	<b>ABUSE AND MOLESTATION POLICY</b>	Page 1 of 9
Original Issue Date: 05/12/2020	Last Reviewed:	Revision Number: 0

### **PURPOSE AND SCOPE**

It is the City’s goal to provide the highest standard of service to our community. No forms of abuse will be tolerated and confirmed abuse will result in immediate dismissal from the City.

All reports of suspicious or inappropriate behavior or allegations of abuse will be taken seriously. The City will fully cooperate with authorities if allegations of abuse are made that require an investigation.

### **DEFINITIONS**

*Consumer:* Individuals who use City facilities and parks and/or enroll and participate in City programs.

*Physical abuse:* Injury that is intentionally inflicted upon a consumer.

*Sexual abuse:* Any contact of a sexual nature that occurs between a consumer and an adult or between two consumers. This includes any activity which is meant to arouse or gratify the sexual desires of the adult or the other consumer.

*Emotional abuse:* Mental or emotional injury to a consumer that results in an observable and material impairment in the consumer’s growth, development, or psychological functioning.

*Neglect:* Failure to provide for a consumer’s basic needs or the failure to protect a consumer from harm.


### **APPLICABILITY**

This policy applies to all employees including not but limited to, full-time, part-time, and intermittent/seasonal/special employees.


### **GENERAL GUIDELINES**

The Conduct with Consumer outlines specific expectations of the staff and volunteers as we strive to accomplish our mission together.

1. Consumers will be treated with respect at all times.
2. Consumers will be treated fairly regardless of race, sex, sexual orientation, gender identification, age, or religion.
3. Staff and volunteers will adhere to uniform standards of displaying affection as outlined by our organization.

	<b>ABUSE AND MOLESTATION POLICY</b>	Page 2 of 9
Original Issue Date: 05/12/2020	Last Reviewed:	Revision Number: 0


4. Staff and volunteers will avoid affection with consumers that cannot be observed by others.
5. Staff and volunteers will adhere to uniform standards of appropriate and inappropriate verbal interactions as outlined by the City.
6. Staff and volunteers will not stare at or comment on consumers' bodies.
7. Staff and volunteers will not date or become romantically involved with consumers.
8. Staff and volunteers will not use or be under the influence of alcohol or illegal drugs in the presence of consumers.
9. Staff and volunteers will not have sexually oriented materials, including printed or online pornography, on City property.
10. Staff and volunteers will not have secrets with consumers and will only give gifts with prior permission.
11. Staff and volunteers will comply with the City's policies regarding interactions with consumers outside of our programs.
12. Staff and volunteers will not engage in inappropriate electronic communication with consumers.
13. Staff and volunteers are prohibited from working one-on-one with consumers in a private setting.
14. Staff and volunteers will use common areas when working with individual consumers.
15. Staff and volunteers will not abuse consumers in anyway including (but not limited to) the following:
  - Physical abuse:* hitting, spanking, shaking, slapping, unnecessary restraints
  - Verbal abuse:* degrading, threatening, cursing
  - Sexual abuse:* inappropriate touching, exposing oneself, sexually oriented conversations
  - Mental abuse:* shaming, humiliation, cruelty
  - Neglect:* withholding food, water, shelter

	<b>ABUSE AND MOLESTATION POLICY</b>	Page 3 of 9
Original Issue Date: 05/12/2020	Last Reviewed:	Revision Number: 0

The City will not tolerate the mistreatment or abuse of one consumer by another consumer. In addition, the City will not tolerate any behavior that is classified under the definition of bullying, and to the extent that such actions are disruptive, we will take steps needed to eliminate such behavior.

Bullying is aggressive behavior that is intentional, is repeated over time, and involves an imbalance of power or strength. Bullying can take on various forms, including:

- a. *Physical bullying* – when one person engages in physical force against another person, such as by hitting, punching, pushing, kicking, pinching, or restraining another.
- b. *Verbal bullying* – when someone uses their words to hurt another, such as by belittling or calling another hurtful names.
- c. *Nonverbal or relational bullying* – when one person manipulates a relationship or desired relationship to harm another person. This includes social exclusion, friendship manipulation, or gossip. This type of bullying also includes intimidating another person by using gestures.
- d. *Cyberbullying* – the intentional and overt act of aggression toward another person by way of any technological tool, such as email, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying can involve:
  - Sending mean, vulgar, or threatening messages or images.
  - Posting sensitive, private information about another person.
  - Pretending to be someone else in order to make that person look bad.
  - Intentionally excluding someone from an online group.
  - Hazing – an activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers that person regardless of that person’s willingness to participate.
  - Sexualized bullying – when bullying involves behaviors that are sexual in nature. Examples of sexualized bullying behaviors include sexting, bullying that involves exposures of private body parts, and verbal bullying involving sexualized language or innuendos.

	<b>ABUSE AND MOLESTATION POLICY</b>	Page 4 of 9
Original Issue Date: 05/12/2020	Last Reviewed:	Revision Number: 0

Anyone who sees an act of bullying, and who then encourages it, is engaging in bullying. This policy applies to all consumers, staff and volunteers.

All staff must follow state specific mandatory reporting requirements. Staff should be trained to be aware of and understand their legal and ethical obligation to recognize and report suspicions of mistreatment and abuse. Staff will:

- a. Be familiar with the symptoms of child abuse and neglect, including physical, sexual, verbal, and emotional abuse.
- b. Know and follow organization policies and procedures that protect consumers against abuse.
- c. Report suspected child abuse or neglect to the appropriate authorities as required by state mandated reporter laws.
- d. Follow up to ensure that appropriate action has been taken.
- e. Report concerns or complaints about other staff, volunteers, adults, or consumers to a supervisor.


### **PHYSICAL CONTACT**

The City's appropriate physical interactions include:

- side hugs, shoulder-to shoulder or "temple" hugs, pats on the shoulder or back, handshakes, high-fives and hand slapping, verbal praise, pats on the head when culturally appropriate, touching hands, shoulders, and arms, arms around shoulders, holding hands (with young children in escorting situations)

The City's inappropriate physical interactions include:

- full-frontal hugs, kisses, showing affection in isolated area, lap sitting, wrestling, piggyback rides, tickling, allowing a consumer to cling to an employee's or volunteers leg, any type of massage given by or to a consumer, any form of affection that is unwanted by the consumer or the staff or volunteer, compliments relating to physique or body development, touching bottom, chest, or genital areas

	<b>ABUSE AND MOLESTATION POLICY</b>	Page 5 of 9
Original Issue Date: 05/12/2020	Last Reviewed:	Revision Number: 0

### **VERBAL INTERACTIONS**

The City’s appropriate physical interactions include:

- positive reinforcement, appropriate jokes, encouragement, praise

The City’s inappropriate physical interactions include:

- name-calling, discussing sexual encounters or in any way involving consumers in the personal problems or issues of staff and volunteers, secrets, cursing, off-color or sexual jokes, shaming, belittling, derogatory remarks, harsh language that may frighten, threaten or humiliate consumers, derogatory remarks about consumer or their family

### **ONE-ON-ONE INTERACTIONS**

When meeting one-on-one with a consumer, always do so in a public place where you are in full view of others. Inform other staff and volunteers that you are alone with a consumer and ask them to drop in randomly. Document and immediately report any unusual incidents, including disclosures of abuse or maltreatment, behavior problems and how they are handled, injuries, or any interactions that might be misinterpreted.

### **ESTABLISHED RATIOS**

No more than 10 children per 1 adult for Summer Camp programs.

### **TUTORING/PRIVATE COACHING**

Staff and volunteers must have supervisor approval for any tutoring or private coaching sessions. Supervisors must keep a schedule of private tutoring or coaching sessions, which should include times, consumers involved, and location of sessions. Tutoring and coaching with consumers may not occur outside of the City.


### **ELECTRONIC COMMUNICATION**

The City’s appropriate electronic communication include:

- sending and replying to emails and text messages from consumers ONLY when copying in a supervisor or the consumer’s parent/guardian, communication through City’s group pages on Facebook or other approved public forums, “private” profiles for staff and volunteers which consumers cannot access

The City’s inappropriate electronic communication include:

- harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning or humiliating comments, sexually oriented conversations, private messages between staff and volunteers with consumers, posting pictures of participants on social media sites without authorization, “friending” participants on social media sites

	<b>ABUSE AND MOLESTATION POLICY</b>	Page 6 of 9
Original Issue Date: 05/12/2020	Last Reviewed:	Revision Number: 0

### **CELL PHONE USE**

While assigned to work with consumers, staff are not permitted to use electronic communication except during approved breaks and emergency situations. Internet use, text messaging and/or emailing pictures while assigned to work with consumers is strictly prohibited regardless of the type of device used and whether for business or personal reasons.

### **BACKGROUND CHECKS**

Background checks should be completed on all employees and volunteers and every two years for all persons associated with the Parks and Recreation Department.

### **ARMATUS ONLINE TRAINING REQUIREMENTS**

All Parks and Recreation staff must complete three online courses which consist of Meet Sam, Athlete Protection, and A Day at Day Camp.


### **CRISIS MANAGEMENT PLAN**

#### **Prior to Allegation/Incident**

- Educate all employees and volunteers on what to do if someone alleges current or historical abuse involving City member, employee or volunteer.
- All employees and volunteers should know how to fulfill their duties as mandated reporters (if they are mandated reporters according to state law).
- All employees and volunteers should be trained on how to complete the appropriate incident form.


#### **Immediate Safety**

- Follow all mandated reporting requirements and contact the authorities as appropriate.
- Where applicable, prevent the accused from having further access to children until a thorough incident review is completed. Before beginning an internal incident review, verify with local authorities that this will not interfere with their investigation.
- If the accused person is an employee, follow progressive discipline procedures accordingly. This may involve suspending the accused during the investigation.

	<b>ABUSE AND MOLESTATION POLICY</b>	Page 7 of 9
Original Issue Date: 05/12/2020	Last Reviewed:	Revision Number: 0

### **Initial Communication Plan**

- Designate a point person to respond to all inquiries from parents, the media, and other stakeholders.
  - Prepare a short media statement in advance of getting a media inquiry.
  - All oral and written communication should speak with a voice of compassion and confidence.
  - All employees and volunteers should know how to refer media inquiries to the appropriate person.
- As soon as possible, meet in person (not over the phone) with identified victims and their parents/guardians.
  - Reassure them that you are taking this seriously.
  - Find out what response they expect and be prepared to explain the support you will offer, such as counseling.
- Consider reaching out in writing to parents/guardians of all children currently attending programs as well as those with past contact with the accused offender.
  - The message should communicate: **Empathy:** Begin by stating that such incidents run counter to the City's values.
  - **Facts:** Include a summary of the incident, including information about the arrest, suspension, investigation, etc.
  - **Contact Request.** Ask parents to contact you or the specified authorities if they suspect their child may have been abused.
  - **Your Response:** Explain that you are fully cooperating with the authorities. Describe proactive steps you are taking such as offering resources to parents, hosting a parent meeting, training staff, and conducting an independent investigation to learn from this incident so you can prevent it from happening again.
- Host a parent/guardian meeting to speak directly with concerned families and directly answer any questions before rumors or misinformation is spread.
  - Communicate as much information as you can about the incident.
  - Provide information regarding the proactive steps leadership is taking in response to the incident.
  - Describe resources you are providing families, and give parents a chance to ask questions.

	<b>ABUSE AND MOLESTATION POLICY</b>	Page 8 of 9
Original Issue Date: 05/12/2020	Last Reviewed:	Revision Number: 0

- Provide parents with information about how to talk to their children about abuse.

**Ongoing Communication and Response**


- Determine how to manage ongoing relations with authorities, parents, the community, and media.
  - Designate specific individuals to handle various communications and outreach efforts.

**Promote Prevention at All Levels of the Organization**

- Educate parents on abuse prevention. Offer a workshop during which parents can learn how to protect their children from abuse. This is an educational session that is different from the parent meeting described above.
- Provide a youth education program to all youths involved with your programs on how to protect themselves from abuse and how to express concerns.

Train (or –re-train) all employees and volunteers on how to identify and report “red-flag” behaviors that do not rise to the level of suspected abuse. This is an important part of the overall response and ongoing prevention effort.



	<b>ABUSE AND MOLESTATION POLICY</b>	Page 9 of 9
Original Issue Date: 05/12/2020	Last Reviewed:	Revision Number: 0

**PUBLIC RECORDS**

Any and all reimbursements to employees are public records and thus will be managed in compliance with applicable local, state and federal laws, regulations, and policies including the Delaware Freedom of Information Act (covering Open Meeting Law, Public Records Law), and Public Records retention schedules, Copyright Law and other applicable City policies.

**VIOLATIONS**

Employees violating this policy may be subject to disciplinary action in accordance with City policies, departmental operating procedures and/or collective bargaining agreements.

If you have questions regarding appropriate use of this policy, please contact your supervisor, the Human Resources Administrator or your respective Appointing Authority.

---

*Appointing Authority Signature*

*Date*

I, \_\_\_\_\_, acknowledge that I have received and read a copy of this policy.

---

*Employee Signature*

*Date*