

**SUMMIT ACADEMY  
PREA POLICY**

**I. POLICY**

- c. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- d. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- e. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
- f. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (1)--(5) of this section;
- g. Any display by a staff member, contractor, or volunteer of their uncovered genitalia, buttocks, or breast in the presence of a resident, and
- h. Voyeurism by a staff member, contractor, or volunteer.

**D. Sexual Assault**

Sexual intercourse, anal sexual conduct or oral sexual acts by means of forcible compulsion.

**E. Sexual Contact**

öUgzwn"eqpvceö"ku" fghkpgf"cu"cp{"vqwejkpi"qh"vjg"ugzwn"qt"qvjgt" intimate parts of a person not married to the actor for the purpose of gratifying the sexual desire of either party, including touch of the victim by the actor or touching of the actor by the victim, whether directly or through clothing. The aforementioned definition may ejcpi g"ujqwnf"cr rnkecdng"nc yu"dg"c o gpf g f0"öUgzwn"eqpvceö"cu" wugf"kp"vjku" rqnke {" also includes sexual touching including but not limited to caressing and kissing regardless of whether student voluntarily engage in such activity. A student placed with Summit

**H. Sex Offenses**

Any act identified as a sex offense by Pennsylvania law.

**I. Substantiated\***

An allegation that was investigated, internally or externally, and determined to have occurred.

**J. Unfounded\***

An allegation that was investigated, internally or externally, and determined NOT to have occurred.

**K. Unsubstantiated\***

An allegation that was investigated, internally or externally, and there was insufficient evidence to make a determination as to whether or not the event occurred.

**L. Visitors**

Any person having access to any Summit Academy facility, office or program that is not a contractor, employee or volunteer as defined in this policy.

**M. Volunteers**

Any person who, by mutual agreement with Summit Academy, provides a service without compensation.

**N. Voyeurism**

Voyeurism by a staff member, contractor, or volunteer - means an invasion of privacy of an inmate, detainee, or student by staff for reasons unrelated to official duties, such as peering at a student who is using a toilet in their cell to perform bodily functions; requiring an inmate to expose their buttocks, genitals, or breasts; or taking images of

An invasion of privacy of a student for reasons unrelated to official duties, such as peering at a student who is using a toilet to perform bodily functions; requiring a student to expose their buttocks, genitals or breasts; or taking images of all or part of the students naked body or of a resident performing bodily functions.

**O. Youth**

Persons who are or have been in Summit Academy custody, this term includes

**\* NOTE:** The above definitions are taken from the Prison Rape Elimination Act National Standards for Juvenile Facilities and only apply to this policy.

**III. PROHIBITIONS**

The following acts are prohibited:



Staff of opposite gender must announce their presence when entering a living unit or area where students change clothes, shower, or perform bodily functions.

## **B. Admission/Housing**

Students will be screened for potential vulnerabilities to victimization and propensity to victimize others with sexually aggressive behavior prior to commitment to Summit Academy. This screening will be documented in the intake questionnaire completed at court, or with a uvwfgpvøu caseworker. Living unit and room assignments will be made accordingly.

Under no circumstances will room assignment for students who are lesbian, gay, bisexual, transgender and questioning (LGBTQ+) or gender non-conforming be based solely on this identity nor will this identity be considered an indicator of likelihood of abuse.

Students may be kept from other students only as a last resort when less restrictive measures are inadequate to keep them and other students safe and then only until an alternative means of keeping all students safe can be arranged.

Placement and programming decisions for transgender and intersex residents shall be made on a case-by-case basis and re-assessed at least annually to review any threat to safety experienced by the student.

Upon admission, students will be provided information, in age appropriate manner, concerning prevention, intervention, self-protection, reporting of sexual abuse or cuucwnv"cpf"vjg"ci gpe{ø zero tolerance policy. Students will also receive information regarding treatment and counseling for victims of sexual abuse or assault.

The above information will be communicated orally and in writing, in a language clearly understood by the student, during the admission process.

Students will be clearly advised that sexual conduct encompassing all definitions in this policy by adults or other students in Summit Academy facilities is prohibited and that students are to feel comfortable to report any such activity to their counselor, ombudsman or any staff member in authority.

Students shall be referred to a Mental Health Therapist under the following circumstances:

- a. They are identified as a high risk with a history of sexually assaultive behavior. Such students shall be monitored, counseled, and provided appropriate treatment. The referring entity will be notified and removal from the school considered.

b.

provided to all employees) concomitant with the roles in conducting investigations in facility settings. The specialized training shall include:

- a. Techniques for interviewing juvenile sexual abuse victims.
  - c. Sexual abuse evidence collection in facility settings.
  - d. Criteria and evidence required to substantiate a case for administrative action and/or prosecution referral.
4. Medical staff and Mental Health Therapists shall receive specialized training (in addition to the training provided to all employees) in the following:
- a. Detecting and assessing signs of sexual abuse, assault and harassment.
  - b. Preserving physical evidence of sexual abuse and assault.
  - c. Responding effectively and professionally to victims of sexual abuse, assault and harassment.
  - d. How and to whom to report allegations or suspicions of sexual abuse and assault.
5. Within 10 days of admission to Summit Academy, all students shall receive comprehensive, age appropriate education, either in person or video, about their rights to be free from sexual abuse and harassment, and free from retaliation for reporting allegations of sexual abuse, assault or harassment. Additionally, they shall receive information regarding Summit Academy policies and procedures for responding to incidents of sexual abuse, assault or harassment as well as the various methods of reporting. All education and information shall be made available in formats accessible to all students (limited English, deaf, visually impaired or otherwise disabled as well as limited reading skills). Additionally, key information shall be continuously and readily available or visible via posters, brochures, or other formats.

Receipt of the above education and information shall be documented for each student.

#### **D. Allegations of Inappropriate Conduct**

Students who believe they have been subjected to conduct prohibited by this policy have the option to report the incident to a designated staff member other than an immediate point-of-contact line staff member. That includes, but is not limited to, the unit/office supervisor, counselor, mental health clinician, medical personnel, any facility administrator, or Summit Academy child advocate. Reports may be made verbally or in writing. The necessary materials to submit written reports will be provided to all students. Students also have the option of reporting allegations to the Pennsy

Facility staff shall accept reports, including reports made regarding other Summit or non-Summit Academy facilities made verbally, in writing, anonymously, and from third parties and shall promptly document any verbal reports.

1. For all allegations of sexual abuse or assault, the victim will be immediately referred to E jknftgpøu" J qurkvcn"qh"Rkvvudwt i j "6623"Rgpp"Cxg."Rkvvudwt i j."RC" 15224 (412) 692-5325 for clinical assessment and gathering of forensic evidence by professionals who are trained and experienced in the management of victims of sexual abuse and assault. Summit Academy will make efforts to establish a Memorandum of Agreement (MOA) with the medical facility.

In all cases the victim must be brought to the medical facility. The medical hcekikv {øu"vtckpgf"gzcmner will make the final determination regarding evidence collection. Staff who can provide support to the victim shall accompany the student.

2. Staff shall attempt to make available a victim advocate from a rape crisis center and shall document effort to provide rape crisis services. Services could be sought from Victim Outreach Intervention Center (VOICe) at 1-800-400-8551 or PO Box 401, Butler, PA 16003.
3. Summit Academy medical staff will follow Universal Precaution Procedures, for management of high risk exposures, paying particular attention to the following areas:
  - a. The Department of Health will be notified of the occurrence of a high risk exposure.
  - b. Provision will be made for testing for sexually transmitted diseases (for example, HIV, gonorrhea, hepatitis, and other diseases) and release of information for purposes of medical management of both the victim and alleged perpetrator.
  - c. Prophylactic treatment and follow-up for sexually transmitted diseases will be offered to all victims, as appropriate, if not already done in the emergency room.
  - d. Follow-up will be done by a mental health professional to assess the need for crisis intervention counseling and long-term follow-up.
  - e. A report will be made to Summit Academy program administration to assure separation of the victim from his or her alleged abuser.
4. The parent/legal guardian will be notified of any allegations of inappropriate conduct involving their child.



5. Pregnancy testing, as well as comprehensive information and access to all lawful pregnancy-related medical services, and timely contraception and STD prophylaxis, shall be provided in a timely manner.
6. All medical, mental health and counseling services shall be provided at no cost to the student.

#### **E. Staff First Responder Duties**

Upon learning of an allegation that a student was sexually abused, the first staff member to respond to the report shall be required to:

1. Separate the victim and alleged abuser.
2. Preserve and protect the scene until appropriate steps can be taken to collect any evidence.
3. Request the alleged victim not take any actions that could destroy physical evidence, including as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, smoking, swimming, drinking or eating.
4. Take steps to prevent the alleged abuser from destroying physical evidence, such as washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, or eating.

#### **F. Reporting and Investigations**

Incidents related to PREA, other assaultive and abusive behavior of children, abuse or neglect, wandering & AWOL, elopement, suicide or attempted suicide, sentinel events and other incident about which there may be relevance in the judgment of the reporter, are to be reported immediately, as required by mandated reporters, at <https://www.compass.state.pa.us>. Allegations of sexual abuse and sexual harassment are referred through Childline to an agency with the legal authority to conduct criminal investigations.

All Summit Academy employees, contractors and volunteers are required to immediately report knowledge or suspicion of any alleged, threatened or actual violations of this policy, including knowledge, suspicion, or information of an incident of sexual harassment, retaliation against residents or staff who reported sexual abuse or sexual harassment, or any staff neglect or violation of responsibilities that may have contributed to an incident or retaliation to their supervisor, any on-duty employee above them in the chain of command, the Clinical Program Director and the Executive Director. Failure to report may result in administrative, criminal or disciplinary sanctions appropriate to individual status.



1. Consider whether the allegation or investigation indicates a need to change policy or practice to better prevent, detect, or respond to sexual abuse;
2. Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or, gang affiliation; or was motivated or otherwise caused by other group dynamics at the facility;
3. Examine the area in the facility where the incident allegedly occurred to assess whether physical layout may enable abuse;
4. Assess the adequacy of staffing levels in that area during different shifts;
5. Assess whether monitoring technology should be deployed or augmented to supplement sup

dismissed or subject to dismissal proceedings if not for their resignation, shall be reported to law enforcement agencies, unless the activity was clearly not criminal, and to any relevant licensing bodies.

## **2. Corrective action for contractors and volunteers**

- A. Any contractor or volunteer who engages in sexual abuse shall be prohibited from contact with residents and shall be reported to law enforcement agencies (unless the activity was clearly not criminal) and to relevant licensing bodies.
- B. The facility shall take appropriate remedial measures and shall prohibit further contact with residents.

## **3. Interventions and disciplinary sanctions for students**

- A. A student may be subject to disciplinary sanctions pursuant to the delinquency finding .
- B. Disciplinary sanctions imposed by the facility shall be commensurate with the nature and circumstances of the abuse committed, the disciplinary history, and the sanctions imposed for comparable offenses by other residents with similar histories.
- C. The disciplinary process shall consider whether developmental disability or mental illness contributed to a behavior when determining what type of sanction, if any, should be imposed.
- D. Consideration shall be given to providing the offending student therapy, counseling, or other interventions designed to address and correct underlying reasons or motivations for the abuse, which may include alternative prearrest

whether the allegation has been determined to be substantiated, unsubstantiated, or unfounded.

2. Following a uwwfgpvøu allegation that a staff member has committed sexual abuse against the student, the agency shall subsequently inform the student (unless the agency has determined that the allegation is unfounded) whenever:
  - a. The staff member is no longer posted within the uwwfgpvøu unit;
  - b. The staff member is no longer employed at the facility;
  - c. The agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; and/or
  - d. The agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility.
3. Following a uwwfgpvøu allegation that they have been sexually abused by another student, the agency shall subsequently inform the alleged victim whenever:
  - a. The agency learns that the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or
  - b. The agency learns that the alleged abuser has been convicted on a charge related to sexual abuse within the facility.
4. All such notifications or attempted notifications shall be documented. Summit Cecfg o {øu"obligation to report under this standard shall terminate if the student is released from the agency's custody.

## **L. Data Collection and Review**

Summit Academy will maintain a log of incidents related to this policy. Reporting will be included in the Annual Report and be made readily available to the public on cp"cppwcn"dcuku"vj tqw i j"Vjg"Cecfg o {øu"y gdukvg. Information will be entered into State or National databases, according to law.