



Marine Discovery Center, Inc.

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MITIGATING THE RISKS OF CHILD SEXUAL ABUSE & WORKPLACE SEXUAL HARASSMENT

RISK MANAGEMENT EXPECTATIONS: CHILD SEXUAL ABUSE

The Marine Discovery Center, Inc. is committed to protecting the safety, health and well being of all staff, volunteers, children, visitors, and customers in our workplace. We recognize that any type of abuse (e.g., child sexual abuse, verbal abuse, harassment, etc.) could pose a significant threat to the MDC mission and goals. Therefore the Marine Discovery Center (MDC) has adopted a Zero Tolerance Policy regarding inappropriate behaviors which include abuse of any kind, and the following expectations are recognized:

- Parents and guardians have the right to expect that the MDC will provide proper care of the children entrusted to its care
- MDC facilities and equipment will be properly maintained
- Proper supervision of all activities will be strictly adhered to
- Sexual Harassment toward any person (e.g., child, employee, volunteer, customer, visitor) will not be tolerated at the MDC
- That children will be released to appropriate adults as identified by the Parents/Guardians
- Employees and Volunteers will receive information on the MDC Policies & Procedures regarding the prevention of Child Sexual Abuse & Sexual Harassment
- Employees and Volunteers who work *directly* with children will receive at least one training session per year

Definition of Abuse

"Abuse" means any willful act or threatened act that results in any physical, mental, or sexual injury or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child. (Florida Department of Children & Families, 2007)

Definition of Children and Youth

- Children and Youth

- Anyone between the ages of zero and 17 years. In this document, these terms are used interchangeably.

- Child sexual abuse

- “Child sexual abuse involves any sexual activity with a child where consent is not or cannot be given. This includes sexual contact that is accomplished by force or threat of force, regardless of the age of the participants, and all sexual contact between an adult and a child, regardless of whether there is deception or the child understands the sexual nature of the activity. Sexual contact between an older and a younger child also can be abusive if there is a significant disparity in age, development, or size, rendering the younger child incapable of giving informed consent. The sexually abusive acts may include sexual penetration, sexual touching, or non-contact sexual acts such as exposure or voyeurism.” (Center for Disease Control, 2007)

Florida Laws Relating To Children

Chapter 39 of the Florida Statutes (F.S.) mandates that any person who knows, or has reasonable cause to suspect, that a child is abused, neglected, or abandoned by a parent, legal custodian, caregiver, or other person responsible for the child's welfare shall immediately report such knowledge or suspicion to the Florida Abuse Hotline of the Department of Children and Families.

The Department of Children and Families is also responsible, as mandated in Chapter 39, F.S., for providing comprehensive protective services for abused, neglected and abandoned children in Florida by requiring that reports of each abused, neglected, or abandoned child be made to the Florida Abuse Hotline. The Department of Children and Families is committed to working in partnership with local communities to ensure the safety, well-being and self-sufficiency for the people it serves. Law enforcement takes the lead in all criminal investigations and prosecution. (Florida Department of Children & Families, 2007)

MDC Child Sexual Abuse Prevention Plan

The Marine Discovery Center, Inc. has strict procedures in place to protect children, and educate the organizations employees and volunteers. The policies and procedures include but are not limited to the following:

- Stress the importance and value of children to all employees & volunteers
- Create and review with employees & volunteers the MDC prevention plan and written policies
- Know the Child Abuse Reporting requirements in your area and review with all employees & volunteers

- Screen Employees and Volunteers who work directly with children
- Train Employees and Volunteers who work directly with children
- Promote child abuse education and awareness at all levels
- Require proper supervision of all functions involving children
- Adopt a Zero Tolerance policy regarding inappropriate behaviors including but not limited to those identified within this document
- Report all suspected cases of abuse to the appropriate authorities
- Show Respect & Concern for All involved in your programs
 - Children
 - Parents and Guardians
 - Employees and Volunteers
- Use Appropriate Touching Methods – Hugs and Touches Shoulder Level or Above
- Prohibit one-on-one contact of employees or volunteers with a child out of sight of other MDC personnel
- Prohibit one-on-one contact of children to prevent child-on-child abuse or harassment
- Beware of out-of-program contact with children
- Carefully screen all visitors (when appropriate/applicable) and encourage parental involvement in your programs
- Use applications for participation in MDC activities and permission slips for ALL off-site trips
- Review of the MDC premises: Lighting, Access Points, Toilet areas, Classroom, Labs, Offices

Procedures if Abuse is Reported at MDC

- Protect the child from further harm
- Florida Abuse Hotline at 1-800-96ABUSE
- Listen but don't interrogate the victim
- File appropriate notice with authorities on a timely basis as required by and in accordance with Florida Statute s. 39.201
- Assure Privacy but not Confidentiality
- Protect the Child with a Respectful Response
- Believe the Child – children seldom make false allegations
- Do Not promise to keep it a Secret – Deal with it appropriately
- Show support and sincere compassion to the victim and family
- Prevent the child from further contact with the accused
- Report all suspected child abuse incidents to appropriate law enforcement agencies as required by State law.
- Protect the Rights of the Accused – They also have rights

- Cooperate with Authorities and Legal Counsel and report potential situations to your insurance carrier or insurance carrier representative(s)
- Have a single spokesperson to deal with the press and/or news media (if applicable)
- Have a pre-designed press statement that outlines your organization's policies and procedures regarding child abuse prevention and sexual harassment
- Do not admit liability or responsibility for the situation that occurred. Follow the advise of MDC legal counsel concerning all statements

Inappropriate Behaviors Include but are not Limited to the Following:

- One on one contact with a child
- Tickling and any touching which encourages physical contact
- Whispered inappropriate conversations or seeking to speak privately with a child so that others cannot hear what is said
- Lewd touching of oneself in the presence of a child
- Use of sexually explicit language or innuendo
- Leaving pants unzipped, shirts open or other attire open "accidentally"
- Placing a child on ones lap
- Exposing a child to pornographic materials of any kind
- Talking to, taunting or teasing a child in a sexual way or in reference to the child's body
- Attempting to contact or meet with a child

RISK MANAGEMENT EXPECTATIONS: WORKPLACE SEXUAL HARASSMENT

Definition Of Sexual Harassment

Sexual harassment is defined as unwelcome behavior of a sexual nature that alters the terms and conditions of employment, interferes with a person's employment benefits or educational opportunities, or creates a hostile environment. (USF Human Resources)

The Marine Discovery Center, Inc. has a Zero Tolerance Policy against any form of harassment, including sexual harassment. Sexual harassment is illegal discrimination with a sexual connotation and is prohibited at the Marine Discovery Center (MDC). The MDC will not tolerate discrimination of any type, including sexual harassment. Employees or Volunteers who violate the MDC policy on sexual harassment may be subject to disciplinary action, up to and including termination of employment.

All employees and volunteers of the MDC are encouraged to read the MDC Policy on Sexual Harassment in its entirety to understand the various types of behaviors that constitute sexual harassment and one's obligations with regard to this important matter.

Most Common Types of Sexual Harassment

- **Quid pro quo:** Type of sexual harassment that is created when a person implicitly or explicitly makes unwelcome sexual activity a term or condition of employment, volunteerism, or other involvement with MDC.
- **Hostile environment:** Pattern of unlawful sexual conduct that creates a hostile or abusive work environment. Some items which may contribute to or constitute a hostile environment:
 - Nature of the Conduct
 - Frequency of the Conduct
 - Duration of the Conduct
 - Age & Sex of the Employee or Volunteer
 - Did the conduct have an adverse effect on the employee or volunteer's employment or educational environment
 - Was the harasser in a position of power over the other individual
 - Number of harassers
 - Age of the alleged harasser
 - Where and how the harassment occurred
 - Other incidents of sexual harassment involving the same or other Employees, volunteers or students
- **Sexual Favoritism:** Occurs when an individual receives positive job or class actions (hiring, training, promotion, work opportunities, etc.) as a result of his/her submission to requests for unwelcome sexual favors from a supervisor, colleague or fellow volunteer. (USF, 2008)
- **Third Party Sexual Harassment:** Sexual harassment by a co-worker, volunteer or visitor to the MDC.

Inappropriate Behaviors That May Constitute Sexual Harassment

Sexual harassment is not limited to problems involving men harassing women. Women can sexually harass men. Also, individuals of the same sex may be involved in behaviors that are considered to be sexual harassment. Sexual harassment behavior can be verbal, non-verbal and/or physical.

Examples of behavior that may constitute sexual harassment include, but are not limited to, the following:

- Displaying sexually oriented photographs, drawings, computer images, web sites, videos, slides, graphics, calendars, cartoons, e-mails or other communications.
- Using vulgar, sexually explicit language or telling off-color, sexually-based jokes or anecdotes.
- Making sexually explicit or suggestive gestures or sounds.
- Making actual or implied promises of an employment, volunteer or visitor to receive opportunities or some type of benefit in exchange for sexual activity, or threat to impede or interfere with employment or volunteerism or benefits for failing to agree to or engage in sexual activity.

- Inappropriate and unwelcome sexual touching, including but not limited to: patting, fondling, pinching, attempted or actual kissing.
 - Requesting or coercing sexual intercourse or sexual favors, attempting to or engaging in sexual assault.
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MDC's Procedure on Sexual Harassment

- Employees, Volunteers, Visitors, Customers and others at MDC who believe that they have been sexually harassed are encouraged to contact the Managing Director, their immediate supervisor, or the Board Chairperson to make a report.

Individuals who serve in a supervisory role are required to report observations and/or allegations of sexual harassment to the individuals listed above. Failure to do so could result in discipline, up to and including suspension or termination.

Anyone who engages in retaliation against an employee or volunteer who has complained formally or informally, about sexual harassment is subject to discipline up to and including suspension or termination.

To learn more about Child Sexual Abuse and Sexual Harassment Prevention please visit the following websites:

Stop It Now! Together We Can Prevent the Sexual Abuse of Children

www.StopItNow.com

Centers for Disease Control – U.S. Department of Health and Human Services

Preventing Child Sexual Abuse Within Youth-Serving Organizations: Getting Started on Policies and Procedures

www.cdc.gov/ncipc/dvp/PreventingChildSexualAbuse.pdf

Darkness to Light: Confronting Child Sexual Abuse with Courage

www.darkness2light.org

Little Warriors: Be Brave About Child Sexual Abuse

www.littlewarriors.com

E Home Fellowship: Help With Life

Child Sexual Abuse Prevention – Protection From Molestation
http://www.way2hope.org/child_sexual_abuse_prevention.htm

Map of Registered and Convicted Sex Offenders and Predators
<http://www.familywatchdog.us>

Child Abuse Prevention Network

(A Worldwide Collaborative Project, with Special Private Access Services for Members) <http://child-abuse.com>

American Bar Association Center on Children and the Law

(Key collaborators with Cornell's Child Abuse Prevention Network in building special Internet resources for legal problems in the field of child maltreatment)
<http://www.abanet.org/child>

National Children's Advocacy Center in Huntsville, Alabama, focused on prevention and treatment options for physically and sexually abused children and their families. Uses a child-centered, family focused approach.
<http://www.ncac-hsv.org>

Sexual Harassment in the Workplace

<http://www.sexualharass.com/sexual-harassment/facts.htm>