

UNC-Chapel Hill FSRA Policy For The Protection Of Children, Youth; And Adults With Developmental Disabilities

Statement of Policy

Professionals, employees, and volunteers of the UNC-CH Faculty-Staff Recreation Association shall not engage in sexual abuse, sexual harassment, sexual misconduct, and Physical abuse, Physical Neglect, Lack of supervision, Emotional Maltreatment, Educational Maltreatment, and/or Moral-Legal Maltreatment of children, youth, and adult /children with developmental disabilities.

Persons in a role of leadership, with children, youth and adults with developmental - **shall include all paid and unpaid staff**, whether who have a direct or indirect contact with same who participate in any activities or events sponsored by the UNC-CH FSRA.

DEFINITIONS

1. Sexual Abuse: Sexual abuse means unwanted physical conduct of a sexual nature, sexual contact or sexualized behavior and may include, by example, touching, fondling, other physical contact and sexual relations. Child/youth/adult with developmental disabilities sexual abuse is the sexual exploitation or use of same for satisfaction of sexual drives. It includes but is not limited to: (1) incest, (2) rape, (3) prostitution, (4) any sexual intercourse, or deviant sexual conduct with, or fondling of an individual enrolled as a child, or youth, or adult with developmental disabilities at in the program or at sponsored activities.

2. Sexual Harassment: Sexual harassment is any unwanted sexual advance or demand, either verbal or physical, that is reasonably perceived by the recipient as demeaning, intimidating or coercive. Sexual harassment must be understood as an exploitation of a power relationship rather than as an exclusively sexual issue. Sexual harassment includes, but is not limited to, the creation of a hostile or abusive working environment resulting from discrimination on the basis of gender.

3. Sexual Misconduct: Sexual misconduct means a chargeable offense.

4. Physical Abuse - Any act of omission or an act that endangers a person's physical or mental health. This definition includes any non-accidental physical injury caused by a caretaker. Physical abuse may result from punishment that is overly punitive or inappropriate to the individual's age or condition. In addition, physical abuse may result from purposeful acts that pose serious danger to the physical health of a child, youth or adult with developmental disabilities.

5. Physical Neglect -A caretaker does not take adequate precautions (given a child's, youth or or vulnerable person's particular emotional developmental needs) to ensure his or her safety in and out of the residence.

6. Lack of Supervision- A caretaker does not take adequate precautions (given a child's, youth or vulnerable person's particular emotional developmental needs) to ensure his or her

safety in and out of the residence.

7. Emotional Maltreatment- Persistent or extreme thwarting of a child's, youth or vulnerable person's basic emotional needs (such as the need to feel safe and accepted)

8. Moral-Legal Maltreatment- A caretaker exposes or involves a child, youth or vulnerable person in illegal or other activities that may foster delinquency or antisocial behavior.

Implementation of this policy

Professionals, employees, and volunteers shall be provided a copy of this policy and shall receive training information to assist in the understanding and implementation of this policy.

Making a Complaint

Persons who have knowledge of possible violations of this policy by Professionals, employees, and volunteers should report to appropriate supervisors and administrators. The Administration will take action in investigation, reporting, due process, and take action to seek justice.

INTRODUCTION

It shall be the policy and covenant of the UNC-CH Faculty-Staff Recreation Association to do everything in our power to prevent physical, emotional or sexual abuse against children, youth and adults with developmental disabilities involved in our operations and with any sponsored by the UNC-CH FSRA. We are covenant to be aware of our legal responsibilities and to comply with those responsibilities and go beyond those responsibilities when necessary to act justly in the best interest of those who have been abused or those who are most vulnerable to abuse.

The UNC-CH FSRA will implement orientations and training seminars for persons in leadership with children, youth and adults with developmental disabilities. The UNC-CH FSRA will screen persons in roles of leadership with children, youth and adults with developmental disabilities and will report instances of abuse.

SCOPE

This policy and its provisions shall apply to all paid and unpaid staff, who have any direct or indirect contact with children and/or youth and/or adults with developmental disabilities who participate in any activities or events sponsored by the UNC-CH FSRA.

SCREENING FOR VOLUNTEERS OR STAFF

Careful screening is one way to prevent the abuse of children, youth and adults with developmental disabilities. Screening calls for a careful gathering and review of information in search of persons who can provide safe and caring supervision in a safe environment.

1. Prior to employment or acceptance as a volunteer or paid staff person, the event coordinator

or Administrator in charge of an event or program shall direct each prospective worker to complete the employment application for the UNC-CH FSRA.

2. The UNC-CH FSRA shall facilitate a screening check for employees 18 years of age or older.
3. The UNC-CH FSRA shall request and check references for any potential employee or volunteer.
4. The UNC-CH FSRA shall receive the completed forms and reports and review them. If any of the reports raise questions about the fitness of the applicant, the UNC-CH FSRA should disapprove the application and notify the applicant. The UNC-CH FSRA reserves the right to turn away any persons for volunteer or paid service.
5. If the applicant (either volunteer or paid) is found to have been involved in any activity in which the applicant abused or exploited children, youth and adults with developmental disabilities, the applicant will not be hired/approved. Any conviction of a crime against children, youth or adults with developmental disabilities shall disqualify any applicant.
6. Results of screens shall be kept confidential.

TRAINING

The UNC-CH FSRA shall develop and implement training procedures for all persons in role of leadership who work with children, youth and adults with developmental disabilities as part of their duties, activities and events.

SUPERVISION

Supervision and enforcement of policy and procedures regarding staff and volunteers working with children, youth, and adult /children with developmental disabilities should be clearly communicated at the UNC-CH FSRA. At the UNC-CH FSRA, all program directors, camp directors, camp counselors, swim coaches, lifeguards and other staff should be clear on the written policy and procedures regarding staff and volunteers working with children, youth, and adult /children with developmental disabilities. (Definitions of Abuse, Selection and Screening, No one-on-one isolated situations should apply with children, youth, and adult /children with developmental disabilities, reporting incidents of abuse with Children, youth, and adult /children with developmental disabilities and media response. ALL reporting activities set forth by government, State and Federal regulations, should be followed). Whenever possible, a team approach should be used with children, youth and adults with developmental disabilities. If the necessity for one-on-one interactions between adults and children, youth and adults with developmental disabilities arises, the interaction should occur in an unenclosed area and with the knowledge of another adult. Workers are to be encouraged to warn each other when questionable behavior is displayed.

Specific Procedures for Supervision at the UNC-CH FSRA

1. One-on-one interaction between participants and staff or volunteers should be avoided. If interaction must take place, make sure the interaction occurs in an open area, with others around.
2. Bathroom trips should be taken with multiple employees. Please call for bathroom breaks as a group. Take a minimum of two staff members. The doors to the bathroom

- should be left open while the bathroom is in use by participants.
3. Poolhouse or changing room behavior should be monitored.
 4. Conversation subject matter between staff or volunteers and conversations with participants should be closely monitored. Please be aware that participants and parents can overhear conversations that individuals view as private. Please use appropriate subject matter at all times.
 5. Any display of affection between staff or volunteers is forbidden. Those activities must be limited to non-work hours.
 6. Please report observed incidents to direct supervisor or manager.

REPORTING OF INCIDENTS

When the necessity of reporting occurs, the protection of children, youth and adults with developmental disabilities must be paramount.

Procedures for Reporting, Investigating, and Resolving Violations of Certification Policy

- 1. Reporting
 - a. Immediately upon receipt of an allegation of violation of policy the direct supervisor and the manager of the involved shall be notified.
 - b. The Manager shall notify the Crisis Management Team (comprised of the manager, assistant manager and FSRA President).
 - c. The Manager shall notify the insurance carrier.
 - d. The Manager or Crisis Management Team will facilitate reporting to law enforcement agencies, as appropriate according to state and Federal reporting guidelines.
 - e. The Manager or Crisis Management Team should notify the Board of Directors
- 2. The person against whom an allegation has been made (“Respondent”) will immediately be suspended from working with children, youth; or adults with developmental disabilities.
- 3. If a minor is involved, that person’s parent(s)/guardian(s) shall be notified of the alleged violation of policy by a person designated by the Crisis Management Team.
- 4. The Crisis Management Team shall assist the investigation of the complaint and the process to use to work through the complaint. This may include assistance with legal and public relations issues as well as interviews necessary for the investigation of the complaint. Decisions of resolution shall ultimately rest with the Board of Directors.
- 5. The person or persons who first report the alleged violation of policy will be asked to document their knowledge of this incident(s) and provide that documentation to the Crisis Management Team.
- 6. The Crisis Management Team will determine who needs to be interviewed to determine the nature of the alleged violation and its impact. All conversations shall be documented including such things as (but not exclusive of) date, time, place, and

names of persons involved. In addition the substance of the conversation shall be documented, with the person interviewed asked to review notes for accuracy and to sign such notes. In addition, all contacts made and actions taken by the Crisis Management Team or Certification Authority are to be documented.

- 7. If a formal complaint is made, the Crisis Management Team shall provide the respondent with a copy of the complaint.
- 8. If the Respondent wishes to resume job duties, then the Crisis Management Team, may design a procedure for determining the fitness of the individual for this work. This may include such things as a psychological assessment, counseling, etc. as deemed appropriate to the circumstances. Payment of these costs shall be negotiated. Results of this will be made available to the Crisis Management Team, who shall make the final determination as to whether or not to reinstate a person's certification.
- 9. Those making the allegations ("Complainant"), the parent(s)/guardian(s) of any minor involved, the Respondent, and any persons who supervise such persons shall be notified of any result of the investigation and final decision of the Crisis Management Team. In all cases all documentation shall be retained in a confidential, personal file.
- 10. The Crisis Management Team will determine when and with whom information needs to be shared. If investigations or allegations of abuse should come to the attention of the media, a response shall come from a spokesperson.
- 11. It shall be the goals of the UNC-CH FSRA to provide supportive care to both the Complainant and the Respondent, and to restore such persons to wholeness. Supportive care can include the procedures of the criminal justice system and appropriate counseling referrals.