealth of information regarding the protection of children, including regarding how to identify potential abuse and details on making effective reports. [http://www.scchildren.org/empower/reporting child abuse and neglect/making a report/](http://www.scchildren.org/empower/reporting_child_abuse_and_neglect/making_a_report/) The Children's Trust also has a publication that can be downloaded entitled "Community Prevention: Tips and Resources." [http://www.scchildren.org/empower/prevention resource guide/](http://www.scchildren.org/empower/prevention_resource_guide/)

The Pickens County Sheriff maintains available resources and information to help prevent, identify, and report sexual abuse of children. For some excellent safety tips and advice: [http://www.sheriffalerts.com/cap\\_safety.php?office=54653](http://www.sheriffalerts.com/cap_safety.php?office=54653)