



# Sexual Abuse Safe-Child Standards in Massachusetts

MassKids

Prevent Child Abuse Massachusetts  
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# MassKids and the Enough Abuse Campaign

MassKids is a private, statewide citizen-based child advocacy organization with a 55-year history of effective advocacy on behalf of Massachusetts' most vulnerable children. Since 1986, it has served as Prevent Child Abuse Massachusetts, the state chapter of Prevent Child Abuse America.

MassKids leads the Enough Abuse Campaign, a community mobilization and citizen education initiative established in 2002 under a 5-year grant from the U.S. Centers for Diseases Control and Prevention (CDC), and subsequently supported by the Ms. Foundation for Women. It works in several Massachusetts communities to mobilize and educate parents, professionals, and youth to prevent adult perpetration and child-on-child sexual abuse.

Through the Campaign, MassKids serves as a training and technical assistance resource to schools and youth-serving organizations seeking to strengthen their capacity to prevent child sexual abuse through: training of employees/volunteers; the latest screening and hiring practices; the adoption of detailed codes of conduct; the modification of physical spaces to reduce opportunities for abuse; and the appropriate reporting of suspected abuse.

MassKids, the Campaign, and its members engage in citizen advocacy to ensure the passage of legislation aimed at preventing sexual abuse, ensuring justice for survivors, supporting victims, and holding sexual abusers accountable.

For more information about how to strengthen your organization's capacity to prevent child sexual abuse, contact MassKids at (617) 742-8555.

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## Introduction

Every child has the right to be safe where he or she lives, learns, and plays. Adults charged with the responsibility to care for children and youth are critical gatekeepers who can protect them from people that might sexually abuse or exploit them. Key questions that arise when considering how to approach child protection from sexual abuse and exploitation include:

- ✎ How can we balance this protective role with one that promotes rich opportunities for children to explore their world and engage in new and challenging experiences?
- ✎ How can we know who is safe or, more fundamentally, which behaviors of adults and other children are inappropriate or risky?
- ✎ How can we work proactively to prevent child sexual abuse from happening in the first place and not just report cases after they have been disclosed?
- ✎ How can our policies and practice reflect the best thinking and most current knowledge in the field?

We are all compelled to answer these questions. However, those who work with children in schools and youth-serving organizations are particularly well-positioned to develop and implement policies and practices aimed at preventing child sexual abuse. For example, every year an estimated 35 million adults come into contact with more than 70 million children in youth-serving organizations (YSOs) across the country. This includes over 44 million children who participate in organized sports overseen by an estimated 8 million coaches.

Every year in Massachusetts, 1.1 million children and youth attend more than 2,900 public and private schools. They participate in large numbers in youth sports, after-school enrichment programs, and other youth development opportunities run by non-profit groups.

Schools and youth-serving programs provide children and youth with guidance and opportunities for growth in the areas that are key to creating a happy and successful life: a sense of competence, usefulness, belonging, and power. As parents and communities, we are proud of the educators and youth workers who have dedicated themselves to guiding our children as they learn and grow in these critical ways. However, as we have all come to understand, these settings also expose children and teens to risks by unwittingly providing the “cover” and access to children that are sought by those who would sexually abuse or exploit them. Consider that:

- ✍ In 2004, a U.S. Department of Education report shared the startling data that nearly 7% of American school children, 3.5 million children, report having had unwanted sexual contact with someone in their school – usually a teacher or coach. When non-touching sexual offenses were included, the figures rose to 10% of children K-12, or 4.5 million students.
- ✍ According to 2013 Bureau of Justice Statistics, nearly 10% of adjudicated youth in juvenile facilities report experiencing one or more incidents of sexual victimization by a facility staff or another youth in the 12 months since their admission.

Schools and youth organizations are being compelled to adopt more comprehensive policies and practices to keep children safer because of greater recognition of the devastating impact of sexual abuse on children and youth, publicity from high profile cases in Massachusetts and other states, and an emerging new standard of care in the field.

To better support these gatekeepers in their dual role of nurturing healthy child development and maximizing child safety, in 2008 and 2009 MassKids and its local Enough Abuse Campaign sites in Orange-Athol, Gloucester, and Newton led local youth-serving organizations through a guided process to assess their child safety practices. All sites identified gaps that had not been addressed and cited insufficient resources and the feeling of being overwhelmed about where to start and what steps to take.

To respond to this identified need, MassKids developed and tested a set of materials and a guided assessment process called **GateKeepers for Kids** which now includes:

- ✍ A 10-question “**Child Sexual Abuse Prevention Questionnaire for Schools and Youth-Serving Organizations**” to help provide an initial broad safety assessment;
- ✍ The “**Child-Safety Assessment Tool**,” a comprehensive 10-page survey to help detail current safety strengths and gaps in six key areas;
- ✍ “**A Practical Guide to Make Your Organization Safer**,” a 12-page primer, and a set of 6 companion “**Fact Sheets**” on organizational assessment, training, screening, reporting, steps to develop a code of conduct, and how to assess and modify physical spaces. (Available for download at [www.enoughabuse.org](http://www.enoughabuse.org));
- ✍ “**Straight Talk About Child Sexual Abuse: A Prevention Guide for Parents**,” a 20-page booklet that schools and youth organizations can make available to parents as part of their overall sexual abuse prevention education plan; (English and Spanish versions also available for download);
- ✍ An on-line **Learning Community for Youth-Serving Organizations and Schools** on [www.enoughabuse.org](http://www.enoughabuse.org) that includes:
  - Teaching videos that capture many rich presentations and exchanges from MassKids’ **Prevention Summit** held in November, 2013 in which over 150 school and youth organization leaders from Massachusetts and around the country came together to discuss latest developments in the field

- A regularly updated **Resource Bank** to deepen knowledge of the issues, including over 60 school and YSO policies on sexual abuse prevention, key reports on the issue, specific tools that can be adopted/adapted to improve screening and reporting, sample codes of conduct, etc.
  - **Commentaries** from experts in the field and from school and youth organization leaders about implementing safe-child standards, and latest research on effective strategies;
- ✍ A variety of training curricula including **“Preventing Child Sexual Abuse: Strategies for Your School”** for administrators, teachers, coaches, parents, and other school employees, and **“Strategies for Youth-Serving Organizations.”** Included in these trainings is a listing of physical and psychological boundary-violating behaviors that schools and youth organizations can review and consider incorporating in their Codes of Conduct;
  - ✍ **Consultation and Technical Assistance** services available for schools and YSOs seeking to assess their current policies, and develop an achievable Action Plan to address identified gaps to strengthen their child protection policies and practices.

Research shows that to truly influence behavior, schools and youth-serving organizations need to combine education of their staff about child sexual abuse prevention with institutional policies and practices that work together to achieve desired improvements. This **“Safe-Child Standards”** report builds on MassKids’ previous work in this area and supports that dual strategy.

Outlined herein are a series of six standards to help organizations reduce the risk of sexual abuse and ensure a safe environment to learn and grow. While the standards describe the essential requirements that organizations must meet to establish safe environments, they can and should be tailored to the mission, purpose, size, and specific characteristics of each organization and their surrounding communities.

The standards recognize Massachusetts’ existing laws related to mandated reporting of child abuse and neglect by members of several professional groups. The standards also recognize the relevant laws and regulations related to the conducting of background checks for youth serving organizations and schools in Massachusetts.

Although no policy or procedure can guarantee a 100% child safe environment, we are confident that adopting this comprehensive set of standards will promote child safety and well-being by reducing the risk of child sexual abuse. By putting these standards into practice, members of child- and youth-serving organizations will have clear guidelines and expectations for their own behavior around children and youth, and clarity about what to do if they notice or are told about the inappropriate behaviors of others. Importantly, by adopting and promoting safe child standards, organizations may discourage or deter those who seek to sexually exploit children from applying to the organizations that serve them.

Working with our colleagues in prevention, we believe these standards can help generate a new culture of safety and accountability within organizations whose mission is to ensure the right of every child to a healthy and safe childhood – one free from sexual abuse and its devastating effects.



Jetta Bernier, Executive Director  
MassKids ~ Prevent Child Abuse Massachusetts

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# MASSACHUSETTS SEXUAL ABUSE SAFE-CHILD STANDARDS

Purpose: The purpose of these Safe-Child Standards (“the Standards”) is to promote the well-being of children and young people served by organizations, and to protect them from child sexual abuse. In the context of creating a safe environment for them, the Standards require organizations to identify and take steps to minimize the risk of sexual abuse because of the actions or inactions of an employee, volunteer, another child or teen in the program, and even a parent, relative, or other community member.

Here is a set of Standards schools and youth organizations should consider implementing:

**Standard #1:** Assess risk of harm and strengthen identified gaps

**Standard #2:** Provide regular opportunities for employees, volunteers, and parents to learn about child sexual abuse and its prevention

**Standard #3:** Develop codes of conduct for adults and children

**Standard #4:** Screen prospective employees and volunteers

**Standard #5:** Assess and modify physical spaces to reduce risks

**Standard #6:** Report and respond appropriately to suspected abuse

## Before You Start...

Before beginning to implement the Standards, every organization serving children and youth would benefit from developing a statement that confirms the organization’s strong commitment to protecting children and adolescents from sexual abuse.

The draft statement can be distributed among its staff and volunteers who would be encouraged to provide comment. Upon approval by the organization’s governing authority, the statement can be posted in a prominent place where staff and visitors can view it, and it can be publicized broadly throughout the organization, to the children and youth it serves, to their parents and to the broader community.

### **Sample Safe-Child Policy Statement:**

*The (insert name of school or youth organization) is committed to the safety and well-being of all the children and youth we serve. We are taking steps to educate our staff and volunteers about child sexual abuse and its prevention, to strengthen policies and practices designed to proactively protect children from the risk of sexual abuse, and to train our staff and volunteers about their ethical and legal responsibility to report suspected cases.*

*We encourage and welcome the input of staff, volunteers, the children and youth we serve, and their parents as we continue to strengthen our organization and its work to end child sexual abuse.*

*(Insert name and contact information of director, principal, or other person designated to receive inquiries.)*

## Standard #1: Assess risk of harm and strengthen identified gaps

**Each youth-serving organization should analyze the risk for sexual abuse within its environment and take steps to minimize identified risks and accentuate the strengths through its personnel, programs, physical facilities, and participants. An assessment can include a review of its existing child protection policies and practices to determine the organization's current level of child safety and identify new strategies to address identified gaps.**

Organizations seeking to do a preliminary internal review to assess general areas of strength and gaps may find useful the 10-point **"Child Sexual Abuse Prevention Questionnaire for Schools and Youth-Serving Organizations"** (See Appendix A.) The tool was developed by the Task Force on Youth-Serving Organizations comprised of GMA Foundations, MassKids, the Sillerman Center for the Advancement of Philanthropy at Brandeis University, the MA Alliance of YMCAs, and the United Way of Massachusetts Bay and Merrimac Valley. The questionnaire and a companion form were developed to assist foundations in their due diligence process; the first as an optional document to be submitted by grant-seeking organizations as part of their funding application, the latter to assist program officers as part of their review of grantee organizations.

To guide small to mid-sized organizations that want to engage in a more in-depth assessment of their existing child protection policies and practices, and want to develop an action plan to address identified gaps, MassKids has developed the comprehensive, 10-page tool **"Child-Safety Assessment Survey."** To document the efficacy of the Assessment Tool as a catalyst to improving safe-child policies and practices, MassKids is making the tool available to any school or YSO that agrees to provide information about their pre- and post-assessment activities.

Organizations can convene their leadership team to collectively fill out the Assessment as part of a group process, or have members fill it out individually and then discuss together how the organization fares in the ten areas addressed in the Survey.

Organizations with few staff can still benefit from involving the parents of the children or youth they serve, board members, and other community members in the assessment process.

### Action Steps to Meet Standard #1:

- ✎ Conduct a comprehensive assessment of the organization's current safe-child policies to see if, or how well, they address the risk of sexual abuse.
- ✎ Test actual knowledge and practice by questioning and observing staff on adherence to policies already in place that are intended to reduce the risks.
- ✎ Involve stakeholders in the assessment process to capture the unique perspectives of those engaged at various levels of the organization and community.
- ✎ Recognize and celebrate the organization's confirmed strengths.
- ✎ Identify and acknowledge areas where improvements are needed.
- ✎ Develop a 12-month plan that prioritizes needed changes and establishes benchmarks for improvements.
- ✎ Review progress on a regular basis and annually once the plan is completed to document progress in achieving desired outcomes.



## Standard #2: Provide regular opportunities for employees, volunteers, and parents to learn about child sexual abuse and its prevention

**The developing standard of care or practice for organizations working with children is to provide employees, volunteers, and parents with information about the risks of sexual abuse and how to minimize those risks.** (For the purposes of these standards, employees include contractors, interns, regular and part time workers; parents include guardians, foster parents, grandparents and other caregivers.)

Training is critical to ensure the understanding that preventing child sexual abuse and promoting child safety is an organization-wide responsibility. Employees, volunteers, and parents must be made to feel confident and comfortable in discussing any issue that might undermine child safety and protection. (Under Standard # 3 - Codes of Conduct, we will discuss the need to make information about appropriate boundaries available to children and youth served by the organization.)

A January 2014 Government Accountability Office (GAO) report indicates that 18 states require school districts to provide “awareness and prevention training on child sexual abuse,” however, the report states that almost all the training is focused on informing school personnel of their legal mandate to report suspected cases. This approach addresses sexual abuse after-the-fact and does not constitute a true primary prevention strategy.

Some legislation is narrowly focused on educating pre-K to 5th graders in public schools about sexual abuse. This limited approach does not reflect recognition by the CDC and other national leaders in the field that building adult and community responsibility for preventing child sexual abuse must be at the core of our strategy. While educating young children about safe boundaries is part of a comprehensive approach, this strategy, if used alone, sends the message that if we simply teach kids about sexual abuse and encourage them to tell if it happens, we will significantly reduce the occurrence of these cases.

This approach places the burden on children to disclose sexual abuse and does not take into account the powerful reasons children often can't and don't disclose. It gives parents the false sense that educating children in school about abuse is all that is needed to keep them safe. This deflects responsibility for learning about sexual abuse prevention away from the adults who should be children's first line of defense. Furthermore, when schools adopt this limited strategy, they are failing to address squarely the issue of sexual misconduct and abuse by teachers and coaches which, according to a US Department of Education-commissioned report, is experienced by 10 percent or 4.5 million school children in grades K-12.



The “Comprehensive Child Sexual Abuse Prevention Education” bill proposed by MassKids and filed in the 2015 legislative session mandates public and private schools and youth-serving organizations to educate their personnel and parents about how to prevent adult perpetration and child-on-child sexual abuse. It mandates that policies be adopted to reduce the threat of sexual abuse, including: better screening of prospective employees and volunteers; better supervision of individuals working with children to detect and respond to boundary-violating behaviors; development of codes of conduct to identify early on any inappropriate or boundary-violating behaviors of adults or children; training of personnel about the code of conduct; the modification of physical spaces to reduce opportunities for sexual abuse; and appropriate reporting of suspected cases.

Once these policies have been adopted, the bill mandates that children be informed about the specific boundary-violating behaviors within their school’s or YSO’s code of conduct that the adults around them have formally agreed not to engage in, and who to tell if they should see or experience these behaviors.

## Action Steps to Meet Standard #2:

- ✎ Implement a training plan for employees, volunteers, and parents of children/youth served by the organization that focuses on developing knowledge and skills related to preventing child sexual abuse, and on recognizing and responding to physical and psychological boundary violations, sexual misconduct, and suspected abuse.
- ✎ Identify in the plan when and how often employees and volunteers will be trained and when and how often opportunities for parent training will be offered.
- ✎ Ensure that new employees, volunteers, and others are trained in a timely manner.
- ✎ Select training curricula that are comprehensive in that they address both the prevention of adult perpetration and the prevention of child-on-child sexual abuse.
- ✎ When selecting in-person or online trainings, select curricula and certified trainers that reflect the latest knowledge in the field, evaluate knowledge and skills of participants, and can document excellent evaluations from previous trainings.
- ✎ If they exist or when they are developed, incorporate in the training the standards of behavior and care defined in the organization’s code of conduct and the reporting protocols for suspected abuse and boundary-violating behaviors to ensure they are fully understood and implemented at every level of the organization, e.g. teachers, youth workers, custodians, food service staff, as well as parents and community members who interact with the organization.
- ✎ Incorporate trainings on this topic into the school’s or organization’s regular in-service training schedule; training should be institutionalized and not a one-time offering.
- ✎ Provide continuing education credits whenever possible through appropriate accrediting body, e.g. MA Department of Elementary and Secondary Education, National Association of Social Workers, etc.
- ✎ In addition to making information available for parents and legal guardians of children served by the organization, also consider training for the organization’s board members who serve as stewards of the organization’s mission and programs.

For a description of available MassKids training and curricula, including specific curricula for schools and for youth organizations, visit [www.enoughabuse.org](http://www.enoughabuse.org).



### Standard #3: Develop codes of conduct for adults and children

**The organization can benefit greatly by adopting a code of conduct that specifies agency-wide standards of behavior when interacting with children and youth involved in the school's or organization's programs, activities, or care. The code can espouse professional, ethical, and fair conduct among all those who work for or are served by the organization. It should delineate the appropriate physical and psychological boundaries that adults must maintain in their interactions with children and youth, based on the specific mission and purpose of the organization.**

By adopting a uniform set of standards, boundary violations - whether unintentional or part of a planned strategy of grooming - can be identified and enforced early on before they escalate to reportable sexual offenses. In this way, codes of conduct protect children, protect employees and volunteers who may need guidance about how to become aware of their boundary-violating behaviors, and protect the organization from the negative publicity that inevitably results from incidences of sexual abuse.

MassKids has identified a listing of physical and psychological boundary-violating behaviors of both adults and children that schools and youth organizations can review and consider including in their code of conduct. Additionally, our "Resource Bank" includes examples of some exemplary codes of conduct which can serve as models.

Codes of conduct should include policies that recognize specific situations where the right balance between privacy and supervision must be maintained, e.g. in bathrooms, locker rooms, shower rooms, theatre costume changing areas, etc. Policies here should be tailor-made to reflect the age and developmental level of the children and teens. For example, no staff should enter a bathroom stall with an older child, yet responding to a request for toileting help by a pre-K child may be appropriate.

To reduce boundary-violating behaviors of children or teens in these settings and allow for better monitoring by staff, a policy regarding the number of children permitted to use restroom facilities at the same time may be considered. Co-supervision by staff in these areas may also be desired to protect them from any actions that might be perceived as inappropriate.

Children with physical or developmental disabilities are at significantly greater risk of sexual abuse. Children who are D/deaf are two to three times more likely to be sexually abused than their hearing peers. Policies, therefore, should specifically address how these children and teens can be protected without jeopardizing their opportunities for growth and development.

## Action Steps to Meet Standard #3:

- ✎ Include a statement in the code about the responsibility of adults and children to treat one another with dignity, respect, sensitivity, and fairness.
- ✎ Reflect in the code the unique mission, values, and program activities of the organization. For example, these will be different for a youth mentoring program such as Big Brother/Big Sister where one adult/one child interactions outside the organization's facility are encouraged, versus a school where meeting with a student outside school hours and off school grounds is prohibited, and even where one adult/one child interactions in school that are not observable and interruptible are discouraged.
- ✎ Include in the code a definition of sexual misconduct,
  - any violation of a child's or teen's physical or psychological boundaries, as it relates to inappropriate personal or sexually provocative behavior, whether intended or not;
  - non-criminal yet intentional "grooming" of a child or teen as a prelude to criminal sexual abuse, and;
  - illegal engagement in sexual activities with a child or teen.
- ✎ Include in the code a definition of sexual abuse. The American Professional Society on the Abuse of Children (APSAC) puts forth the following definition:

*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 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.*

- ✎ Identify in the code specific acceptable and unacceptable behaviors of adults that cross specific physical and psychological boundaries; define possible consequences for violating the code.
- ✎ Describe in the code the age-appropriate behaviors expected of children and youth served by the organization, and include specific behaviors of children and youth that are inappropriate, coercive or abusive.
- ✎ Establish clear policies that balance the degree of supervision and privacy children and teens require in bathrooms, shower rooms, locker rooms, etc.
- ✎ In higher risk situations, e.g. confidential counseling sessions, mentoring, tutoring, private music lessons, etc., describe the additional strategies needed to minimize risk.
- ✎ Programs that serve children and teens with disabilities should reflect policies in their code of conduct that balance respect, protection and empowerment for these individuals.

✎ Distribute the code to everyone within the organization, including:

- Existing employees, members or volunteers;
- The children and youth served by the organization and their parents and guardians;
- All persons seeking paid employment, membership or voluntary work with the organization;
- Independent contractors, non-direct service staff (e.g. office staff, custodians, etc.), consultants, apprentices, trainees, interns, and students on placement if they will have direct contact with children or youth.

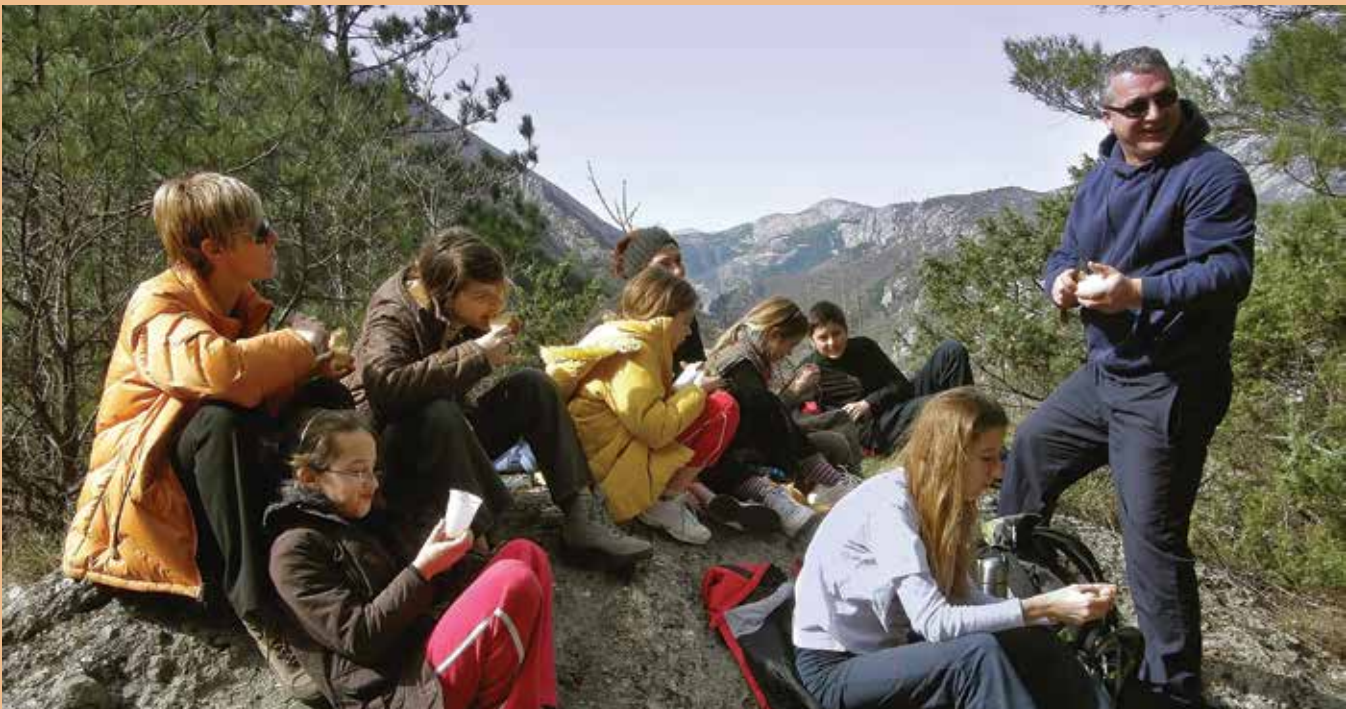
✎ Require all employees and volunteers (where practicable with respect to volunteers) to acknowledge and sign the code of conduct. By signing the code, employees and volunteers confirm their obligation to apply the code to their work and conduct within the organization. Include the signed code in their staff record or personnel file where applicable.

✎ Train all employees and volunteers to be aware of their duty to raise concerns about the behavior of fellow employees, managers, volunteers, children, family members or others that violate the code of conduct.

✎ Define in the code the process by which employees, volunteers, parents/guardians and children and youth can raise concerns or report sexual misconduct, including to whom reports should be made, and the process and timeline for responding promptly, fully and fairly to any concerns raised.

✎ Include in the code a provision that prohibits retaliation of any kind against a person or persons who have reported suspected sexual misconduct and the disciplinary consequences of such retaliatory actions.

✎ Reinforce the code in training, supervision and other forms of performance monitoring and management.





## Standard #4: Screen prospective employees and volunteers

**The organization must use the latest set of screening measures to minimize the likelihood of engaging or retaining people who might pose a safety threat to children and youth.**

Most employees and volunteers are genuine, caring people who want to do what is best for children and their communities. A small number of people who seek to work with children in a paid or voluntary capacity, however, pose a risk of harm to children. It is possible to minimize the risks and prevent harm by putting safeguards in place to deter unsuitable applicants from applying for employment or volunteer work with the organization.

Positions subject to careful screening should include: staff, supervisors, managers, and volunteers who have regular contact with children, work in close proximity to children on a regular basis, or have access to records relating to children.

The measures used by an organization to screen and assess potential and existing employees and volunteers will depend on both the size, nature, requirements, and resources of the organization, and the level of risk attributed to the prescribed position or role. In general, schools and youth organizations will want to adopt comprehensive screening which includes the following five practices aimed at minimizing the risk of harm to children.

### **Reviewing the written application:**

The written application allows the applicant to list relevant qualifications, previous work history, educational degrees, and professional registration. Recently passed laws in a few states (referred to as “SESAME” – Stop Educator Sexual Abuse, Misconduct and Exploitation law), and a filed bill in the 2015 legislative session in Massachusetts, would require public or private schools to contact an applicant’s current and former school employers if the person was in a position directly involved with children.

Under the proposed law, the applicant would be asked to sign a written authorization to allow disclosure of employment information indicating whether the applicant 1) was subject of an abuse or sexual misconduct investigation, unless allegations were proven false; 2) was ever disciplined, discharged, non-renewed, or asked to resign while abuse or sexual misconduct allegations were pending or under investigation or due to finding of abuse or sexual misconduct; or 3) had their license suspended, surrendered their license, or had it revoked.

Importantly, the authorization would insulate schools from liability for sharing information about discovered misconduct with authorities and other schools. Past school employers would be required to disclose the information to the prospective school employer and would be given immunity from civil and criminal liability unless the information shared was known to be false.

### **Conducting the in-person interview:**

Interviews should include open questions that invite explanations rather than a yes or no response. For example: “Why did you choose to be a teacher (or child care provider or counselor or...)? Why do you want to work with children? Is there a particular age group or gender of children with whom you enjoy working?” It may also be helpful to describe a scenario about what could happen in your organization and how the applicant would respond. For example, “If a child or teen in our program asked if you would keep secret something they wanted to tell you, how would you respond?”

Responses to this question may trigger the interviewer to ask additional questions of prospective employees or volunteers, e.g. “Have you ever been sexually involved with a child, or with a teenager much younger than you? Have you ever committed or been accused of committing any sexual offense against a child or teen?”



To help organizations confidently address this sensitive issue within the interview process, MassKids has developed a comprehensive set of questions and a video that can guide this inquiry for schools and youth-serving organizations.

### **Checking references – professional and personal:**

Some employers may believe that references are the least important tool in the screening process and can be skipped to save time. However, research shows that a third-party reference is a far better predictor of future performance than the interview itself. During an interview, applicants often describe attributes they wish to have, rather than attributes they actually possess. Also, interviewers generally decide on an applicant's suitability during the first 30 seconds of the interview, and spend the remaining time looking for evidence to confirm their initial positive or negative impression.

Professional references, therefore, are a valuable tool in screening prospective employees and volunteers and should never be omitted. According to hiring managers, personal references also can provide candid assessment of an applicant's suitability for the position.

Importantly, reference checkers should be trained to be sensitive to signs that might indicate a prospective employee or volunteer might pose a safety risk for children.

Employers may also want to conduct a Social Security Check to verify previous state or city/town residency. This is particularly useful when the resume includes time gaps and may suggest the applicant is attempting to hide past information. A Google Search can also be helpful in uncovering questionable activities, e.g. "I saw a news article about a person with your name. Is that you?"

### **Conducting criminal history checks:**

After the written application, interview, and records check are completed, the criminal history records check may be initiated as part of the due diligence process. It should be understood, however, that this check is only one tool in our arsenal of strategies to prevent child sexual abuse. According to risk management experts, more than 80% of child molesters identified in schools or youth organizations did not have prior criminal records.

Massachusetts law enacted in 2013 requires public and private schools to conduct state and national fingerprint-based criminal background checks on current and prospective employees, including individuals who regularly provide school-related transportation to children and any subcontractor or laborer commissioned to perform work on school grounds that may have direct and unmonitored contact with children.

Fingerprints are submitted to the State Police for a state criminal history check and forwarded to the Federal Bureau of Investigation (FBI) for a national criminal history check. Before the 2016-2017 school year begins, all employees must have submitted fingerprints for checks.

Public and private schools are required to continue obtaining all available Criminal Offender Record Information (CORI) from the Department of Criminal Justice Information Services ("DCJIS") periodically, but not less often than every 3 years, for any current or prospective employee or volunteer of the school. This applies to any subcontractor or laborer commissioned by the school to perform work on school grounds that may have direct and unmonitored contact with children, including any individual who regularly provides school-related transportation to children.

The Department of Early Education and Care is also required to conduct fingerprint checks on any applicant for employment with the Department who would have the potential for unsupervised contact with children; and on any applicant seeking a license to do family child care, small or large group care, or residential care. Additionally, the law requires fingerprint checks for all household members or persons regularly on the premises, age 15 and older, of applicants for family child care licensure.



For information about Massachusetts CORI, contact the Criminal History Systems Board at 617-660-4640 or visit [www.state.ma.us/chsb/cori/cori.html](http://www.state.ma.us/chsb/cori/cori.html). For information about the Statewide Applicant Fingerprint Identification System (SAFIS), visit: <http://www.mass.gov/edu/2013newsupdates/frequently-asked-questions-regarding-background-checks.html>

### **Highlighting the organization’s commitment to protect children:**

A simple and cost-effective tool that every organization should add to its list of screening tools is a brief video that highlights the organization’s mission and its strong commitment to keeping children safe from abuse and exploitation. Delivered by the organization’s executive, the video should make clear the ways the organization takes its responsibility to protect children seriously.

MassKids’ online “Resource Bank” has available video footage and written scripts that organizations can use to guide them in developing their own organizational video. The video can be shown to the prospective applicant before or after the in-person interview. Here is an excerpt from a video developed by the Klingberg Family Centers in Connecticut:

*...If you can join us in our responsibility to make our organization a safe place for children to grow and learn, we welcome your skills, your enthusiasm, and your caring heart. However, if you are concerned that you might not be able to keep our children safe or maintain proper boundaries with our children, this organization is not a place you want to work. And here I will be quite frank – if you are sexually attracted to children or have ever been sexually involved with children, if you have frequent thoughts or fantasies about sex with children, if you use child pornography, or if you have been sexually involved with teenagers much younger than yourself, please do not accept a job here and do seek out help.*

*We do extensive training with our staff about identifying the signs of abuse perpetrated by other staff. We monitor carefully our staffs’ interactions with youth. And, we prosecute to the fullest extent of the law situations where a staff member is abusive to our children.*

Screening away a person who may pose a sexual risk to the children you serve is a top priority. However, the responsibility to keep kids safe extends beyond one’s own school or organization. To reduce the likelihood that a person with questionable motivations will simply seek employment or volunteer work with another school or organization, organizations may want to consider providing each prospective employee or

volunteer with a listing of area assessment, treatment and support resources so that those concerned about their risk of sexually abusing a child or youth may be encouraged to seek help. This listing can also include resources where survivors of sexual abuse can find support. The Enough Abuse Campaign website – [www.enoughabuse.org](http://www.enoughabuse.org) – contains links to many such local and national resources.

## Action Steps to Meet Standard #4:

- ✍ Adopt and describe in a clear and transparent document your organization’s policies and guidelines for screening employees and volunteers, as well as subcontractors and laborers that perform work on school grounds and may have direct and unmonitored contact with children.
- ✍ Ensure that criminal records checks required by law are conducted in accordance with federal and state statutes and timelines.
- ✍ Conduct comprehensive screening prior to the hiring of new employees or volunteers.
- ✍ Provide specialized training about child sexual abuse for staff designated to conduct interviews and reference checks.
- ✍ Before hiring an employee or engaging a volunteer, include in the interview process a set of specific questions asked of all applicants regarding their past and current behavior as it relates to their interactions with children or youth.
- ✍ Obtain references for all prospective employees and volunteers.
- ✍ Consider producing a brief video to be viewed by every prospective applicant highlighting the organization’s mission and how it works specifically to keep children safe from sexual abuse.
- ✍ Include in the organization’s information packet for all prospective employees and volunteers, a listing of assessment, treatment and support resources for those concerned about their risk of sexually abusing a child or youth and for survivors of sexual abuse.



## Standard #5: Assess physical spaces and modify to reduce risks

**Organizations are advised to assess their physical facilities and spaces and make modifications to increase the visibility of staff and children, improve monitoring of clients and visitors, limit access to unused spaces, and enhance overall security.**

### **Assessing physical spaces:**

The physical space of an organization can become almost invisible to those who see and use the space every day. Yet the physical space can present both challenges and opportunities for safety and security. Inviting an outside colleague, volunteers, or youth served by the organization to walk through the building with “fresh eyes” might uncover areas of concern or vulnerability that had been overlooked by those working in the space every day. Parents whose children are served in the facility can also be asked to participate in an environmental scan. Youth can also be guided by adult staff in a process to identify any areas that seem unsafe or make them feel uncomfortable or isolated. Research has shown that this “hot spot mapping” of physical spaces by youth can in fact prevent sexual assaults.

### **Improving visibility:**

Many small organizations conduct their programs in buildings and grounds originally designed for other purposes and this can present unusual challenges to child safety. Older buildings may have smaller rooms without windows or visibility; long, winding hallways where a child may be out of sight; and isolated areas in the wings of a building – all of which can put children at risk. While certain improvements can be expensive, many solutions can be low or no-cost, e.g. improve lighting, remove doors, lock unused rooms, etc.

### **Monitoring staff and visitors:**

Monitoring of entrances and exits allows the organization to carefully control who may have contact with children and/or teens. The level of engagement will depend upon the child’s age, developmental stage, and the kinds of activity in the organization. Visitors may include parents, guardians, and prospective clients, visiting professionals, or service workers. In many cases, especially with younger children, parental involvement is welcomed and incorporated into the day of the child. Even in these circumstances knowing who is in the building, what they are doing, and who they are with are all important safety concerns.

### **Limiting isolated areas:**

In general, any area that is not essential for use by children and teens should be locked and access denied to all. These areas include unused rooms, storage areas, closets, unused stairwells, tunnels or any abandoned buildings on the grounds. Regular inspections of these areas should be the responsibility of a key staff person. If areas are used occasionally, then a strict policy of access should be established and maintained.

### **Monitoring the entrance and exit of children and teens:**

Monitoring the entrance and exit of all teens and children enrolled in the program is essential. Experts agree on the importance of establishing clear boundaries where a child or teen transitions from the responsibility of a parent or guardian to the responsibility of the organization and then back again. For younger children, this boundary can be clearly articulated by having a sign-in/sign-out process. A less formal approach is to have a staff person welcome a child into their care in clear sight of the guardians and clearly acknowledge the departure to both the child and their guardians.

### **Providing separate spaces for older and younger youth:**

Programs that serve a broad age range of youth should consider providing separate spaces for older and younger youth to minimize opportunities for youth-on-child sexual abuse. In particular, bathrooms and other private spaces should not be shared by youth of significantly different ages. Programs that serve youth with special needs should be particularly aware of their vulnerability.

## Action Steps to Meet Standard #5:

- ✎ Support a scan of your organization's physical spaces. Include parents and youth served by the organization in a "hot spot mapping" exercise to identify areas of possible risk.
- ✎ Modify, lock or deny access to high risk areas.
- ✎ Increase visibility in areas or rooms where children learn and play. Install windows in classroom or activity room doors so that interactions with children and youth are easily observed and supervised or institute a "no closed or locked door" policy.
- ✎ Increase lighting in dark areas. Lighting in hallways, walkways and parking lots should be bright enough to enable participants to identify individuals as they approach and recognize abnormal situations.
- ✎ Install cameras or mirrors to increase visibility in more isolated areas so that no one can easily isolate a child or teen within a building or on the grounds. Maintain in working order any feature installed so as not to open the organization to liability.
- ✎ Landscape to ensure open visible spaces. Bushes and shrubs are fun places for children to hide, but will also increase unsafe spaces. Therefore, remove dense shrubs in outdoor play areas and landscape to minimize hiding places.
- ✎ Create a simple "check-in procedure" at all entrances when there are many people visiting or walking through a facility or channel all entrances and exits through a central point that is closely supervised at all times.
- ✎ Monitor the entrance and exit of children and youth enrolled in the program and their transition from parent to the organization and back again to parent.
- ✎ Consider providing separate spaces for children and youth of significantly different ages to avoid opportunities for youth-on-child sexual abuse.







## Standard #6: Report and respond appropriately to suspected abuse

**All employees should be made aware of their legal responsibilities to report suspected cases of child abuse under Massachusetts' mandated reporting law. Employees and volunteers should be trained to respond appropriately to disclosures of sexual abuse made by a child or teen, and to any concerns raised by them about inappropriate behaviors of adults or of other children or teens.**

### **Reporting suspicions or allegations of sexual abuse to the organization and to state authorities:**

Organizations serving children must take proactive steps to educate all staff and volunteers about their legal obligation to report suspected cases, even when there has not been a specific disclosure of abuse by a child or teen. The education should detail both the internal and external processes for reporting suspected abuse to administrators or supervisors, and to state child protection officials. Under Massachusetts law (MGL Chapter 119, section 51A) numerous categories of professionals and other individuals who have supervisory responsibility for children or youth are required to report suspected cases of child abuse or neglect to the Massachusetts Department of Children and Families (DCF) or the police, as appropriate.

Step-by-step procedures should guide employees and volunteers about what to do if one witnesses or interrupts an act of sexual abuse. Training can also help staff and volunteers be aware of the unique risks some children may face because of their disability, sexual orientation, or age.

### **Responding to disclosures by a child or teen about sexual abuse:**

Organizations should establish clear, written guidelines for employees and volunteers about how to respond to children or teens when they disclose sexual abuse, whether committed by someone in the organization, the family or community. Since inappropriate responses to a child's initial disclosure can have serious negative implications, including the child "shutting down" or recanting, and the undermining of future forensic interviews, organizations should incorporate in their policies and trainings specific information about how such disclosures should be handled.

Massachusetts has a network of Children’s Advocacy Centers across the state that can provide training and guidance on how to handle disclosures by children or teens. More information about this can be found at [www.machildrensalliance.org](http://www.machildrensalliance.org).

### **Handling code of conduct violations:**

Written guidelines must also detail how employees and volunteers are to respond if a child or teen discloses a violation of the code of conduct or if they personally witness a violation of the code. Everyone in the organization should be encouraged to discuss their concerns about inappropriate behaviors or violations of the code with their supervisor or with staff designated in the organization to receive such reports. It must be made clear, however, that sharing that information, if it rises to the level of suspicion, does not by itself relieve employees from their obligation to report reasonable suspicions to the Massachusetts Department of Children and Families or to the police should the organization itself fail to report.

## **Guidelines for Compliance on Standard # 6:**

- ✍ Make employees aware of their legal status as mandated reporters under Massachusetts law. If any staff or volunteer is not mandated to report, decide how to communicate to them their responsibilities to notify appropriate others within the organization when there are concerns about suspected abuse.
- ✍ Provide step-by-step guidance on what action to take if there are concerns about a child’s safety or welfare, including reporting to the Massachusetts Department of Children and Families or to the police in cases of abuse or neglect.
- ✍ Establish a policy that delineates under what circumstances employees should be notified about the organization’s decision to file or not file a formal abuse or neglect report to DCF. This will allow the employee to assess what steps, if any, they should take to meet their personal legal requirement to report.
- ✍ Establish a process for recording incidents, concerns about suspected abuse, and legal reports and store records concerning all these in a secure location.
- ✍ Provide employees and volunteers with information and training regarding the reporting of boundary-violating behaviors of adults or children.



## Conclusion

The Standards presented here are intended to provide the foundation for ongoing discussions about how best to support schools and youth organizations in their critical role of protecting our children and teens. MassKids is committed to updating these Standards regularly in order to reflect the latest knowledge in the field and the on-the-ground experiences of the institutions they are meant to assist. We welcome the input of school and youth organization leaders from the private and public sectors, parents, and other advocates for children as we work together to evolve the best standards for Massachusetts.

These Safe-Child Standards were reviewed by MassKids Program Committee members Dr. Ilana Lescohier - public health researcher, Dr. Jessica Bartlett - research and evaluation director of the Brazelton Touchpoints Program at Boston Children's Hospital, Kathryn Robb, Esq. – co-founder of Play to Play, a non-profit dedicated to empowering girl athletes, and Carmen Durso, legal counsel to victims/survivors of child sexual abuse.

We are enormously grateful to Joan Tabachnick, our collaborator and consultant, our youth-serving advisors from the Prevention Summit, and our Enough Abuse Campaign colleagues - all of whose thoughtful comments helped make these Standards stronger.

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We wish to thank the Cummings Foundation for their support of our efforts to establish the Enough Abuse Campaign in Middlesex County and to develop this tool as a guide for county-area schools and youth organizations. Finally, we are deeply grateful to the Ms. Foundation for Women whose loyal support of our work since 2008 has made these Standards and all of our work to build the movement to prevent child sexual abuse possible.

## APPENDIX A.

# MassKids' Child Sexual Abuse Prevention Questionnaire for Schools and Youth-Serving Organizations

If your agency serves youth ages 18 and younger, employs youth as staff, or engages youth as volunteers, please complete this form.

AGENCY NAME:			
PREPARED BY:		DATE:    /    /	
PHONE NUMBER / EMAIL:			
	YES	NO	REMARKS
Are all staff and volunteers trained regularly about child sexual abuse and ways to prevent it?			
Does the training include the prevention of abuse by adults, as well as child-on-child sexual abuse?			
Are you familiar with permitted interview questions designed to screen for those who might pose a risk to children or youth?			
Does your agency require reference and background checks for youth worker staff?			
Does your agency comply with CORI and SORI?			
Does your agency have a written code of conduct that defines inappropriate behaviors?			
Do your employees know how and to whom to report inappropriate behaviors?			
Does your agency have a whistleblower policy?			
Has your agency ever completed a child safety review?			
Are you familiar with resources that can assist your agency with developing child safety policies and protocols?			
For resources on training and prevention:			





## DISCLAIMER

MassKids - Prevent Child Abuse Massachusetts - presents these Safe-Child Standards as a prevention tool for implementing policies and procedures for organizations working with children and youth. These Standards are based on the latest research and studies relating to the primary prevention of child sexual abuse.

There are no fail-safe standards that can guarantee the prevention of every occurrence of child sexual abuse, but by implementing these Standards, schools and youth-serving organizations can minimize the risks of the occurrence of such incidents. MassKids assumes no liability resulting from the use or implementation of these Standards. For specific cases and legal questions, organizations are encouraged to consult an attorney for advice.

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