

ABUSE, HARASSMENT AND NEGLECT PROTOCOL

**For Rotary International
District 5810**

**Adopted
July 28, 2005**



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A. Introduction

Rotary International District 5810 is committed to protecting the interests of all participants in Rotary activities. District 5810 does not tolerate harassment or abuse of any person, regardless of their gender, age, race, color, national origin, religion, sexual orientation or disability status. 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.

District 5810's Abuse, Harassment and Neglect Protocol has three purposes:

1. To protect the welfare of participants in District 5810 programs and provide a vehicle for participants to report and address complaints of abuse, harassment or neglect.
2. To protect Rotarians, volunteers and staff within these programs.
3. To foster and promote the continued successful development and progress of these programs.

As representatives of Rotary District 5810 and of individual Rotary Clubs, Rotarians are often actively involved with members of the community, including persons who may be at increased risk, such as young people, the elderly, and people with disabilities. Programs including RYLA, Camp Enterprise, Youth Exchange, Interact and Rotaract are examples. This Protocol implements additional safeguards when Rotary programs involve such persons.

It is the duty of all Rotarians, Rotarians' spouses, partners, staff and volunteers to protect to the best of their ability the welfare of individuals with whom they come in contact through Rotary activities and to prevent any physical, sexual or emotional abuse, harassment or neglect. Fulfilling this duty protects program participants, enhances the interests of Rotary Clubs and Rotarians in their volunteer efforts to improve the quality of life in our communities, maintains Rotary's reputation as an organization committed to public service, and reduces the risk of liability, including potential legal liability.

B. Scope

This protocol applies to all District 5810 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.

C. Policy Statement

It is the responsibility of every Rotarian to safeguard to the best of their ability the welfare of every person with whom they come in contact during their activities as a Rotarian. This includes the prevention of physical, sexual or emotional abuse, harassment and neglect. Special attention is to be given to persons who may be at increased risk, such as children, the elderly and the disabled.

District 5810 maintains a Zero Tolerance policy with respect to abuse, harassment and neglect of persons who participate in Rotary programs and expects all Rotarians, volunteers and staff conducting such programs to comply fully with this policy.

D. District Rules and Guidelines for Prevention of Abuse, Harassment and Neglect

1. District 5810 has developed guidelines for preventing abuse, harassment and neglect in connection with District programs, activities and events. With respect to programs or activities that involve the young, the elderly or the disabled, these guidelines require appropriate screening to prevent contact by such participants in District programs with individuals who are inappropriate or prohibited by law from working with such participants.
2. The District has also established rules and procedures for reporting and responding to any allegations of abuse, harassment or neglect that may be made. Prompt notification and reporting to the appropriate authorities and individuals will be required in all instances.
3. All participants in Rotary programs, activities and events are expected to be familiar with the District rules and guidelines and to comply with them in all respects in order to ensure that District 5810 programs are delivered in an environment of reasonable safety. Abuse and harassment prevention training will be provided, as appropriate, for Rotarians, Rotary staff and volunteers who conduct programs or activities involving persons who may be at increased risk, whether by virtue of age, disability or otherwise. Rotary Clubs, program participants and Youth Exchange host families will receive appropriate orientation.

4. District 5810 recognizes that the programs, activities and events sponsored by Rotary Clubs within the District are varied and often unique. No single set of rules will govern each activity. Accordingly, Clubs should develop their own event-specific rules and guidelines for Club activities. All Clubs, however, should consider and implement the concept of “two deep leadership” to ensure to the greatest extent possible that participants attending Club events are at all times in the presence of more than one Rotarian, staff member or volunteer.

E. Definitions

1. 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.

2. 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 results 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.
3. Neglect. Neglect includes, but is not limited to, leaving a vulnerable person in a situation in which the person would be exposed to a substantial risk of physical or mental harm without arranging for the necessary care of the person; placing a vulnerable person in, or failing to remove the person from, a situation that a

reasonable person would realize requires judgment or actions beyond the person's physical abilities, mental condition or level of maturity and that results in bodily injury or a substantial risk of immediate harm to the person; and placing a potentially vulnerable person in, or failing to remove the person from, a situation in which the person would be exposed to a substantial risk of harmful sexual conduct.

4. 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 5810 or any Rotary Club within District 5810, 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.

F. Consequences of Policy Violation

Only persons who have received abuse and harassment prevention training may conduct identified Rotary programs, activities and events involving persons who may be at increased risk, including youth, the elderly and the disabled. Rotarians, volunteers, and staff against whom an allegation of abuse, harassment or neglect has been made will be removed from participation in Rotary activities involving such persons or situations until the matter is resolved. If the allegation is substantiated, the District Abuse Prevention Committee ("DAPCo") will recommend prompt, effective and appropriate remedial action, up to and including a lifetime ban of the individual from participation in Rotary District 5810.

G. Privacy of Personal Data

Personal data regarding program participants, including contact information such as addresses and telephone numbers, will be maintained by the designated record custodian of the District program or the Rotary Club organizing the program or event. Unless a participant expressly authorizes release of personal data, such data shall be accessible only to the records custodian and other persons who have a need to access the data for purposes of organizing and conducting the program or event, as well as to members of DAPCo in the event of a complaint. Whenever possible, authorization for release of personal data should be obtained in written form.

H. Screening of Rotarians, Volunteers, Staff and Host Families

Prior to participating in District-sponsored programs involving persons who may be at increased risk, such as youth, the elderly and the disabled, 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.

Criminal background checks are mandatory for programs involving persons who may be at increased risk. The appropriate District Program 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.

Criminal background checks must be conducted annually with respect to Rotarians, non-Rotarian volunteers and paid staff participating on a continuing basis in District programs involving persons who may be at increased risk, such as youth, the elderly and the disabled. All adults, including adult children (over 18 years of age) who participate in a host family setting must complete required forms and questionnaires and undergo background screening.

District 5810 will select an appropriate agency to perform criminal background checks. Rotary will not retain copies of criminal background check results other than documentation of the applicant's approval or non-approval. Such documentation, as well as all other background screening records, will be maintained in strict confidence by the record custodian designated by the applicable District Program or, alternatively, by DAPCo.

I. District Abuse Prevention Committee (DAPCo)

1. **Responsibilities.** The District Governor shall appoint a District Abuse Prevention Committee, which shall be responsible for implementing and enforcing this protocol and for investigating complaints of abuse, harassment and neglect.
2. **Composition.** DAPCo shall consist of five members, who should have experience in at least one of the following areas:
 - Working with persons at risk, including youth, the elderly and the disabled, either in a professional capacity or as an experienced Rotary volunteer
 - Legal/human rights
 - Human resources
 - Law enforcement
 - Knowledge of Rotary International, its policies, procedures and command structure

3. Appointment. DAPCo members will be appointed annually. It is expected that DAPCo members will hold the office for 3 years (or until replacements are appointed), with staggered terms.
4. Knowledge of Policies. DAPCo members must be familiar with all Rotary District 5810 abuse, harassment and neglect policies and protocols, relevant Rotary International policies and applicable federal, state and local laws and other legal requirements.
5. Privacy. DAPCo 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 protocol.
6. Complaint Reporting and Investigation. DAPCo shall be the first point of contact within Rotary 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 protocol, and that the interests of the affected person(s) are protected to the extent possible. DAPCo shall develop a detailed procedure consistent with the reporting guidelines set forth in Section J of this Protocol 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.
7. Recommendations. DAPCo will recommend appropriate, prompt and effective remedial action to the Club 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 should take no disciplinary action pending the outcome of DAPCo's investigation and recommendation.
8. Secure Communications. For security purposes, no DAPCo communications relating to an alleged incident will be conducted over the internet without approved encryption technology. Land line telephone is the recommended mode of communication.
9. Dissemination of Policy. DAPCo will work with Rotary Clubs to inform all Rotarians in District 5810 of their obligation under this policy and of relevant legislation, and to ensure that appropriate training is made available as required.
10. Presentation to Clubs. DAPCo will work to ensure that all District 5810 Rotary Clubs sign on to this protocol and policy. Presentations will be made to all clubs to ensure broad dissemination of the protocol. New members will be made familiar with the protocol during new member orientation sessions.

J. Guidelines for Reporting Abuse, Harassment and Neglect Allegations

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

1. Report from 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.

2. 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.

3. Report to Appropriate Law Enforcement Authorities

Immediately report all alleged cases of abuse, harassment or neglect to the appropriate law enforcement authorities first and then to DAPCo for investigation. District 5810 will cooperate with law enforcement investigations. In most situations, the first Rotary contact should be DAPCo, which has responsibility for

seeking the advice of and interacting with appropriate agencies. All allegations must be reported by DAPCo to Rotary International within 72 hours.

4. 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 5810 maintains the privacy (as distinct from confidentiality) of any accused person.

5. Do Not Challenge the Alleged Offender

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

6. Follow-Up

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

7. Post-Allegation Report Guidelines

a. *Responding to the Needs of the Individual*

There will need to be a cohesive and managed team approach to supporting an alleged victim after an allegation report. The alleged victim is likely to feel embarrassed, confused, and may become withdrawn and appear to be avoiding members of the program, club or host family.

With respect to Youth Exchange students, after a report of abuse, harassment or neglect, the student 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 the country, but change to a different host club. It may be difficult for 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.

b. *Appropriate Response for Addressing Issues Within the Rotary Club for Allegations Made Against Rotarians or Non-Rotarians*

When addressing an allegation of abuse, harassment or neglect, the most important concern is the safety of the alleged victim. Club 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.