

CASA KANE COUNTY SEXUAL ABUSE AND MISCONDUCT POLICIES AND PROCEDURES

STATEMENT OF POLICY

Our society has grown acutely and painfully aware of the tragedy of sexual abuse. The trauma and damage sex abuse causes its victims, their families, and the community, is compounded when the abuser is a trusted member of a child advocacy group. Therefore, CASA Kane County is committed to make every reasonable effort within our power to prevent the occurrence of any sex abuse allegation by any volunteer or employee, and to deal promptly and effectively with allegations that may arise.

The allegation of any sexual abuse or misconduct involving minors will be treated with the utmost seriousness and investigated thoroughly. CASA Kane County will cooperate fully with any public authorities that may be investigating the matter, and will take care not to interfere with any public investigation. Therefore, all legal requirements regarding notification of such charges will be observed.

The procedures set forth below represent guidelines that CASA Kane County will attempt to follow in addressing a report or accusation of sexual abuse or misconduct by one of its employees or volunteers. All of the procedures may not apply to a given situation; likewise, they may require modification or supplementation to meet the needs of a particular case. Indeed, no two cases are exactly alike. Therefore, the Executive Director of CASA Kane County and the CASA Kane County Board of Directors together reserve the right to modify these procedures at their discretion, and both the Executive Director and the Board are committed to review them annually for adequacy.

The principles outlined in the policies and procedures set forth below are adopted with the intention that all employees and volunteers of CASA Kane County experience relationships that remain at all times respectful, rewarding, and challenging.

All CASA Kane County volunteers and employees are committed to:

- Providing a safe, professional environment for youth that is free from physical and psychological intimidation.
- Never physically, sexually, or emotionally abusing a minor.
- Reporting any suspected abuse or neglect of a minor.

PROCEDURES

I. Prevention of Abuse: Standards of Conduct for Working with Minors

Definition of Sexual Abuse: Sexual abuse is defined as any contact of a sexual nature that occurs between a minor -- persons under the age of eighteen (18) -- and an adult. This includes any activity that is meant to arouse or gratify the sexual desires of the adult.

A. Physical Contact with Minors

CASA Kane County has a guidance policy that will promote a positive, nurturing environment while protecting our employees, volunteers, and minors from misunderstandings. Following the CASA training, policies and guidelines of permitted behavior also assists in the protection against false allegations of sexual abuse. The following guidelines are to be carefully followed by all CASA Kane County employees and volunteers.

1. Appropriate Physical Contact

CASA Kane County recognizes that appropriate affection between adults and minors can be a positive part of the human experience. The following forms of affection are regarded as appropriate examples of physical contact:

- Side hugs
- Shoulder-to-shoulder or "temple" hugs
- Pats on the head, shoulder, or back
- Hand-shakes
- "High-fives" and hand slapping
- Touching hands, shoulders and arms
- Arms around shoulders
- Holding hands when a minor is upset

2. Prohibited Physical Contact

Some forms of physical affection have been used by adults to initiate inappropriate contact with minors. In order to maintain a safe environment for youth, the following forms of physical contact are prohibited by CASA Kane County employees and volunteers:

- Any form of unwanted affection
- Inappropriate or lengthy embraces, full frontal hugs, and/or "bear" hugs
- Kisses
- Lap sitting (age appropriate only)
- Touching buttocks, chest, knees, thighs, or genital areas
- Placing hands in pockets of minors

- Showing affection in isolated areas such as closets, adult-only or staff-only areas, or other private rooms
- Laying down, cuddling, or sleeping near a minor
- Wrestling
- Tickling
- Piggyback rides (age appropriate only)
- Any type of massage

B. Emotional Boundaries

In addition to physical boundaries, emotional boundaries must be recognized, too. Examples of emotional boundary violations include:

- Compliments that relate to physique or body development
- Visits should always occur in an open location with no closed doors
- Calling or e-mailing a minor for purposes other than those directly related to CASA Kane County work
- Displaying and/or taking photographs of a minor other than photographs taken as part of CASA Kane County work
- Engaging in sexually oriented conversations not related to CASA Kane County work

C. Behavioral Boundaries

1. Behavioral Boundary Violations

Behavioral boundary violations exist when an adult allows minors to act contrary to the rules of responsible adults, such as:

- Offering minors cigarettes or other smoking materials
- Providing to and/or receiving from minors gifts/money without permission from the minor's parents/guardians or CASA staff
- Ridiculing beliefs held by a minor's parents/guardians
- Asking a minor to keep secrets from the minor's parents/guardians

D. Prohibited Behaviors

In addition, administrators, employees, and volunteers are prohibited from the following:

- Using, possessing, or being under the influence of alcohol or any illegal drugs while working with minors
- Using bad language, swearing, and cursing in the presence of a minor
- Possessing any sexually-oriented or morally-inappropriate materials (magazines, cards, videos, films, clothing, etc.) in the presence of minors

II. Prevention of Abuse: Employee and Volunteer Screening

A. Selection Committee

A Selection Committee, composed of CASA Kane County employees and volunteers appointed by the Executive Director, will assess whether an employee or volunteer applicant is fit to work closely with minors. The Selection Committee will make this assessment of the applicant only after receiving *all* required application materials for the individual employee or volunteer applicant.

B. The Employee and Volunteer Application Process

All applicants will be required to provide the following *without* exception:

1. Written Application

All employee or volunteer applicants must complete a written application that includes the following:

- Residency patterns within the past five years
- Educational history
- Occupational history within the past ten years
- Skill sets
- A signed release of information to conduct background checks
- A list of personal and professional references

2. Face-to-Face Interview

All applicants must participate in a face-to-face interview. *Such an interview provides information needed to assess an individual's experiences, values, attitudes, and skills to determine whether the applicant meets the criteria for working closely with minors.*

3. Criminal Background Check

All applicants must submit to and pass a criminal background and a CANTS (Child Abuse and Neglect Tracking System) check.

All CASA advocates will be required to submit to a repeat criminal background check every three to five years. All CASA employees will be required to submit to a repeat criminal background check every five (5) years.

All employees and volunteers are obligated to timely report to the Executive Director any conviction of a felony or a crime against a minor.

4. Personal and Professional Reference Checks

Each applicant will be required to provide a list of professional and personal references. Each reference must be able to attest to the applicant's abilities and character. A written form will be mailed to all of the listed references, and a record of such will be maintained. Upon receipt of a written form, a telephone call may be made to the reference regarding the applicant.

C. Training for Individuals who Work with Minors

1. Consent to Comply With Standards of Conduct

All employees and volunteers are required to thoroughly review these Policies and Procedures and agree to comply with the standards of conduct set forth herein.

2. Training and Education

All employees and volunteers having regular exposure to minors will be required to participate in training that addresses the identification and reporting of sexual abuse and their role in protecting minors.

IV. Reporting of Incidents, Allegations, and Concerns

A. Reporting of Suspicious or Inappropriate Behaviors with Minors

1. Zero Tolerance Policy

Because CASA Kane County is dedicated to maintaining zero tolerance for sexual abuse and misconduct, it is imperative that every member of our organization participates actively in the protection of minors. In the event that employees or volunteers observe any suspicious or inappropriate behaviors, it is their personal responsibility to immediately report such observations to a CASA staff member or the Executive Director.

2. Treatment of Reports

All reports of suspicious or inappropriate behavior with minors will be taken seriously. Procedures will be carefully followed to ensure protection of the rights of all involved.

3. Gathering of Information

Upon report of suspicious or inappropriate behaviors, CASA Kane County will gather additional information about the nature of the concern and follow the guidelines for reporting.

4. Reporting of Possible Abuse to Civil Authorities

If, at any point in gathering information about suspicious or inappropriate behavior, a concern arises that there is a possibility of sexual abuse or misconduct, the civil authorities will be contacted or a hotline called will be made.

5. Consequences of a Confirmed Policy Violation

If, at any point, policy violations with minors are confirmed, the offending individual will be subject to disciplinary action, including possible termination or removal as a volunteer.

B. Procedures for Reporting Abuse of Minors

1. Types of Reporting

Suspicious or inappropriate behaviors may be reported in a variety of ways, including:

- a. An in-person meeting or telephone call with the Executive Director, or any member of CASA Kane County's administrative team.
- b. A signed letter of concern addressed to CASA Kane County.

2. Methods of Reporting for Volunteers and Employees

If a volunteer or employee suspects that another volunteer or employee has engaged in or is engaging in sexual misconduct with a minor, the volunteer or employee must report this suspicion to the Executive Director or any other member of the administrative team.

3. Methods of Reporting for Administrators

Upon developing a reasonable suspicion that a minor has been or is the victim of sexual misconduct, by someone associated with CASA Kane County, a member of the administration must report directly to the Executive Director, or, if the Executive Director is the subject of the report, to the Chairman of the Board of CASA Kane County.

4. Reporting Requirements and State-Initiated Investigations

CASA Kane County employees and volunteers assume the responsibilities of mandatory reporters under the Illinois Abused and Neglected Child Reporting Act. Therefore, in the event that any CASA Kane County administrator, employee, or volunteer has reasonable cause to believe that a minor who is known to him or her in his or her professional capacity may have been or is being abused, he or she must report his or her suspicions immediately to civil authorities, or to his or her direct supervisor, or the Executive Director of CASA Kane County, who will make the report to civil authorities. Illinois law protects the anonymity of mandated reporters.

- a. When CASA Kane County, learns that employees or volunteers have become aware that a minor whom CASA Kane County is working with in a professional capacity may be experiencing abuse or neglect by someone not affiliated with CASA Kane County, the following procedures will be used for reporting such abuse or neglect:
 1. The employee or volunteer will make the report to the Child Abuse Hotline, or will advise his or her direct supervisor of the details of the report.
- b. When CASA Kane County receives a report that a minor may have been or is being abused by a CASA Kane County employee or volunteer, the following procedures will be used for the reporting and investigation of such abuse:
 1. CASA Kane County will cooperate fully with any investigation conducted by civil authorities.
 2. CASA Kane County will contact the Sexual Abuse Response Team within 24 hours of the complaint to initiate an initial internal investigation.
 3. During investigations by civil authorities and/or the CASA Kane County internal Sexual Abuse Response Team, the individual who is the subject of the investigation will be temporarily removed from all contact with minors and from all responsibilities and duties.

V. CASA Kane County's Response to Sexual Abuse

A. Sexual Abuse Response Team

Upon receipt of such an allegation of sexual abuse, the Executive Director will contact and assemble the Sexual Abuse Response Team consisting, in addition to herself, the

Executive Committee of CASA Kane County. These individuals shall constitute an advisory group to the Executive Director until the allegation is resolved.

The remainder of the Response Team will consist of a lawyer and a mental health professional chosen for their expertise in cases of sexual misconduct. Because of the need to act promptly in these cases, an ongoing relationship with outside experts will be established to assure their prompt availability if a case should arise.

The Response Team will investigate the allegation as fully as possible to determine whether there is credible evidence to support the accusation and whether there may be other victims of abuse. The Response Team will conduct its investigation so as not to interfere with any pending public investigation. In some instances, this policy against interfering with a public investigation may mean delaying an internal investigation until the police or other civil authorities have completed their investigation.

B. Investigating an Allegation of Sexual Abuse

1. Initial Internal Investigation

If faced with an allegation of sexual abuse, CASA Kane County will conduct an initial investigation, pursuant to its sexual abuse policies and procedures, to determine the veracity of the charge. If there appears to be some semblance of truth to the allegation, the CASA Kane County Response Team will conduct a full investigation into the report.

2. Investigative Steps

The investigation will entail the following steps:

- a. Prevention of further access to minors by the alleged perpetrator
- b. Alerting the proper authorities
- c. Determination of key questions to answer in the investigation
- d. Identification of who can and should be interviewed
- e. Review of existing documents and records

CASA Kane County will document all phases of the investigation.

C. Care of the One Who Brings Allegations of Misconduct

1. Response to Allegations

CASA Kane County will take all allegations of abuse seriously and will immediately investigate all concerns.

2. Presumption of Honesty

CASA Kane County will respond immediately and effectively to deal with any accusation of sexual abuse brought against one of its employees and volunteer members. At all times it is expected that an allegation brought by the minor or by that person's parent or legal guardian, is based in fact, and is an honest representation of the truth. It is always important for all CASA Kane County employees and volunteers to be sensitive to the needs and feelings of those who allege they have been sexually abused.

3. Professional Counseling Support

The victim and/or the family will be encouraged to receive appropriate care from mental health professionals.

D. Care of Individuals Accused of Sexual Abuse

1. Response to Allegations

CASA Kane County has a deep concern for the rights and liberties of its employees and volunteers who are accused of sexual abuse.

2. Preservation of Rights and Presumption of Innocence

Accordingly, CASA Kane County will take great care in ensuring that a fair and internal proper investigation is conducted following any allegation of sexual abuse. Innocence is always presumed until facts prove otherwise.

3. Removal from Contact with Minors

During investigations of allegations of sexual abuse, the accused will be removed from contact with minors to ensure the integrity of the investigation and the safety of all CASA Kane County minors during the information-gathering process. This action should in no way be interpreted as a presumption of guilt.

4. Termination from Service

If abuse of a minor is confirmed, the offending individual will be permanently terminated from his or her service with CASA Kane County.

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