

POLICY ON PROTECTION OF CHILDREN AND VULNERABLE ADULTS

Purpose and Intent

The Cleveland Public Library (the “Library”) strives to be the center of learning for a diverse and inclusive community and is committed to providing a safe and secure environment for its patrons, visitors, staff, and volunteers. This Policy on Protection of Children and Vulnerable Adults (“Policy”) establishes standards for behavior, a procedure for reporting possible abuse, and measures for preventing abuse. All Library employees, Board members, and volunteers are subject to this Policy.

The Cleveland Public Library does not permit or condone actual or threatened acts of physical or mental abuse, sexual abuse, sexual molestation, or sexual misconduct to occur on Library premises, at Library-sponsored activities, or in relation to any individual’s service with the Library. The Library has a **Zero Tolerance Policy** regarding any acts of prohibited conduct.

Library employees, Board members, and volunteers may encounter situations during the course of their daily work where they suspect that a child or vulnerable adult, as defined below, is being abused, molested, or neglected. While Library employees are not considered mandated reporters of such abuse under Ohio Revised Code Section 2151.421(A)(1)(b), the Library requires employees, Board members, and volunteers to report suspected abuse of a child or vulnerable adult as long as they have an objectively reasonable cause for such suspicions.

Prohibited Conduct

The Cleveland Public Library strictly prohibits all forms of child abuse and sexual abuse.

Child abuse occurs when an individual deliberately acts or fails to prevent something that causes serious harm to a person under 18 years of age (i.e., a child) or adult with a developmental disability or physical impairment (i.e., a vulnerable adult). This harm may take the form of serious physical injury, serious mental injury, neglect, or sexual abuse. Corporal punishment constitutes child abuse when performed by an employee, Board member, or volunteer. Corporal punishment is any type of physical punishment inflicted in any manner upon the body such as spanking, punching, paddling, shaking, or roughly handling a child or vulnerable adult.

Sexual abuse takes the form of inappropriate sexual contact or interaction for the gratification of the actor. Sexual abuse or misconduct may include, but is not limited to:

- Any sexual activity, involvement, or attempt of sexual contact with a child, vulnerable adult, or a person who is legally incompetent or otherwise unable to give consent;
- Physical assaults or violence, such as rape, sexual battery, abuse, molestation, or any attempt to commit such acts;
- Unwanted and intentional physical conduct that is sexual in nature, such as touching, pinching, patting, brushing, massaging, and/or pulling against another’s body or clothes;
- Disseminating pornographic or sexually explicit images, posters, calendars or objects to a child or vulnerable adult; and/or
- Unwelcome and inappropriate sexual activities, advances, exploitation, exposure, or stalking.

Sexual abuse does not include sexual harassment, which is another form of behavior that is prohibited by the Cleveland Public Library.

Reporting Procedure

Library employees, Board members, and volunteers must immediately report any suspected physical or mental abuse, sexual abuse, sexual molestation, or sexual misconduct of a child or vulnerable adult to the Director of Legal Affairs. If staff believe that an assault has just occurred, they should notify the police and Safety and Protective Services. Immediately after reporting the incident to the Director of Legal Affairs, employees who either witness or suspect the occurrence of child abuse or sexual abuse should complete and submit a Security Irregularity Report (“SIR”) containing the following information:

- Name and title of reporter;
- Name and address of individuals involved;
- Description of incident/activity/misconduct;
- How misconduct was discovered;
- Where and when misconduct took place;
- Names of witnesses and/or collaborating persons; and
- Description of physical injury and medical response.

If the victim is an adult, the abuse will be reported by the Director of Legal Affairs to the Cuyahoga County Board of Developmental Disabilities and the police. If a child is the victim, the Director of Legal Affairs will report it to the Ohio Department of Job and Family Services – Office of Families and Children and the police.

The Director of Legal Affairs will notify the Director and the Board of Trustees of the allegations. The Director of Legal Affairs should notify the Library’s insurance carrier and seek advice in the immediate handling of the matter. Legal advice and counsel regarding the handling of the matter should be obtained immediately. The Director of Legal Affairs should inform appropriate staff of the existence of the incident and the steps being taken in response and will oversee an investigation into the matter.

Any employee or volunteer who is suspected of engaging in the physical or mental abuse, sexual abuse, sexual molestation, or sexual misconduct of a child or vulnerable adult may be subject to immediate placement on administrative leave pending the outcome of an investigation into the allegations of abuse. Any employee or volunteer found to have engaged in child abuse or sexual abuse will be subject to disciplinary action up to and including termination. Anyone who commits child abuse or sexual abuse may be subject to criminal prosecution to the fullest extent allowed by law.

Retaliation Prohibited

The Cleveland Public Library prohibits retaliation against anyone, including any employee, Board member, volunteer, or other individual, who in good faith reports child abuse and/or sexual abuse, alleges that it is being committed, or participates in the investigation. Intentionally false or malicious accusations of child abuse and/or sexual abuse are prohibited. Anyone who retaliates against someone who has made a good faith allegation of sexual abuse or intentionally provides false information to that effect will be subject to discipline up to and including termination.

Preventing Abuse

The Cleveland Public Library acknowledges that preventing abuse from occurring in the first place is of paramount importance. To this end, the Library conducts background checks on all employees and volunteers as a condition of employment or volunteer duties. Records of employee background checks will be maintained by the Human Resources Department. Any employee or volunteer who is subsequently found to have provided false or misleading information related to their background check may be subject to disciplinary action, up to and including termination.

Reasonable efforts will be made to ensure that two adult employees or volunteers are present or nearby when working with children and vulnerable adults. If two adults cannot be present, reasonable efforts should be made to work with children and vulnerable adults in locations within Library facilities that are visible to others such as open public spaces, rooms with windows, or rooms with open doors. In no instance may a child or vulnerable adult be left alone with only one adult present upon the closing of a branch or department. If any children or vulnerable adults are still present in Library facilities upon closing time, staff should immediately notify Safety and Protective Services, and two adults must remain until the child or vulnerable adult leaves the premises.

In no instance may employees, Board members, or volunteers provide transportation to a child or vulnerable adult in their personal vehicle or a Library-owned vehicle.

Acknowledgement and Notification

All employees, Board members, and volunteers are subject to this policy and should review and be familiar with it. This Policy will be posted in accordance with the Library's current practices and will be available for employees and members of the public to access electronically.

Approved by the Board of Library Trustees on June 15, 2023