

ROTARY DISTRICT 5190 YOUTH EXCHANGE PROGRAM

SEXUAL ABUSE and HARASSMENT POLICY and PROCEDURE

In order to protect all participants in the Rotary Youth Exchange program and to comply with guidelines promulgated by Rotary International, the District 5190 Rotary Youth Exchange Program puts forth the following policy and procedures pertaining to issues of Sexual Abuse and Harassment. All allegations of abuse or harassment will be taken seriously and must be handled within the following guidelines. **The safety and well being of students will always be the first priority. While the Youth Exchange program is sensitive to cultural differences, all exchange students, both inbound and outbound, must be protected against all forms of harassment and abuse. All allegations of harassment and abuse will be dealt with seriously and expeditiously**

POLICY FRAMEWORK

1. **Statement of Conduct for Working with Youth (each Rotary Club in DISTRICT 5190 is required to abide by this policy)**

Rotary District 5190 is committed to creating and maintaining the safest possible environment for all participants in Rotary activities. It is the duty of all Rotarians, Rotarians' spouses, partners, and any other volunteers to safeguard to the best of their ability the welfare of and to prevent the physical, sexual, or emotional abuse of children and young people with whom they come into contact.

2. **Definitions**

Volunteer: The term volunteer includes, but is not limited to, club and district Youth Exchange officers and committee members, Rotarian counselors, host parents, other adult residents of the host home (including siblings and other family members), or other persons who have a specifically defined role in the district or club Youth Exchange Program.

Student: Youth involved with Rotary Youth Exchange, regardless of whether they are of the age of majority.

3. **Legal Context**

The Nevada legal context shall apply to all Youth Exchange situations regardless of whether or not the residency of the exchange student is in or outside of the geopolitical boundary of Nevada.

1. Nevada law NRS 432B.130 Persons responsible for child's welfare. A person is responsible for a child's welfare under the provisions of this chapter if he is the child's parent, guardian, a stepparent with whom the child lives, an adult person continually or

regularly found in the same household as the child, or a person directly responsible or serving as a volunteer for or employed in a public or private home, institution or facility where the child actually resides or is receiving child care outside of his home for a portion of the day.

(Added to NRS by 1985, 1370; A 1989, 439)

2. Rotarian Counselors and Rotarian's involved with the Youth Exchange Program are considered to be mandated reporters.

NRS 432B.121 Definition of when person has "reasonable cause to believe" and when person acts "as soon as reasonably practicable." For the purposes of this chapter, a person:

1. Has "reasonable cause to believe" if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would believe, under those facts and circumstances, that an act, transaction, event, situation or condition exists, is occurring or has occurred.

2. Acts "as soon as reasonably practicable" if, in light of all the surrounding facts and circumstances which are known or which reasonably should be known to the person at the time, a reasonable person would act within approximately the same period under those facts and circumstances.

(Added to NRS by 1999, 3526)

For purposes of this policy and procedure "ACTING AS SOON AS POSSIBLE": IS DEFINED AS ACTING WITHIN 24 HOURS OF THE DISCLOSURE

3. Sexual Abuse Definition: this policy and procedure defines sexual abuse as per the law which is:

NRS 432B.100 "Sexual abuse" defined. "Sexual abuse" includes acts upon a child constituting:

1. Incest under NRS 201.180;
2. Lewdness with a child under NRS 201.230;
3. Sado-masochistic abuse under NRS 201.262;
4. Sexual assault under NRS 200.366;
5. Statutory sexual seduction under NRS 200.368;
6. Open or gross lewdness under NRS 201.210; and
7. Mutilation of the genitalia of a female child, aiding, abetting, encouraging or participating in the mutilation of the genitalia of a female child, or removal of a female child from this State for the purpose of mutilating the genitalia of the child under NRS 200.5083.

(Added to NRS by 1985, 1369; A 1991, 54; 1997, 677; 2003, 1396)

Generally, "Sexual abuse" means improper and unwanted exposure to sexual contact, activity or behavior. It includes any sexual touching, intercourse or exploitation.

Sexual abuse also refers to engaging in implicit or explicit sexual acts with a student, or forcing or encouraging a student to engage in implicit or explicit sexual acts, alone or with another person of any age of the same sex or the opposite sex.

Examples of sexual abuse could include, but are not limited to:

- Indecent exposure
- Exposing a student to sexual or pornographic material

Sexual harassment: means any unwanted or unwelcome behavior of a sexual nature that makes a person feel offended, humiliated or intimidated.

Sexual harassment can take many different forms and may include physical contact, verbal comments, jokes, propositions, and the display of offensive material or other behavior that creates a sexually hostile environment. An act, even though not intended to, may still result in offence, humiliation or intimidation. An act may constitute sexual harassment even if it was not intended to offend, humiliate or intimidate.

In many cases, sexual harassment precedes sexual abuse and is a technique used by sexual predators to desensitize or "groom" their victims.

Examples of sexual harassment could include, but are not limited to:

Verbal abuse of a sexual nature

- Uninvited or unwanted touching;
- Uninvited or unwanted kisses or embraces;
- Crude or sexist jokes or comments; Displaying sexually suggestive objects, pictures, or drawings
- Sex-based insults, taunts, teasing or name-calling; Verbal abuse of a sexual nature
- Making sexually suggestive or obscene comments or gestures;
- Staring or leering at a person or at parts of their body;
- Making promises or threats in return for sexual favors;
- Making requests for sex or sexual favors;
- Repeated invitations to go out after prior refusal;
- Unwelcome sexual flirtations, advances or propositions;
- Persistent or unwelcome questions or insinuations or comments about a person's private or sex life;

Is it Abuse or is it Harassment?

Whether the alleged conduct amounts to sexual abuse or sexual harassment is not to be determined by the adult to whom allegations are made. After first ensuring the safety of the student by the primary responsible Rotarian, **all allegations should be immediately reported to the chair of the District 5190 Youth Exchange Committee.**

ROTARIAN COUNSELORS FOR INBOUND EXCHANGE STUDENTS

Rotarian counselors must meet the criteria for *All Volunteers*, as well as the following:

- Counselors must not be a member of the student's host family.
- Counselors must be trained in responding to any problems or concerns which may arise during the exchange, which may include instances of physical, sexual, or emotional abuse or harassment. **Any Rotary District 5190 designated Counselor is required to attend not less than one Counselor/Youth Exchange Officer training session sponsored by the Youth Exchange Committee, prior to assuming his or her role.**
- It is highly recommended that the counselor be the same gender as the student. All counselors are required to submit data for a criminal background check to the Youth Exchange Committee and abide by any findings therein.

PROCEDURES

Rotarian Counselor Receiving an Allegation

Any adult to whom an exchange student reports an incident of sexual abuse or harassment should comply with the following guidelines.

1. Receive Report of Disclosure from Student

(a) Listen attentively and stay calm. Acknowledge that it takes a lot of courage to report. It is appropriate to listen and be encouraging. Do not express shock, horror or disbelief.

(b) Assure privacy but not confidentiality. Explain that you will have to tell appropriate parties about the abuse/harassment to make it stop and to ensure that it does not happen to other protected persons.

(c) Get the facts, but do not interrogate. Ask the student questions that establish what was done and who did it and when. Reassure the student that he or she did the right thing in telling you. Avoid asking 'why' questions. Once you have enough threshold information to report, do not proceed with further questioning. Remember your responsibility is to present the student's story to the proper Rotary authorities. They will conduct the appropriate investigation and call in appropriate social and/or legal services.

(d) Be non-judgmental and reassure the complainant. Do not be critical of anything that has happened or anyone who may be involved. **It is especially important not to blame or criticize the student.** Assure the student that the situation was not his or her fault and that he or she was brave and mature to come to you.

(e) Record. Keep a written record of the conversation with the student as soon after the report as you can, including the date and time of the conversation. Use the student's words, and record only what has been told to you do not color or amplify, just stick to listing facts.

If a student discloses, it is important to be aware of the following:

Hearing a disclosure - a student telling you that someone has abused or hurt him/her can be frightening. How you respond can be critical. A lot of thoughts may run through your mind.

You may be worried about the student and yourself.

You may be unsure of how to respond or what to say.

You may be unsure of the child's comments and information.
You may not be sure if the child has been abused.
You may be angry with the parent or alleged abuser.

How you respond is very important. **Responding to a disclosure of abuse of any kind is a big responsibility.** Youth often are reluctant to tell about abuse. In over 80% of the cases of physical abuse, emotional abuse or neglect, the birth parents are the abusers. **The majority of perpetrators in sexual abuse cases are non-related caregivers,** that is, baby-sitters, stepparents, boyfriends, girlfriends or adoptive parents.

Youth often love the person who is abusing them and simply want the abusive behavior to stop. Because they love and care about the person, they may be reluctant to get the person in trouble. Many perpetrators tell children/adolescence to keep the abuse a secret and frighten them with unpleasant consequences.

Youth may start to tell someone about the abuse. If the person reacts with disgust or doesn't believe them, they will stop disclosing the events. Then they may not tell anyone about it until they feel brave enough or have established a sense of trust with someone. This may delay them from seeking help. If a child begins to tell you about possible abuse, please listen carefully.

Interview Procedures

- Find a place to talk where there are no physical barriers between you and the student.
- Be on the same eye level as the student.
- Don't interrogate or interview the student.
- Be tactful. Choose your words carefully; don't be judgmental about the student or the alleged abuser. Listen to the student. Do not project or assume anything. Let the student tell their own story.
- Find out what the student wants from you. A student may ask you to promise not to tell anyone. Be honest about what you are able to do for the student.
- Be calm; reactions of disgust, fear, anger, etc., may confuse or scare a child.
- Assess the urgency of the situation. Is the student in immediate danger? Safety needs may make a difference in your response.
- Confirm the student's feelings. Let him know that it is okay to be scared, confused, sad, or however she/he is feeling.
- Believe the student and be supportive.
- Assure the student that you care. Some student will think you may not like them anymore if they tell you what happened. Let her/him know that you are still her friend and that she/he is not to blame.
- **Tell the student it is not their fault.** Many students will think that the abuse happened because of something they did or did not do. Don't over dramatize.
- Tell the student you are glad he told you.
- Tell the student you will try to get her/him some help.
- Let the student know what you will do. This will help build a sense of trust, and he/she will not be surprised when he/she finds out that you told someone.
- Tell the student you need to tell someone whose job it is to help with these kinds of problems.

- Report your suspicions within 24 hours to the Chair of the Rotary Youth Exchange Committee. In the Chair's absence, the Inbound Coordinator of the Youth Exchange Committee may act on behalf of the Chair. The Chair will determine if the abuse/harassment warrants immediate notification to the appropriate Child Protective Services.
- Be prepared to immediately remove the student from the environment of abuse/harassment. If that means the Counselor must temporarily provide hosting, it should be done immediately. The student must be kept in a safe and non-threatening environment away from any alleged perpetrators.
- **Protect the Student.** Retain control of the student until the Youth Exchange Committee Chair instructs you to place the student in an alternative living and school environment or requests assistance in returning the student to their native country. If the harassment or abuse is alleged to be coming from a host family sibling, it should be given equal weight of importance and not diminished or ignored by the Counselor.
- In any case where the Youth Exchange Committee has asked Child Protective Services to intervene, follow their instructions.

Be prepared with the following information:

1. *student's name,*
2. *birth date,*
3. *name and address of accused.*
4. *You may be asked if other children live in the home*

ii. Inform the Social Worker you have removed the student from the situation. You may need to coordinate a meeting with social services so a social worker and or law enforcement officer can interview the student. This should be done as soon as possible and not at your convenience.

District 5190 Youth Exchange Program is duty bound to cooperate with police or legal investigations. Where indicated, the Chair of the Youth Exchange Committee will engage legal assistance in this process to both protect the student and ensure the integrity of the process.

District Youth Exchange Committee Chair's responsibilities:

1. Take the report of abuse or harassment from the reporting Counselor or Youth Exchange Officer. The district Youth Exchange chair, who is a state officer with training in sexual harassment issues, will determine if the abuse or harassment warrants immediate notification to the appropriate Child Protective Services. In difficult situations, a professionally trained sexual harassment/abuse expert outside of the Youth Exchange program will also be consulted on the matter, and the District Governor so notified.
2. Remind the Counselor that 'safety first' for the victim and ask that a safe environment be provided until a determination can be made regarding the necessity for reporting to Child Protective Services and/or police is needed.

3. Following receipt of the report from the Counselor or Youth Exchange Officer, the Chair must contact the District 5190 Governor as soon as possible with a report of the situation and an assessment of the magnitude of the problem, including evaluating whether or not the student is adequately protected and safe.
4. The District Governor shall consult with the Youth Exchange Committee Chair regarding the magnitude of the circumstances and the immediacy or necessity for involvement of Child Protective Services or law enforcement. The Chair of the Youth Exchange Committee shall be responsible for maintaining a written record of the reported problem, when the District Governor was contacted by him/her and the outcome/decision regarding involvement of outside authorities.
5. Following consultation with the District Governor, the Youth Exchange Committee Chair will formulate an 'action plan' for addressing further action regarding the abuse/harassment, disposition of the student's living location, and if necessary outside agency involvement. At the least, the Chair must contact and explain the circumstances to:
 - The Country Contact on the Youth Exchange Committee;
 - The Sending District Youth Exchange Committee Chair
 - If indicated, the natural parents of the victim [done in consultation with the sending District's Youth Exchange Committee Chair]
 - **In all cases of abuse**, the Youth Exchange Committee Chair must contact Child Protective Services and if indicated, law enforcement. Formal procedures of the relevant legal or social service authorities must be followed. In any case where a disagreement on process occurs, the Chair must engage the District's legal counsel after further consultation with the District Governor.
 - **In cases evaluated as harassment**, the Chair must determine if a re-location to another host family is sufficient to protect the student within the same community and school. If it is determined that relocation within a community and school will not sufficiently shield the student, a relocation decision to another location and school within the District should be considered, in consultation with the student. Efforts must be made to provide a comfortable, safe and protective environment for the victim.
 - A verbal report followed by a written report on the Chair's disposition plan shall be provided to the District Governor in a timely manner.

Ensure Privacy is Respected

All parties, victim, counselor, Youth Exchange Committee Chair, District Governor and any other involved Rotarian must avoid gossip and blame and being judgmental. **Do not tell anyone** about the allegation other than those required by this policy and procedure. Except as required by this policy and procedure, all information with respect to the allegation must be kept strictly private and confidential to protect the rights of both the victim and the alleged perpetrator[s].

Follow Up

Once the case has been reported to the District Youth Exchange Committee Chair, the counselor or Club Youth Exchange Officer role may be complete. However, **any additional involvement**

is under the direct guidance of the District Committee Chair. You may wish to follow up to ensure that steps are being taken to address the situation. **You must not however contact the accused about the allegation.** If the accused is member of the victim's host family, a simple matter of fact collection of the victim's belongings must be accomplished as soon and non-confrontationally as possible. A simple explanation that a change of host families is warranted should be sufficient without elaboration.

Post Allegation Report Guidelines

Responding to the Needs of the Student

There will be a need for a cohesive and managed team approach to supporting the student after an allegation report. The student is likely to feel embarrassed, confused, and may become withdrawn. After a report of harassment or abuse, students may or may not want to remain on their exchange. If they do, they may or may not want to continue their relationship with their hosting Rotary club depending on the circumstances. In some cases, a student may wish to remain in country, but change to a different host club. The District Youth Exchange Committee chair, in consultation with the victim, their sending country Youth Exchange Committee chair and possibly the natural parents will collectively decide if the exchange is salvageable. The District 5190 Youth Exchange Committee chair will endeavor to offer alternative sites and situations conducive to salvaging the remaining exchange for the victim. It may be difficult for sponsoring club members and host families to understand how the student is feeling, but it would be helpful for the student to know that the club remains a support for them. Club members and host families may experience ambiguity toward their roles and may feel unclear regarding their boundaries. However they need to do whatever is necessary to reassure the student of their support at all times. The counselor/Youth Exchange Officer must act as a conduit with limited information to the host Rotary Club. The District Youth Exchange Committee chair will counsel the club's agent on what and how much information may be disclosed. This is a risk management judgment and too much disclosure is more dangerous than too little disclosure. THE STUDENT MAY NEED TO BE REASSIGNED TO A NEW HOST CLUB.

This policy is subject to change. Please check the District Rotary Youth Exchange website (www.rye5190.org) or contact District 5190 Rotary Youth Exchange Committee Officers or the District Governor for the most recent version of this policy.