

**ROTARY INTERNATIONAL
DISTRICT 6780**

10. SEXUAL ABUSE AND HARASSMENT POLICY

10.1 Introduction. Rotary International District 6780 is committed to protecting the interests of all participants in Rotary activities. Rotarians, Rotary staff and volunteers are expected to conduct themselves in a manner that respects the dignity of fellow Rotarians and others taking part in any Rotary program or activity.

The District 6780 Sexual Abuse and Harassment Policy has three purposes:

1. To protect the welfare of participants in District 6780 programs and provide a vehicle for participants to report and address complaints of abuse or harassment,
2. To protect Rotarians, volunteers and staff within these programs,
3. To foster and promote the continued successful development and progress of these programs.

10.2 Policy Statement. District 6780 of Rotary International is committed to creating and maintaining the safest possible environment for all participants in all Rotary activities. District 6780 does not tolerate sexual harassment or abuse of any person. District 6780 has a zero-tolerance policy against sexual abuse and harassment in all Rotary-sponsored programs and activities and expects all Rotarians, volunteers and staff conducting such programs to comply fully with this policy.

10.3 Statement of Conduct for Working with Youth. Rotary International has adopted a "Statement of Conduct for Working with Youth" and "Guidelines for Sexual Abuse Harassment Prevention" (Rotary International Code of Policies, February 2006, Sections 2.110 and 2.110.2). Rotary District 6780 adopts the "Statement of Conduct" and "Guidelines" as its policy on working with youth and incorporates them into this policy. "It is the duty of all Rotarians, Rotarians' spouses, partners, family members and 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." This District 6780 policy will conform to Rotary International policy in all respects.

10.4 Tennessee Law. District 6780 will comply with all pertinent provisions of Tennessee law and particularly Tennessee Code, Title 37-5-512, which requires persons who work with children as paid employees or volunteers to complete a criminal history disclosure form and agree to release all records involving the person.

10.5 Scope. This policy and associated procedures will apply to all Rotary District 6780 programs and activities, and the clubs that participate in these programs. These programs include but are not limited to Youth Exchange, Interact, Youthact, RYLA, Rotaract, Group Study Exchange, and Ambassadorial Scholarships. This policy applies to all District 6780 Rotarians, volunteers, staff and host families who are or wish to become

involved in district programs, including all persons who reside in the home of a host family of a youth program participant.

10.6 Implementing Procedures.

10.6.1 Role of the District Governor. The ultimate responsibility for the implementation of this policy rests with the district governor. The district governor must deal expeditiously and fairly with allegations of sexual harassment within the district whether or not there has been a written or formal complaint. The district governor must follow the district reporting guidelines.

10.6.2 District Harassment and Abuse Prevention Committee. The district governor shall appoint a District Harassment and Abuse Prevention Committee (DHAPCo) to assist in this responsibility.

- a. The District Harassment and Abuse Prevention Committee (DHAPCo) will:
 - i. Implement and enforce this policy,
 - ii. Disseminate this policy and insure that district committees and Rotary clubs are fully informed about this policy and procedures.
 - iii. Serve as the review body for the investigation and resolution of complaints,
 - iv. Review procedures developed by district committees,
 - v. Make recommendations for policy and procedure revisions as needed.
- b. The committee shall be composed of:
 - Immediate past district governor (ex-officio, chair)
 - District governor-elect (ex-officio)
 - Past district governor (1) to be appointed by the district governor
 - Assistant governor (1) to be appointed by the district governor
 - Member-at-large (1) to be appointed by the district governor
- c. The committee shall at all times include at least one female and one male member. Decisions and recommendations will be by a vote of the majority.
- d. DHAPCo will work to safeguard the privacy of all persons involved in background checks or in any complaint or allegation of abuse, harassment or neglect to the greatest extent possible and in compliance with state and federal law and this policy.

10.6.3 District Rules and Guidelines for Prevention of Abuse and Harassment.

DHAPCo develops and promulgates comprehensive procedures for the prevention, reporting and handling of allegations of harassment and abuse (see 10.11). In general, all programs are subject to the following rules and guidelines.

An independent and thorough investigation will be made into any claims of sexual abuse or harassment.

- a. Any adult involved in a Rotary youth program against whom an allegation of sexual abuse or harassment is made must be removed from all contact with youth until the matter is resolved.
- b. Any allegation of abuse must be immediately reported to the appropriate law enforcement agency in accordance with RI and District 6780 zero-tolerance policies. Allegations will be simultaneously reported to DHAPCo.

- c. A club must terminate the membership of any Rotarian who admits to, is convicted of or is otherwise found to have engaged in sexual abuse or harassment. A non-Rotarian who admits to, is convicted of, or is otherwise found to have engaged in sexual abuse or harassment must be prohibited from working with youth in a Rotary context. A club may not grant membership to a person who is known to have engaged in sexual abuse or harassment. (Upon obtaining information that a club has knowingly failed to terminate the membership of such a Rotarian, District 6780 will take steps to have the Rotarian's membership terminated, including action to terminate the club's charter for failure to comply).
- d. If an investigation into a claim of sexual abuse or harassment is inconclusive, then, for the safety of program participants and the protection of the accused, additional safeguards must be put in place to assure the protection of any participant, especially youth, with whom the individual may have future conduct. If there are subsequent claims of sexual abuse or harassment, the adult shall be permanently prohibited from working with program participants in a Rotary context. Regardless of criminal or civil guilt, the continued presence of the adult could be detrimental to the reputation of the organization and could be harmful to the program participants. A person who is accused but later cleared of charges, may apply to be reinstated to participate in programs. Reinstatement is not a right, and no guarantee is made that he or she will be reinstated to his or her former position.

10.7 Rotary Youth Exchange. The policy and procedures specific to Youth Exchange developed by the Ohio-Erie Rotary Youth Exchange Program, Inc. are hereby incorporated into District 6780 Policy and Procedure.

10.8 District Youth Programs Committees. Each District 6780 committee dealing with a youth program will abide by the District 6780 Sexual Harassment and Abuse policies, procedures and Tennessee law. Further each committee shall evaluate its program and develop such additional procedures as it deems necessary to protect the youth in the program. The District Harassment and Abuse Prevention Committee will review these procedures. Every club participating in the youth program must also agree to adopt the District 6780 policies and procedures and follow the committee-recommended guidelines.

10.9 Definitions

Harassment. Types of behavior that constitute harassment include remarks and jokes that are unwelcome or reasonably could be expected to be unwelcome, including jokes based on race, color, national or ethnic origin, age, sex, religion, sexual orientation, disability, or other prohibited grounds; verbal abuse or threats; displaying or distributing racist, pornographic or other offensive material; inappropriate or offensive gestures; and physical abuse and assault. Sexual harassment refers to sexual advances, requests for sexual favors or verbal or physical conduct of a sexual nature. In some cases, sexual harassment precedes sexual abuse and is a technique used by sexual predators to desensitize or "groom" their victims. Examples of sexual harassment include, but are not limited to sexist jokes; sexual leering or whistling; displaying sexually offensive material; using sexually degrading words to describe a person; sexually suggestive or obscene

comments or gestures; unwelcome inquiries or comments about a person's sex life; unwelcome sexual flirtations, advances or propositions; requests for sexual favors; unwanted touching; verbal abuse or threats of a sexual nature.

Sexual Abuse and Abuse Generally. Sexual abuse refers to engaging in implicit or explicit sexual acts, or forcing or encouraging another person to engage in implicit or explicit sexual acts alone or with another person of any age, whether of the same sex or of the opposite sex. Sexual abuse can also include non-touching offenses such as indecent exposure or exposing a child to sexual or pornographic material. More generally, abuse includes causing physical injury that result in substantial harm or the genuine threat of substantial harm from physical injury, or failing to make a reasonable effort to prevent an action by another person that results in such physical injury. Abuse also includes mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development or psychological functioning, and causing or permitting a child to be in a situation in which the child sustains such an injury.

Participant. A "participant," as used in this policy, refers to any individual who participates in any manner in a program, event or activity that is organized or conducted by District 6780 or any Rotary club within District 6780, or in which Rotarians within the district are otherwise involved in their capacity as Rotarians. The term "participant" includes, but is not limited to, persons such as youth, the elderly and the disabled who may be at increased risk of abuse, harassment or neglect.

10.10 Screening Of Rotarians, Volunteers, Staff And Host Families.

10.10.1 Tennessee Law. Tennessee Law requires that paid staff and volunteers working with youth undergo background screening and criminal background checks. Prior to participating in district-sponsored programs involving youth, Rotarians, non-Rotarian volunteers, host families and paid staff must undergo background screening, including such reference, police or criminal record checks as the district may determine from time to time are necessary and appropriate, and must complete all required forms and questionnaires, including all forms required by the agency conducting background screening. Screening and background checks will be conducted annually.

10.10.2 Fees. The appropriate district program committee is responsible for fees associated with district-level volunteers and staff. Clubs are responsible for fees associated with club volunteers and host families. In the case of Interact/Rotaract programs at schools, background checks must be conducted by the club if the school does not independently require and conduct an appropriate criminal background check.

10.10.3 Applicability. All adults, including adult children (over 18 years of age) and members of the extended family who participate in a host family setting must complete required forms and questionnaires and undergo background screening and checks.

10.11 Complaint Reporting and Resolution. Any Rotarian, Rotary staff member or volunteer to whom an incident of abuse or harassment is reported is responsible for following these Allegation Reporting Guidelines.

10.11.1 Complaint Reporting and Investigation. The District Harassment and Abuse Prevention Committee shall be the first point of contact within the district should any

Rotary club representative or program volunteer receive a complaint of abuse, harassment or neglect, and is responsible for ensuring that such complaints are dealt with in accordance with applicable law and in accordance with this district's policy, and that the interests of the affected person(s) are protected to the extent possible. DHAPCo shall develop a detailed procedure for handling complaints to ensure prompt and complete investigation with appropriate options for resolution of the complaint depending on the specific facts of the situation.

When addressing an allegation of abuse, harassment or neglect, the most important concern is the safety of the alleged victim. Club or district committee members should not speculate, make editorial comments, or offer personal opinions that could potentially hinder any police or criminal investigations. Club members should be cautioned about speculating or commenting on the matter during the investigation. Comments made about alleged victims in support of alleged harasser or abusers do not support our statement of conduct or Rotary ideals. Comments made against an alleged abuser could lead to a slander or libel claim filed against Rotarians or clubs by the alleged harasser or abuser.

10.11.2 Recommendations. DHAPCo will recommend appropriate, prompt and effective remedial action to the club or district committee in the event it determines, after investigation and based on a preponderance of the evidence, that an allegation of abuse, harassment or neglect is substantiated. Clubs or the district should take no disciplinary action pending the outcome of DHAPCo's investigation and recommendation.

10.11.3 Guidelines for Receiving a Report from an Alleged Victim

- a. Listen attentively and stay calm. Acknowledge that it takes a lot of courage to report abuse. 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 someone about the abuse/harassment to make it stop and to ensure that it doesn't happen to others.
- c. Get the facts, but don't interrogate. Ask the person questions that establish what was done and who did it. Reassure the person that he or she did the right thing in telling you. Avoid asking 'why' questions. Remember your responsibility is to present the person's story to the proper authorities.
- d. Be non-judgmental and reassure the person. 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 person. Assure the person that the situation was not their fault and that they were brave and mature to come to you.
- e. Record. Keep a written record of the conversation with the person as soon after the report as you can, including the date and time of the conversation. Use the person's words, and record only what has been told to you.

10.11.4 Protect the Individual. Ensure the safety and well-being of the person alleged to have been abused, harassed or neglected. Remove the person from the situation immediately and from all contact with the alleged abuser or harasser. Give reassurance that this is for the person's own safety and is not a punishment or retribution.

10.11.5 Report to Appropriate Law Enforcement Authorities. Immediately report all alleged cases of abuse or harassment to the appropriate law enforcement authorities and to DHAPCo for investigation. District 6780 will cooperate with law enforcement

investigations. In most situations, the first Rotary contact should be DHAPCo, which has responsibility for seeking the advice of and interacting with appropriate agencies. All allegations must be reported by DHAPCo to Rotary International within 72 hours.

10.11.6 Avoid Gossip and Blame. Do not tell anyone about the report other than those required by the guidelines. Care must be taken to protect the rights of both the victim and the accused during the investigation. District 6780 maintains the privacy (as distinct from confidentiality) of any accused person.

10.11.7 Do Not Challenge the Alleged Offender. The Rotarian, Rotary staff member or volunteer who receives an allegation of abuse or harassment must not contact the alleged offender. In cases of abuse, interrogation should be left entirely to law enforcement authorities. In cases of non-criminal harassment, DHAPCo is responsible for investigating, and will be in contact with the alleged offender after the alleged victim has been moved to a safe environment.

10.11.8 Follow-Up. After reporting allegations to DHAPCo, follow-up will take place to make sure steps are being taken to address the situation. DHAPCo will conduct an independent and thorough investigation into any claims of sexual abuse or harassment. Any adult against whom an allegation of sexual abuse or harassment is made will be removed from all contact with the alleged victim and other persons potentially at risk until the matter is resolved.