

POLICIES

Zero Tolerance Policy

The YMCA of Metropolitan Dallas has zero tolerance for abuse and will not tolerate the mistreatment or abuse of children and teens (including minor staff) in its programs. Any mistreatment or abuse by an employee or volunteer will result in disciplinary action, up to and including termination of employment or volunteer service and cooperation with local law enforcement and the Department of Human Resources. ****Minor staff is defined as any YMCA employee who is under the age of 18.**

Prohibiting the Abuse or Mistreatment of One Child/Teen by Another Child/Teen

The YMCA of Metropolitan Dallas has zero tolerance for abuse, mistreatment, or sexual activity among children and teens (including minor staff) within the organization. We are committed to providing all with a safe environment. We will not tolerate the mistreatment or abuse of one child/teen by another. Conduct by children or teens that rises to the level of abuse, mistreatment, or sexual activity will result in intervention or disciplinary action, up to and including dismissal from the program.

In addition, our organization will not tolerate any behavior classified under the definition of bullying. To the extent that such actions are disruptive, the organization will take the necessary steps to eliminate such behavior. Bullying is aggressive behavior that is intentional, is repeated over time, and involves an imbalance of power or strength. Bullying can take on various forms, including:

1. **Physical bullying** – when one person engages in physical force against another person, such as by hitting, punching, pushing, kicking, pinching, or restraining another.
2. **Verbal bullying** - when someone uses their words to hurt another, such as being derogatory or calling others hurtful names.
3. **Nonverbal or relational bullying** – when one person manipulates a relationship or desired relationship to harm another person. This includes social exclusion, friendship manipulation, or gossip. This type of bullying also includes intimidating another person by using gestures.
4. **Cyberbullying** – the intentional and overt act of aggression toward another person by way of any technological tool, such as email, instant messages, text messages, digital pictures or images, social media, and website postings (including blogs). Cyberbullying can involve:
 - a. Sending mean, vulgar, or threatening messages or images
 - b. Posting sensitive, private information about another person
 - c. Pretending to be someone else to make that person look bad
 - d. Intentionally excluding someone from an online group
 - e. Pornography
5. **Hazing** – an activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers that person regardless of that person’s willingness to participate.
6. **Sexualized bullying** – when bullying involves behaviors that are sexual. Examples of sexualized bullying behaviors include sexting, bullying that involves exposure to private body parts, discussing or showing pornography, and verbal bullying involving sexualized language or innuendos.

Anyone who sees an act of bullying and who then encourages it is engaging in bullying. This policy applies to all youth, parents, employees, and volunteers.

Requiring Annual Review of Organizational Policies

The YMCA of Metropolitan Dallas will review existing abuse prevention policies annually to:

1. Ensure the purpose and goal of the policy is still relevant
2. Determine whether a policy should be combined with another policy or rescinded.
3. Determine if the policy is up to date with current laws
4. Determine whether changes are required to improve the effectiveness or clarity of the policy and/or procedure.
5. This organization will communicate all policy changes to employees, volunteers, children and teens, and parents/guardians through written or electronic methods.

EMPLOYEE AND VOLUNTEER TRAINING REQUIREMENTS

Abuse Prevention Training

The YMCA of Metropolitan Dallas requires that all employees and high-access volunteers are trained on the following foundational abuse prevention topics before having access to children and teens:

1. The organization's policies related to preventing and responding to abuse
2. How to maintain appropriate boundaries with children and teens (including minor staff).
3. Definitions of abuse, facts about sexual abuse
4. Types of offenders and how offenders operate
5. How abuse happens in organizations
6. How to prevent false allegations
7. Mandatory reporting requirements

Employees and High Access Volunteers will also receive training on the following before having access to children and teens:

1. High-risk circumstances for boundary violations
2. How to recognize red-flag behaviors and boundary violations
3. How to recognize and respond to suspicious or inappropriate behaviors and policy violations (red flag behaviors)
4. How to recognize and respond to suspicions or allegations of abuse
5. Effective monitoring and supervision

All employees and high-access volunteers will receive this training upon hire or before having access to children and teens. This training will need to be completed annually.

Supervisors must complete additional training in effective staff supervision practices related to abuse risk management within 30 days of employment. Training topics will include:

1. Overview of the supervisor's role in abuse prevention
2. Supervision strategies that can reduce risk
3. Importance of having increased presence and observation of programs
4. Using teaching moments in supervision.
5. How do we respond to boundary violations, inappropriate interactions, or policy violations
6. Creating a culture for responding and reporting
7. Steps to take when reports are made.

All employees are responsible for annually completing training on the following concepts:

1. The organization's policies for preventing and responding to abuse;
2. How to maintain appropriate boundaries with children and teens (including minor staff); and
3. Additional topics that contribute to employee and volunteers' skills and knowledge related to abuse prevention.
4. Supervisors will complete additional training in effective staff supervision practices related to abuse risk management annually.

INTERACTIONS WITH CHILDREN AND TEENS

Managing Interactions between Adult Employees, Minor Employees, Volunteers, and Children/Teens Outside the Organization

The YMCA of Metropolitan Dallas prohibits outside contact between employees and volunteers with children and teens (including minor staff) they meet through YMCA programs. Any exceptions require a written explanation before the fact and are subject to administrator approval. Any pre-existing relationship should be communicated to their direct supervisor.

Contact outside regularly scheduled program activities include:

1. Babysitting arrangements
2. Tutoring
3. Private lessons/coaching
4. Mentorship
5. Online contact through social media, texting, email, or gaming
6. Social interactions between employees' or volunteers' children and children served by the organization:
 - a. Playdates and birthday parties
 - b. Sleepovers
 - c. Overnight trips and vacations
 - d. Rides to/from the organization or extracurricular activities and events
7. Continued contact with children and teens after a consumer's participation in a program has ended

Gift-Giving Policy

Molesters routinely groom youths by giving gifts, endearing them to the youth. They might instruct the youth to keep the gifts a secret, which then starts teaching the youth to keep secrets from their parents. For this reason, staff and volunteers should only give gifts to groups (i.e., the entire class) of youth, and only under the following circumstances:

1. Administration must be made aware of and approve the gift.
2. Parents must be notified.
3. Food gifts must follow food safety guidelines for those sensitive to food allergies.

Appropriate and Inappropriate Physical Contact

Our physical contact policy promotes a nurturing environment while protecting children and teens, employees, and volunteers. The YMCA of Greater Birmingham encourages appropriate physical contact with children and teens (including minor staff) and prohibits inappropriate displays of physical contact. Any inappropriate physical contact by employees or volunteers towards children, teens or minor staff in the organization’s programs will result in disciplinary action, up to and including termination of employment.

The YMCA of Metropolitan Dallas policies for appropriate and inappropriate physical interactions include but are not limited to:

Appropriate Physical Interactions	Inappropriate Physical Interactions
<ul style="list-style-type: none"> ● Side hugs ● Shoulder-to-shoulder or “temple” hugs ● Pats on the shoulder or back ● Handshakes ● High-fives and hand-slapping ● Pats on the head when culturally appropriate ● Touching hands, shoulders, and arms ● Arms around shoulders ● Holding hands (with young children in escorting situations or working with children with unique needs) 	<ul style="list-style-type: none"> ● Showing affection in isolated areas or while one-on-one ● Lap sitting ● Wrestling ● Piggyback rides ● Tickling ● Allowing a consumer to cling to an employee’s or volunteer’s leg ● Allowing children and teens older than kindergarten to sit on an employee or volunteer’s lap ● Any type of massage given by or to a consumer outside of accepted and documented medical treatment ● Any form of affection that is unwanted by the consumer or the employee or volunteer ● Touching bottom, chest, or genital areas that are outside authorized and documented personal care assistance

Defining Appropriate and Inappropriate Verbal Interactions

Employees and volunteers are prohibited from speaking to children and teens in a way that is or could be construed by any observer as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, or humiliating. Employees and volunteers must not initiate sexually oriented conversations with children and teens (including minor staff). Employees and volunteers are not permitted to discuss their own sexual activities with children and teens (including minor staff).

Our organization’s policies for appropriate and inappropriate verbal interactions include but are not limited to:

Appropriate Verbal Interactions	Inappropriate Verbal Interactions
<ul style="list-style-type: none"> ● Positive reinforcement ● Appropriate jokes ● Encouragement ● Praise 	<ul style="list-style-type: none"> ● Name-calling ● Discussing sexual encounters or in any way involving children and teens in the personal problems or issues of employees and volunteers ● Secrets ● Cursing ● Off-color or sexual jokes ● Shaming, belittling ● Derogatory remarks ● Harsh language that may frighten, threaten, or humiliate children and teens ● Derogatory comments about the consumer or their family ● Compliments relating to physique or body development

RESPONDING AND REPORTING

Mandatory Reporting Requirements for Employees and Volunteers

All employees and volunteers must follow Texas-mandated reporter Laws. Employees and volunteers must be trained to be aware of and understand their legal and ethical obligation to recognize and report suspicions of mistreatment and abuse. Employees and volunteers will:

1. Be familiar with the symptoms of abuse and neglect, including physical, sexual, verbal, and emotional abuse
2. Know and follow organization policies and procedures that protect against abuse
3. Report suspected abuse or neglect to the appropriate authorities, as state-mandated reporter laws require
4. Follow up to ensure that proper action has been taken.

Cooperation with Investigations

Our organization takes every allegation of abuse or misconduct seriously. It will fully cooperate with the authorities (law enforcement, DHR) to investigate all alleged abuse or misconduct cases. Employees and volunteers shall cooperate with any external investigation by outside authorities or internal investigation conducted by the organization or persons given investigative authority by the organization.

Reporting of Red Flag or Inappropriate Behaviors and Policy Violations

If employees or volunteers observe red flags, inappropriate behaviors, or policy violations by other employees or volunteers, it is their professional and personal responsibility to report their observations immediately per the organization's reporting procedures. All adult employees and volunteers are mandated reporters under State Law and the Safe Sports Act of 2018. The YMCA of Metropolitan Dallas requires all employees (including minors) and volunteers to make reports to their supervisor, and failure to do so may be grounds for termination. ***Remember, at our organization, the policies apply to everyone.***

1. Employee and Volunteer Response

All reports of suspicious or inappropriate behavior with a child or teen (including minor staff) will be taken seriously. Our procedures will be carefully followed to protect the rights of all those involved. If an employee or volunteer witnesses suspicious or inappropriate behaviors or policy violations from another employee or volunteer, the individual is instructed to do the following:

1. Interrupt the behavior and remind the employee or volunteer of the rules.
2. Report the behavior to a supervisor, director, or other authority.
3. If you are uncomfortable making the report directly, make it anonymously.
4. Contact the next management level if the report concerns a supervisor or administrator.
5. Complete an internal report, but do not conduct an investigation.

2. Supervisor and Director Response

If a supervisor or an administrator receives a report of suspicious or inappropriate behaviors or policy violations from an employee, volunteer, child, teen, or parent/guardian, the supervisor is instructed to do the following:

1. Report to the next-level supervisor or administrator following the reporting tree for incidents. All reports should be made to the Vice President of Youth Development.
2. Speak with the employee or volunteer who has been reported
3. Review the employee or volunteer file to determine if similar complaints were reported.
4. Determine the appropriate response based on the report.
 - a. Take into consideration factors such as:
 - i. Context of the red flag, inappropriate behavior, or policy violation;
 - ii. The severity of red flags, inappropriate behavior, or policy violations;
 - iii. History of red-flag or inappropriate behaviors or policy violations; and
 - iv. Trainability of employee or volunteer.
5. Document the report, but do not investigate or interview.
6. If, at any point in gathering information about a report of red flags or inappropriate behavior, a concern arises about possible abuse, contact the appropriate Senior Level employee for the next steps in making a report to DHR or the police.
7. If appropriate, notify parents/guardians.
8. Advise the person who reported the behavior that the report is being taken seriously.

3. Organization Response

1. Increase monitoring or supervision of the employees, volunteers, or programs.
2. If policy violations with youth are confirmed, the employee or volunteer must be subject to disciplinary action up to and including termination and prosecution. Disciplinary action will follow the Progressive Disciplinary Process outlined in this manual.
3. If more information is needed, interview and/or survey other employees, volunteers, or youth.
4. Offer resources to promote healing for affected individuals, which may include counseling;
5. The CEO is the only person allowed to speak to the media on behalf of the YMCA.
6. Alert others in the organization. With legal guidance, the HR Director and CEO/COO will determine who, how, and when to alert others in the organization.

Responding to Suspected Child Abuse by an Adult:

If there is a case of suspected abuse or neglect of a child or teen (including minor staff), the employee or volunteer must report this immediately to his/her supervisor. This includes whether the suspected abuse occurred on or off the organization's property and whether employees, volunteers, or others perpetrated it. All employees and volunteers are "mandatory reporters," as Alabama state law requires. Reports may be made confidentially or anonymously. A person who mistakenly reports suspected abuse is immune from civil or criminal liability as long as the report was made in good faith and without malice.

Youth-to-Youth Interactions

Youth-to-youth inappropriate behaviors can include inappropriate touching, exposing body parts, using sexualized language, making threats of sexual activity, engaging in sexual activity, aggressive physical contact, making threats of aggressive physical contact, cyberbullying, relational bullying (excluding or rumor spreading), name-calling, and similar types of interactions. Bullying is determined by these three characteristics: intentionality, repetition, and power imbalance.

Cell Phone Policy

Employees and volunteers may bring personal electronic communication devices to work, but these devices must not be in view or used when the individual is expected to be supervising consumers. Program leadership may establish exceptions to this requirement, including during approved breaks and/or emergency situations. Internet use, text messaging, and/or emailing consumers are subject to the requirements defined in this organization's electronic communication and social media policy. Failure to adhere to the policy will result in progressive discipline.

Employees must respect all laws and regulations regarding the use of cellular phones, and should act in a responsible manner. Any misuse of the phone or contact (phone, text, social media site, etc.) with children under the age of 18 is strictly prohibited and against our child safety practices and will result in immediate termination of employment.

Downloading services not permitted by IT (i.e. games, illegal, objectionable or inappropriate content and/or pictures, including pornography, pornographic sites, and any accompanying related material, etc.)

Acceptable use of cell phones during program hours

Employees and volunteers must occasionally use official personal or organizational-issued electronic communication devices. Employees and volunteers will have explicit direction from supervisors governing use in these cases. Situations that may require the use of personal or organization-issued electronic communication devices include:

1. Field Trips
2. Off-site Programs
3. Emergencies
4. Taking pictures of programs (when requested by supervisor)