

## Protection of Children, Youth, and Adults with Developmental Disabilities

1. Introduction. It shall be the policy and covenant of FHSAA to do everything possible to prevent physical, emotional or sexual abuse against children, youth and adults with developmental disabilities who patron FHSAA or activities sponsored by FHSAA. We are committed to being aware of our legal responsibilities, complying with those responsibilities and going beyond them when necessary to act justly in the best interests of those who have been abused or those who are most vulnerable to abuse.
2. Scope. This policy and its provisions shall apply to all staff who have any direct or indirect contact with children and/or youth and/or adults with developmental disabilities who patron FHSAA or activities sponsored by FHSAA. No person under the age of 18 will be certified by FHSAA to work or volunteer, directly with children, youth and adults with developmental disabilities.
3. Ethics Policy. FHSAA staff includes all persons who interact with children, youth and adults with developmental disabilities who patron FHSAA or activities sponsored by FHSAA. Staff 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.
4. Definitions
  - **Sexual Abuse**. Sexual abuse is action or contact of a sexual nature directed toward a child. It is any behavior perpetuated by another child or adult that seeks to gratify a sexual desire. Such behaviors may include viewing sexual material with a child, requesting sexual material/photos from a child, touching, or fondling a child. Sexual abuse includes, but is not limited to: incest, rape, prostitution, any sexual intercourse, deviant sexual contact with, or fondling of a child, youth, or adult with developmental disabilities.
  - **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.
  - **Sexual Misconduct**. Sexual misconduct means a chargeable offense.
  - **Physical Abuse / Lack of Supervision**. Any act of omission or an act that endangers a person's physical or mental health. This definition includes any non-accidental physical injury. 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.

- Physical Neglect. Individual in charge 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.
- 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)
- Educational Maltreatment. Individual in charge fails to ensure that a child, youth or vulnerable person receives adequate education
- Moral-Legal Maltreatment. Individual in charge exposes or involves a child, youth or vulnerable person in illegal or other activities that may foster delinquency or antisocial behavior.

5. Implementation. Staff shall be provided a copy of this policy and shall receive training at the semi-annual coach / manager training event to assist in the understanding and implementation of this policy.

6. Making a Complaint. Persons who have knowledge of possible violations of this policy by FHSAA staff should report to appropriate supervisors and administrators. The Board of Directors with help of the Athletic Director will take action in investigation, reporting, due process, and take action to seek justice.

7. Screening 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 contact in a safe environment.

- Prior to acceptance as staff, the Board shall direct each prospective coach to complete an Application and shall facilitate a background check with the use of SafeScreener or YardStick or a similar background check company.
- The Board shall receive the completed forms, reports and references, and review them. If any of the reports and/or references raise questions about the fitness of an applicant, the Board should disapprove the application and notify the applicant. The Board reserves the right to turn away any persons.
- If an applicant 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 approved. Any conviction of a crime against children, youth or adults with developmental disabilities shall disqualify any applicant.
- Results of screens shall be kept confidential.

8. Training. As part of the semi-annual coach / team manager training, FHSAA shall host training for all staff who have direct or indirect contact with children, youth and adults with

developmental disabilities. All staff shall complete the Sexual Abuse Awareness Training provided by Abuse Prevention prior to serving in any active staff position.

9. Supervision. Supervision and enforcement of policy and procedures regarding all staff who have direct or indirect contact with children, youth and adults with developmental disabilities should be clearly communicated within FHSAA's policies and procedures.

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. Staff are encouraged to warn each other when questionable behavior is displayed.

10. Reporting of Incidents. All incidents should be immediately reported to the Board President and/or Athletic Director and an incident report should be filed. The Board of Directors should retain all incident reports for reference. When the necessity of reporting occurs, the protection of children, youth and adults with developmental disabilities must be paramount.

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

- Report immediately upon receipt of an allegation of violation of policy to the Athletic Director and the Board President. The Board President will facilitate reporting to law enforcement agencies as appropriate according to State and Federal reporting guidelines and shall also notify the Board of Directors.
- The person against whom an allegation has been made ("Respondent") will immediately be suspended
- 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 Board President.
- The Board President 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.
- 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 Board President.
- The Board President 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 Board President and Athletic Director are to be documented.

- If a formal complaint is made, the Board President shall provide the respondent with a copy of the complaint.
- Those making the allegations (“Plaintiff”), 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 FHSAA documentation shall be retained in a confidential, personal file.
- The Board President 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.
- It shall be the goal of FHSAA to provide supportive care to both the Plaintiff 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.
- If the Plaintiff should desire to appeal the decision of the FHSAA, the Board President or Board of Directors’ legal council will be consulted.