



# **YOUTH PROTECTION POLICY**

## **Reporting Guidelines**

**Adopted: March, 2017**

District 5190 is committed to protecting the safety and well-being of all youth program participants and will not tolerate abuse or harassment. All allegations will be taken seriously and must be handled within the following guidelines. **The safety and well-being of program participants must always be top priority.**

## **DEFINITIONS**

Program Coordinator – the leader of each program listed, which would include for REGL – Program Coordinator; RYLA – Executive Director; RYE – Committee Chair or Executive Director; and for other programs Club President or Club Youth Protection Officer

### **Child abuse/neglect**

- **Nevada definitions**

In Nevada, abuse or neglect of a child means physical and mental non-accidental injury; sexual abuse or sexual exploitation; or negligent treatment or maltreatment of a child under the age of eighteen caused or allowed by a person responsible for his welfare.

**Physical abuse** includes non-accidental physical injuries to a child, such as a sprain or dislocation of arm or leg; damage to cartilage tissues, such as a broken nose; fracture of a bone or the skull; injury to internal organs; burns or scalding, cuts, lacerations, punctures, or bites; permanent or temporary disfigurement; or a permanent or temporary loss or impairment of a part or organ of the body.

**Emotional abuse** or "mental injury" means an injury to the intellectual or psychological capacity or the emotional condition of a child. This type of injury results in observable and substantial impairment of a child's behavior.

**Sexual abuse** occurs when sex acts are performed with children.

**Sexual exploitation** occurs when children are forced, allowed, or encouraged to engage in prostitution, pornography or to engage in any other type of sexual activity such as posing for live sex shows.

**Negligent treatment** or maltreatment of a child occurs if a child has been abandoned, is without proper care, control and supervision or lacks the subsistence, education, shelter, medical care or other care necessary for the well-being of the child. This includes leaving young children unsupervised or alone, locked in or out of the house.

- **California Definitions**

**Physical Abuse** - Physical injury inflicted by other than accidental means upon a child by another person; Willful harming or injury of the child or the endangering of the person or health of the child; unlawful corporal punishment or injury;

Willful harming or injuring of a child or the endangering of the person or health of a child means a situation in which any person willfully causes or permits any child to suffer, or inflicts thereon, unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of the child to be placed in a situation in which his or her person or health is endangered.

**Neglect** means the negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare. The term includes both acts and omissions on the part of the responsible person.

**Severe neglect** means the negligent failure of a person having the care or custody of a child to protect the child from severe malnutrition or medically diagnosed nonorganic failure to thrive.

**Severe neglect** also means those situations of neglect where any person having the care or custody of a child willfully causes or permits the person or health of the child to be placed in a situation such that his or her person or health is endangered, including the intentional failure to provide adequate food, clothing, shelter, or medical care.

**General neglect** means the negligent failure of a person having the care or custody of a child to provide adequate food, clothing, shelter, medical care, or supervision where no physical injury to the child has occurred.

**Sexual Abuse** means sexual assault or sexual exploitation as defined below:

***Sexual assault*** includes rape, statutory rape, rape in concert, incest, sodomy, lewd or lascivious acts upon a child, oral copulation, sexual penetration, or child molestation.

***Sexual exploitation*** refers to any of the following:

- Depicting a minor engaged in obscene acts; preparing, selling, or distributing obscene matter that depicts minors; employing a minor to perform obscene acts
- Knowingly permitting or encouraging a child to engage in, or assisting others to engage in, prostitution or a live performance involving obscene sexual conduct, or to either pose or model alone or with others for purposes of preparing a film, photograph, negative, slide, drawing, painting, or other pictorial depiction, involving obscene sexual conduct.
- Depicting a child in, or knowingly developing, duplicating, printing, or exchanging any film, photograph, video tape, negative, or slide in which a child is engaged in an act of obscene sexual conduct.

## **Emotional Abuse**

Serious emotional damage is evidenced by states of being or behavior including, but not limited to, severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others.

## **RECEIVING AN ALLEGATION REPORT**

Any adult to whom a program participant reports abuse or harassment must:

- ***Listen attentively and stay calm.*** Acknowledge that it takes courage to report abuse or harassment. Be encouraging, but remain neutral; do not express shock, horror, or disbelief.
- ***Assure privacy but not confidentiality.*** Explain that you will have to tell someone about the abuse or harassment to make it stop and ensure that it doesn't happen to others.
- ***Get the facts, but don't interrogate.*** Ask questions that establish facts: who, what, when, where, and how. Reassure the young person that he or she did the right things in telling you. Avoid asking "why" questions, which may be interpreted as questioning the young person's motives. Remember that your responsibility is to report this information to the proper authorities.
- ***Be nonjudgmental and reassure.*** Avoid criticizing anything that has happened or anyone who may be involved. It's especially important not to blame or criticize the young person. Emphasize that it was not his or her fault and that it was brave and mature to come to you.
- ***Document the allegation.*** Record the conversation, including the date and time, as soon after the report as you can. Try to record the young person's exact words.

## **ALLEGATION RESPONSE**

1. **Protect the young person.** Ensure the safety and well-being of the young person by removing him/her from the situation immediately and preventing all contact with the alleged abuser or harasser. Reassure the young person that this is for his/her safety and is not a punishment.
2. **Report the allegations to the appropriate authorities.**
  - a. Every adult staff member, junior counselor, or any other person associated with the program who has received an allegation must report it to the Program Coordinator. For RYE, the program coordinator or the Executive Secretary is to be contacted, or call the D5190 RYE Emergency contact at 877-793-5190. State law mandates the Program Coordinator to be the reporting party of suspected abuse to law enforcement or other appropriate agency.
  - b. In most situations, the Program Coordinator will first contact the District Youth Protection Officer. He is responsible for giving advice and for seeking advice

from and interacting with appropriate agencies. In addition the District Governor must be notified.

- c. Interrogations related to allegations of abuse or harassment must be left entirely to law enforcement agencies or other reporting agencies such as social services. Follow the course of action laid out by the District Youth Protection Officer.
  - d. Allegation is reported to law enforcement agency or other agency such as social services by a non-Rotarian, the first Rotarian that becomes aware of this situation is to immediately inform the District Governor and District Youth Protection Officer. While all Rotarians will cooperate with any investigation, only the District Governor and/or the Youth Protection Officer will reach out to the investigating agency.
- 3. Reporting Information and Time Frames.** Within 24 hours, gather the following information, if obtainable:
- a. The name, address, age and gender of the alleged victim;
  - b. The name and address of the alleged victim's parents or guardians;
  - c. The alleged victim's report of the nature and extent of the abuse or neglect;
  - d. Any evidence of previously known or suspected abuse or neglect of the alleged victim or their siblings;
  - e. The name, address, and relationship of the alleged perpetrator;
  - f. Any other information known to the person making the report that would be helpful to the investigation of the alleged abuse.
- 4. Information on Allegations.** Under no circumstances will information about any alleged incident, the alleged victim, or the alleged perpetrator be given to any person other than the Program Coordinator and the appropriate law enforcement personnel. Program Staff are not qualified or authorized to conduct investigations of any kind, and are prohibited from contacting any persons other than the Program Coordinator.
- 5. Remove the Accused Person from Contact with Youth.** Remove the alleged offender from all contact with Rotary youth program participants until the matter is resolved.
- 6. Avoid gossip and blame.** Don't discuss the allegation except with those who need to know. Be careful to protect the rights of both the alleged victim and the alleged offender during the investigation.
- 7. Follow Through.**
- a. A District Officer must inform RI of the allegation within 72 hours and provide ongoing status reports. In addition, RYE must notify the United States Department of State. The notification is to be made by the RYE Program Chair, or the RYE Executive Secretary, or the RYE Department of State Responsible Officer.
  - b. District 5190 (for RYLA when the youth is from District 5180 their leadership will handle) will ensure that the program participant's parents or legal guardians have been notified and offer the young person an independent, non-Rotarian counselor to represent his or her interests.

- c. For an inbound RYE student, notification must be made to the Program Chair of the sponsoring district (or their designated committee member). The sponsoring district's RYE Program Chair or the designated committee member will make official notification to the RYE student's parents.
  - d. If law enforcement agencies will not investigate, or if the investigation is inconclusive, the district governor will appoint a district review committee to coordinate an independent review to ensure that district youth protection policies were followed, confirm that youth safety was the highest priority, and determine any necessary modifications to district procedures. This review is not responsible for determining the validity of any allegations; that can only be done by youth protection agency personnel or trained law enforcement professionals.
  - e. Following any law enforcement or child protective agency investigations, the District Governor is responsible for determining what role, if any, the accused person may be allowed to play in any future Club or District Youth programs. Even if no criminal or civil legal actions are pursued by the appropriate legal authorities, the District may limit or forbid contact by the accused person with any youth program participant to the extent necessary to prevent any future abuse or harassment and to protect the reputation of Rotary International, Rotary District 5190, and the clubs of District 5190. The District Governor may request the assistance and advice of the District Youth Protection Officer and/or any District review committee in making her or his final determination regarding the accused person, but the District Governor's decision shall be final.
  - f. If law enforcement has found the allegations to be noncriminal, the district governor is responsible for contacting the alleged offender. The district governor may delegate this task to a district youth protection officer of district review committee.
8. **Requests for Information by the Media, or Other Parties.** All requests for information by the media, or other parties shall be referred to the District Governor, or to the District Crisis Management information officer.
- a. All Rotarians with knowledge of the incident need to be informed that they are not permitted to discuss the incident with anyone not involved in the investigation, including other Rotarians, the media, neighbors, etc.
  - b. Since RI has a crisis management firm on standby, the District Governor or District Crisis Management information offices should consult with the crisis management firm before talking to the media.