

**CITY OF MINDEN RECREATION DEPARTMENT
CHILD ABUSE/MOLESTATION
POLICY**

Adopted April 5, 2004

1. PURPOSE

The purpose of this policy is to reduce the liability risk and related negative publicity, expense, and trauma to the Minden Recreation Department and of course, the children we serve. The likelihood of such can be reduced by making the environment unsuitable for the sexual predator and/or abuser.

This policy will key in on the bare essentials of education, volunteer screening, policies, and program administration. The intent of this policy is not to be totally encompassing, but instead, to provide the framework of a basic workable program.

2. DEFINITIONS

Child Abuse: Verbal abuse (ridicule or put-downs), physical abuse (any hurtful touching or excessive exercise used as punishment), emotional abuse (threats to perform unreasonable tasks), and sexual abuse.

Sexual Abuse: Refers to a wide spectrum of interactions including rape, physical assault, sexual battery, unwanted physical sexual contact, unwelcome sexually explicit or offensive verbal communication, coercive or expletive sexual contact, verbal sexual harassment, and/or sexualized attention or contact with a minor.

Conduct Official: One person within the Minden Recreation Department who is appointed by the Mayor to administer the policy. The Conduct Official is responsible for education, reviewing Volunteer Applications, checking references, conducting criminal background checks, handling appeals from disqualified candidates, conducting investigations on allegations of abuse, acting as liaison to local law enforcement, etc.

Volunteer: Citizens who perform the various functions entailed in the running of a league without pay.

Criminal Background Check (CBC):

CBC's will provide all misdemeanor and felony information (not just sex offenses) that the Minden Recreation Department will take into account in the disqualification process. CBC's show offenses that go back a minimum of 7 years, but much longer in most cases.

3. POLICIES ON CHILD ABUSE/MOLESTATION

Limit One On One Contact: It is the Minden Recreation Department's policy that no activities shall take place involving one on one contact between a single, non-related program volunteer and a child, if such activities can be practically avoided. Instead, a "buddy system" is encouraged where two (2) adults should always be present during practices, games, carpooling, and special events.

Prohibition of Sleepovers: Team or league sleepover activities are strongly discouraged, whether overnight parties or traveling to away games. Exception: Teams traveling to far away tournaments can have sleepovers if each child is either accompanied by his/her parent or is being supervised by two (2) adults who are in each other's presence at all times.

Touch Policy: Touch is acceptable only if it is "respectful and appropriate". Some experts have adopted a no touch policy, but most experts believe that "no touch" is an over-reaction and is ultimately damaging in itself and not practical.

Verbal Conduct Policy: Inappropriate comments of a sexual nature and suggestive jokes are prohibited.

Take Home/Pick-Up: Take home/pick-up of participants, by league personnel, is strongly discouraged because of the difficulty in limiting one on one contact between adult and child (remember the Buddy System). Parent(s) should provide transportation for their own children to and from scheduled events. The Minden Recreation Department will clearly outline the expected start and end time for all events and communicate this with all parent(s). The Minden Recreation Department strongly recommends that coaches provide schedules for practice times. Parent(s) should be instructed to make back-up plans in the event they can't provide transportation. If parent(s) can't provide transportation they must communicate to the coaches the name of the person(s) who are authorized to pick up the child. Such policy will help to protect against potential abductions or being thrust into the middle of any custody dispute.

Child Abuse Prohibition: All forms of sexual, physical, verbal and emotional abuse are prohibited.

Name Distribution: The distribution of directories/rosters with names, phone numbers, addresses, and pictures will be limited to persons on a “need to know” basis.

4. EXAMPLES OF ABUSE/MOLESTATION

Emotional Abuse: Yelling or making the following statements:

- You’re stupid;
- You’re an idiot;
- You’re an embarrassment;
- You’re not worth the uniform you play in; etc.

Physical Abuse: Besides the obvious examples of a coach hitting, kicking, throwing equipment, or shaking a player, watch out for the following:

- Behaviors seem violent versus disciplinary;
- Training practices become abusive;
- Fighting is encouraged or ignored;
- Illegal moves, often associated with injuries are encouraged;
- Coaches teach improper techniques or encourage conduct which violates safety rules;
- Coaches allow athlete(s) to become physically or verbally abusive;
- Behaviors result in injuries to athlete(s); etc.

Sexual Abuse: An adult may not improperly sexualize touch by fondling instead of hugging (with permission), kissing, or seductive stroking of various body parts. On the other hand appropriate touching can be used when a young child needs comfort, reassurance, and support. Appropriate touch is respectful of a person’s personal boundaries and comfort level, public (done in front of others and not secretly), and nurturing (not sexualized).

- Misuse of power and authority;
- Misuse of love and affection;
- Manipulation or tricks:
 - * *This is love;*
 - * *This is what you need to be a part of the team;*
 - * *This is what we do for initiation;*
- Grooming: desensitization that begins with appropriate touch, then the touch change. Examples:
 - * *You liked the touch before;*
 - * *What’s wrong? Don’t you trust me?; or*
 - * *courting (gifts, time, attention);*
 - * *romancing (talking of love or attraction);*

- * *line (you're special, I don't usually do this sort of thing, you're so mature, you're so attractive); or*
- * *secrets (this is our special secret, others wouldn't understand, you or I would get in trouble);*

5. WARNING SIGNS OF ABUSE/MOLESTATION

With some forms of abuse, there may be physical indicators (examples: with physical abuse, bruises, welts, broken bones) or with sexual abuse venereal diseases, genital swelling/soreness, difficulty sitting or walking, pain or itching when urinating or defecating, stomach aches, pain/itching in genital area, and frequently unexplained sore throats. But most often the effects of sexual abuse are less obvious. For example, sudden shifts in behavior or attitudes when outgoing child suddenly builds a protected, closed wall or a generally happy child becomes aggressive and angry or a trusting child becomes fearful may be an indication of abuse. In sports, this can show up as losing interest or wanting to drop out of sports or a sudden decline in ability or functions.

Please note that no indicators or symptoms are absolute. Many of these could be indicators of problems other than child abuse. However, if some of these things are going on, consider them to be a red flag. One difficulty is that some signs are ambiguous. Children may respond in different ways and some may show no sign at all. Some indicators include:

- Disclosure by child. Most children won't just come out and say they have been abused, but instead, may hint at it.
- Observations, complaints, concerns, or allegations about league volunteers.
- Attitudes/behaviors expressed on the part of an adult that may be associated with inappropriate or abusive behavior (racist, poor sense of athlete development, raging temper, extremely controlling, jealous, hypersensitive, poor sexual boundaries, bullying, intimidating manner, unrealistic or inappropriate training practices and risks, etc.)
- Unexplained/unlikely explanation of injuries;
- Extreme fear of a league volunteer;
- Extreme low self-esteem, self worth;
- A child's attachment to a coach/staff to the point of isolation from others;
- A coach/staff with an interest beyond caring concerns, special interest in a child (time, gifts, attention, obsession, unrealistic expectations);
- A child's desire to drop out without a clear explanation, or without one that makes sense;
- A child that misses a lot of practices or games with suspicious explanations or excuses;

Despite increased sensitivity to abuse, there is still a tendency to blame the victims instead of holding the person(s) accountable who:

- lost their temper;
- got a little out of control;
- were just having a dispute;
- misinterpreted the touch;
- is really a wonderful person; etc.

Listen to what the athlete is saying.

6. ALLEGATIONS OF ABUSE/MOLESTATION AND OTHER POLICY VIOLATIONS

Point of Contact: The Conduct Official is the appropriate person to whom all reports of child abuse/molestation should be reported. The information reported will be immediately investigated by the Minden Recreation Department as discretely as possible. Any report of sexual abuse or molestation will be immediately reported to the Minden Police Department. In the event that the Conduct Official is the alleged abuser/molester, the report should be made directly to the Minden Police Department.

Assessing the Seriousness of the Situation: It is useful to differentiate between:

Concern: When the person just needs to be heard and have some information clarified.

Complaint: When the person needs you to listen and may or may not want action taken if they feel you listened.

Allegation: Clarify if the allegation is:

- appropriate, but unappreciated act;
- inappropriate act, but not illegal act;
- illegal act that needs to be reported to law enforcement.

Disclosure: When the person tells you that abuse occurred or based on their actions gives you reason to believe abuse has occurred.

The Conduct Official must take the appropriate action depending on where the situation falls in the above mentioned categories.

Information Gathering:

Upon receipt of a disclosure of child/sexual abuse or of a policy violation the Conduct Official should gather all pertinent facts in a fair, respectful, and confidential manner and review with both the accuser and accused.

The Conduct Official must immediately report to the authorities when there is reasonable cause to believe that physical abuse or sexual abuse has occurred. At this point, the Conduct Official will never investigate, as this is the role of the law enforcement authorities. Furthermore, allowing the law enforcement authorities to investigate helps to shield the Minden Recreation Department against potential lawsuits for defamation of character.

Suspension/Termination: The findings of the Conduct Official should be reported to the accuser and the accused and all proceedings should be confidential. If the alleged abuser or policy violator admits to the conduct, the Minden Recreation Department Director can employ the most appropriate punishment. If the alleged abuser or policy violator denies the conduct, the Minden Recreation Department Director can conduct further investigations (except when reasonable cause of physical or sexual abuse exists that should be reported to the authorities) deemed necessary prior to rendering any appropriate punishment or exoneration.

Remember, the alleged violations range from inappropriate, but not illegal behavior to clear cut child/sexual abuse and the punishment must be tailored to the violation.

Suspension: Less egregious conduct on the part of the volunteer will result in a written reprimand. If more than two (2) written reprimands are received in a three (3) year time period, this will result in termination of the volunteer. Slightly more egregious conduct will result in both a written reprimand and suspension. Upon the second suspension in a three (3) year time period, the volunteer will be terminated.

Termination: All volunteers are subject to immediate termination based on the disqualification criteria outlined below.

Duty to Disclose/Immunity/Confidentiality:

All volunteers will be required to report suspected cases of child/sexual abuse to the Conduct Official immediately. Any person(s) who makes or participates in the making of a good-faith report of abuse/neglect, participates in the investigation, or in judicial proceedings shall in so doing be provided with complete and absolute immunity from civil liability.

The identity of the Volunteer reporting a case of suspected child/sexual abuse should not be revealed. All records and reports concerning investigations and their outcome are protected by various confidentiality laws. Unauthorized

disclosure of such records is a possible criminal offense which could subject the violator to fines and/or imprisonment.

7. VOLUNTEER SCREENING

Volunteer Application and Consent/Release Form: The attached application entitled “Volunteer Application” must be completed, signed, submitted, and processed on an annual basis before a volunteer will be allowed to work with participants.

All volunteers who have regular access to or repeated contact with participants must complete the “Volunteer Application.” This would normally include all head coaches, assistant coaches, managers, league administrators, umpires, scorekeepers, concession workers, field maintenance workers, etc. Refusal to comply will result in immediate dismissal from the Minden Recreation Department even if the volunteer has been allowed to participate in the past.

The Conduct Official will review all such applications, will conduct a Criminal Background Check, may conduct a follow-up interview to clarify questions, and will decide whether or not the candidate is disqualified based on this information.

Disqualification Criteria: The sports organization must adopt its disqualification criteria in writing below before the Criminal Background Checks are run.

Minden Recreation Department Disqualification Criteria

Individual volunteers found to be guilty of the following crimes will be disqualified as a volunteer as outlined below. Guilty means the applicant was found guilty following a trial, entered a guilty plea, entered a no contest plea accompanied by the court’s finding of guilty, regardless of whether there was an adjudication of guilt (conviction) or a withholding of guilt. This policy does not apply if criminal charges resulted in acquittal, dismissal or in an entry of “nolle prosequi”:

1. Ever Found To Be Guilty Of:

- All sex offenses including child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, etc.
- All felony violence including murder, manslaughter, aggravated assault, kidnapping, robbery, aggravated burglary, etc.

2. Found To Be Guilty Within The Past 10 Years Of:

- All felony offenses other than violence or sex including drug offenses, theft, embezzlement, fraud, child endangerment, etc.

Should any pending charges described in 1-2 above be uncovered, or should any of the above charges be brought against an applicant during the season, the applicant shall be suspended from serving until such time as the charges have been cleared or dropped and the Conduct Official has approved reinstatement.

Criminal Background Check: After receiving the “Volunteer Application”, the Conduct Official will conduct a Criminal Background Check with the selected vendor and will search records in all current and past counties of residence of the volunteer. This procedure is confidential and only the Conduct Official will have access to these records. The Conduct Official will decide whether or not the candidate is disqualified based on the findings and the predetermined disqualification guidelines that have been set in writing by the sports organization.

Appeals: Candidate(s) disqualified due to an unsatisfactory Referral or Criminal Background Check and/or other reason(s) will be given the right to appeal upon written notification to the Conduct Official.

The Recreation Director will appoint a three (3) member board to hear the appeal and they will decide whether or not to uphold or overturn the decision of the Conduct Official. As a compromise, the appeal committee may decide to reassign a candidate to a more appropriate position or to place the candidate under a probationary period. The results of all criminal background checks and appeals will be kept confidential.

Acknowledgment Of Training: All volunteers who have been accepted must read the City of Minden Recreation Department Child Abuse/Molestation Policy and must agree to abide by the rules.

MINDEN RECREATION DEPARTMENT VOLUNTEER APPLICATION

To be completed by all volunteers including Coaches, Managers, Administrators, Umpires, Etc. of the MINDEN RECREATION DEPARTMENT having regular access to or repeated contact with participants.

A copy of a valid government issued photo ID must be attached to complete this application.

Personal Information

Date of Completion of This Form: _____/_____/_____

Your Full Legal Name: _____

Date of Birth: _____/_____/_____

Other Names (maiden, alias, etc.): _____

Male or Female: _____ Social Security Number: _____-_____-_____

Driver's License Number: _____ Driver's License State: _____

Expires: _____/_____/_____

Home Phone Number: (____)____-____ Work Phone Number: (____)____-____

Cell: (____)____-____

Home Address: List all for the past 7 years

Present (include dates): _____

Previous (include dates): _____

Previous (include dates): _____

Previous (include dates): _____

Qualifications:

What position are you applying for?:

Have you ever been convicted of a crime? (if yes, explain):

Have you ever been refused participation in any other youth sports program? (if yes, explain)

Do you have children in the program?

Why do you want to be a volunteer?

Why are you qualified to coach, manage, umpire, etc.:

Acknowledgement Of Training

I acknowledge that on _____ (date) I was given a copy of the City of Minden Recreation Department Child Abuse/Molestation Policy and that I have carefully reviewed it and voluntarily agree that as a condition of future participation, employment, or involvement in this organization, I will abide by all the terms, conditions, policies, and procedures contained within this policy.

If I violate the policies, regulations, or spirit of this policy, I will indemnify and hold harmless the City of Minden, its employees, volunteers, and officials from any and all liability including negligence and any intentional tort claims.

Signature _____ Date: ____/____/____

Consent/Release

I authorize and give consent for the Minden Recreation Department to obtain my personal information. This includes, but is not limited to employment records/employer's references; criminal background records/information; criminal background checks/fingerprints; coaching experience, personal references, and addresses.

I authorize this information to be obtained either in writing, via telephone, or other means, in connection with my volunteer application.

I understand that my position is contingent upon adverse information about my background or character not being uncovered upon the performance of the above referenced checks. I also understand that regardless of my prior volunteer activities with the Minden Recreation Department, that the Minden Recreation Department is not required to allow my continued participation.

I agree to hold harmless and indemnify from liability the Minden Recreation Department, employees, and volunteers from all liability arising out of the use of the information that is uncovered in the above referenced checks.

Signature: _____

Date: ____ / ____ / ____

CITY of MINDEN Use Only

Background checks completed by _____ (name)
on ____ / ____ / ____ (date).

Sources Checked:

- Clean
- Not Clean (keep this form and the record check on file for 15 years if not clean)

Only attach to this copy the records of background checks that are not clean.

**CITY OF MINDEN RECREATION DEPARTMENT
CHILD ABUSE/MOLESTATION POLICY**

PART B - PARENT'S GUIDE

The City of Minden has adopted a Recreation Department Child Abuse/Molestation Policy. Certain elements of this policy are being communicated to parents in this Parent's Guide in order to enhance education and to help to create an environment that is hostile to abusers. The basic elements of this policy are outlined below:

1. **Background** – Child abuse/molestation has become a growing concern in recent years on a national level, as the topic has received much attention in the media regarding the Catholic Church and other organizations. Any form of child abuse/molestation is despicable and goes against everything the Minden Recreation Department stands for.
2. **Purpose** – The purpose of this new policy is to reduce the liability risk and related negative publicity, expense, and trauma to the Minden Recreation Department, and of course the children that we serve.

The policy will educate all league volunteers on examples of child abuse/molestation, warning signs, policies that can be implemented to reduce the risk, volunteer screening, and how to deal with allegations of child abuse/molestation.

3. **Definitions:**

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4. **Policies On Child Abuse/Molestation**

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 - * *This is what you need to be a part of the team;*
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 - * *line (you're special, I don't usually do this sort of thing, you're so mature, you're so attractive); or*
 - * *secrets (this is our special secret, others wouldn't understand, you or I would get in trouble);*

6. Allegations Of Abuse/Molestation And Other Policy Violations

Point of Contact: The Conduct Official is the appropriate person to whom all reports of child abuse/molestation should be reported. The information reported will be immediately investigated by the Minden Recreation Department as discretely as possible. Any report of sexual abuse or molestation will be immediately reported to the Minden Police Department. In the event that the Conduct Official is the alleged abuser/molester, the report should be made directly to the Minden Police Department.

Name of Conduct Official: Winky Newer

7. Volunteer Screening

All volunteers who have repeated access to children will be required to complete a Volunteer Application and a Criminal Background Check will be conducted on each.

The Conduct Official will review the Volunteer Applications and must disqualify any candidate with a conviction involving crimes against a minor. In addition, other charges and convictions may be an indication of an unfit volunteer and may result in disqualification.

Thank you for taking the time to better understand the policy that is being implemented by the Minden Recreation Department. Your concern and vigilance is not only appreciated, but also is an essential element of this policy.

Sincerely,

Winky Newer
Recreation Director