

**Abuse, Harassment, Neglect, Bullying, and Cyber Bullying Protocol.**

**For: Rotary District 5810**

**A.**  **Introduction**

Rotary 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, Neglect, Bullying, and Cyber Bullying 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 any nature.
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, Youth Exchange, Interact and Rotaract are only 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 actives 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, and staff who are or wish to become involved in District 5810 programs.

**C.** **Policy Statement**

“Rotary International strives to create and maintain a safe environment for all youth who participate in Rotary activities. To the best of their ability, Rotarians, Rotarians’ partners, and other volunteers must safeguard the children and young people with whom they come in contact and protect them from physical, sexual, and psychological abuse.”

District 5810 maintains a Zero Tolerance policy with respect to any type of abuse or harassment 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 5810 Rules and Guidelines for Prevention**

1. District 5810 has developed guidelines for preventing any type of abuse or harassment with District programs, activities and events. With respect to programs or activities that involve the youth, 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 any type of abuse or harassment 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.

District 5810 recognizes that the programs, activities and events sponsored by Rotary Clubs within the District are varied and often unique. Clubs must follow whatever youth protection policies the district puts in place.

1. **Definitions**

**1.** Abuse. In this Rotary District 5810 Protocol, the word abuse, will be used to relate to any one of but not limited to physical or verbal maltreatment, injury, assault, violation, rape, unjust practices, crimes, bullying, cyber-bullying or other types of aggression.

**2.** 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 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 includes, 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.

**3.** 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 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.

**4. 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.

**5.** 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. Any member of any Interact, Rotaract, or RYLA; if in the name of Rotary District 5810 or Rotary International in the Rotary District 5810 area or name.

**F. Rotary Code of Policies: Youth Protection**

All allegations of abuse or harassment shall be reported to RI within 72 hours of learning of the incident. Failure to report incidents to RI within 72 hours may result in suspension of the district’s Youth Exchange certification. Where there is sufficient evidence that an individual, club, or district knowingly failed to report as required, the general secretary may determine whether and/or the extent to which involved parties may continue to be eligible to participate in Rotary’s youth programs, or whether additional sanctions may be necessary, including but not limited to requiring the club to terminate an individual’s membership.

Any allegation of abuse must be immediately reported to the appropriate law enforcement agency, in accordance with RI’s zero-tolerance policy. All law enforcement reviews must be conducted by legal authorities that are not affiliated with Rotary.

In addition to reporting to law enforcement for investigation, an independent and thorough investigation must be made by the club and district into any claims of abuse or harassment including a determination for how to prevent a similar situation in the future.

Any person involved in Rotary against whom an allegation of sexual abuse or harassment is made must be removed from all contact with youth until the matter is resolved.

A club must terminate the membership of any individual who admits to, is convicted of or is otherwise known to have engaged in sexual abuse or harassment of youth or youth program participants. A Rotarian or non-Rotary volunteer who admits to, is convicted of, or is otherwise known to have engaged in sexual abuse or sexual harassment or other act of moral turpitude must be prohibited from working with youth in a Rotary context. A club may not grant membership to a person who is known to have engaged in sexual abuse or harassment. (Upon obtaining information that a club has knowingly failed to terminate the membership of such an individual, the RI Board terminate the club for failure to comply).

If an investigation into a claim of sexual abuse or harassment is inconclusive, then, for the safety of youth participants and the protection of the accused, additional safeguards must be put in place to assure the protection of any youth with whom the individual may have future contact. If there are subsequent claims of sexual abuse or harassment, the individual shall be permanently prohibited from working with youth in a Rotary context. Regardless of criminal or civil guilt, the continued presence of the adult could be detrimental to the reputation of the organization and could be harmful to youth. A person who is accused but later cleared of charges, may apply to be reinstated to participate in youth programs. Reinstatement is not a right, and no guarantee is made that any individual will be reinstated a former position.

Districts must track all individuals prohibited from contact with youth and ensure such prohibitions are implemented consistently throughout the district from year to year.

Individuals prohibited from working with youth may not serve as District Interact Chair, Interact Club Adviser, District RYLA Chair, District Youth Exchange Chair, District Youth Protection Officer, or in any other locally-appointed club or district role where there may be contact with youth.

**G. Privacy of Personal Data**

Personal data regarding program participants, including contact information such as names, addresses, phone numbers, E-mail addresses, and date of background check will be maintained by the District Youth Protection Officer for the District; the Club President may be the record keeper or designate the Club Youth Protection Officer (CYPO) or any member in good standings. Personal information will be accessible only to the records custodian at the Club level and the District Youth Protection Officer (DYPO), and Governor (DG) at the District level. Members of the District Youth Advisory Committee (DYAC) may request information on a need to know basses.

**H. Screening of Rotarians, Volunteers, & Staff**

Prior to participation in District-sponsored programs involving persons who may be at increased risk, such as youth, the elderly and disabled, Rotarians, non-Rotarian volunteers, and paid staff must undergo criminal background checks and screenings, including a reference check. The District may conduct subsequent background and reference checks from time to time as it deems necessary and appropriate. A person must complete all required youth volunteer 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. In the case of Interact/Rotaract programs at schools/colleges, background checks must be conducted by the Club if the school/college dose not independently require and conduct an appropriate criminal background check.

RI recommends that individuals are screened annually or every other year, depending on local laws. RI also recommends that individuals are screened again when there has been a gap in participation in the program.

Criminal background checks must be conducted semi-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 the age of 18) who participate in a Club or District event.

The District and each Club in District 5810 will select an appropriate agency to perform criminal background checks, when in doubt ask the District Governor (DG) or the District Youth Protection Officer (DYPO). The District nor the Rotary Club will retain copies of criminal background check results other than; Name, phone number, E-mail address, date of birth, Club name, Club number and the date of the background check and the applicant approval or non-approval. This information must be on file with the Club (CYPO), or the Club President and the above information must be sent to the District (DYPO). Such documentation, as well as all other background screening records, will be maintained in strict confidence by the Club’s (CYPO), President, or the appointed records custodian. A Clubs Representative will send the, Name, phone number, E-mail address, date of birth, Club name, Club number and the date of the background check to the District (DYPO) as the custodian of District Records, to hold in strict confidence, and to be used only as needed by the District.

**I. District Youth Advisory Committee.**

1. Responsibilities. The District Governor (DG) shall appoint a District Youth Advisory Committee, of five (5) members with one (1) alternate member.
2. The District Governor (DG)
3. The District Youth Service Chair (DYSC)
4. The District Youth Protection Officer (DYPO)
5. #1 Club Youth Protection Officer (CYPO)
6. #2 Club Youth Protection Officer (CYPO)
7. Alternate Club Youth Protection Officer (CYPO)
8. Each year the DGN & DGE will also be invited to each meeting.

To be called to duty by the District Governor when needed.

All of the (CYPO)’s should have experience in one or more of the following areas; working with at risk persons, legal/human rights, human resources, law enforcement, knowledge of Rotary International policies & procedures.

Appointment. District Youth Advisory Committee members will be appointed annually, by the District Governor as all members on his/her Governors team. Members may be held over. RI strongly suggests implementing a succession plan, with those serving in committee roles for no more than three years.

1. Knowledge of Policies. District Youth Advisory Committee must be familiar with all Rotary District 5810 abuse policies and protocols, relevant Rotary International policies and applicable federal, state and local laws and other legal requirements.
2. Privacy. The District 5810 Youth Protection Officer (DYPO) and the District 5810 Governor (DG) will work to safeguard the privacy of all persons involved in background checks or in any complaint or allegation of abuse to the greatest extent possible and in compliance with state and federal law and this protocol. In some cases, it may not be possible to protect a person’s confidentiality; however, their privacy can be protected.

Complaint Reporting and Investigation. The District 5810 Youth Protection Officer (DYPO) shall be the first point of contact within Rotary District 5810 should any Rotary Youth Protection Office (CYPO) or program volunteer receive a complaint of abuse 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. The District Youth Protection Officer (DYPO) will follow 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. Any Emergency situation that requires the appropriate action and the proper agency will be called at once. Any and all complaints must be reported to the District Governor (DG) as soon as the situation is under control. RI policy states that allegations must be reported to RI within 72 hours, as is stated here. However, it is important to note that incidents should be reported as soon as possible to district leadership and RI, even if all the details of the case are unknown.

1. Recommendations. The District 5810 Youth Protection Officer (DYPO) 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 is substantiated. Clubs should take no disciplinary action and when needed the information will be taken to the Rotary District 5810 Youth Advisory Committee (DYAC) for a District recommendation. All allegations of abuse must be reported to local law enforcement, as only they have the right to investigate by law. Rotarians should NOT comment or investigate on the validity of an allegation.

External Communication. The District Governor (DG) or the District Youth Protection Officer (DYPO) (when designated by the District Governor (DG)) will be the only person authorized to communicate to the media regarding any complaint or alleged incident of abuse involving any Rotary Club representative or program volunteer.

1. Secure Communications. For security purposes, all communications will be sent to members of the Rotary District Advisory Committee team and persons on a need-to-know basis. When possible all meetings should be face to face. No forwarding, copying, posting or sharing any of the case information, letters, or documents. When a case is closed, all copies, must be destroyed other than a copy to be keep in the District Governors (DG) files and a copy in the District Youth Protection Officers (DYPO) files. The two saved copies must be safeguarded in strict confidence and only released to future District Advisory Committee teams, incoming District Youth Protection Officer or incoming District Governor(s). The two copies may be hard copies or e-copies; however all copies are NOT to be E-mailed or posted in any way that a third copy could ever get out of the hands of the District leaders. When a case is CLOSED it MUST have the vote of the “District Youth Advisory Committee” in office at that time of the Rotary Year to Re-Open the case or file. (A copy is defined as a hard copy or any type of digital copy.)
2. **Guidelines for Reporting Abuse, Harassment and Neglect Allegations**

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

1. **Report from Alleged Victim**
2. 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.
3. Assure privacy but not confidentiality. Explain that you will have to tell someone about the abuse to make it stop and to ensure that it doesn’t happen to others.
4. 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.
5. 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. Assume the person that the situation was not their fault and that they were brave and mature to come to you.
6. Record. Keep a written record of the conversation with the person as soon after the report as you can, including the date and the time of the conversation. Use the person’s words, and record only what has been told to you.
7. **Protect the Individual**

Ensure the safety and well-being of the person alleged to have been abused. 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.

1. **Report to Appropriate Law Enforcement Authorities, as needed**

Immediately report all alleged cases of abuse to the appropriate law enforcement authorities first and then to the District Youth Protection Officer and/or the District Governor for investigation. District 5810 will cooperate with law enforcement investigations. In most situations, the first Rotary contact should be the District Youth Protection Officer who will report to the District Governor as soon as possible. The District Youth Protection Officer has the responsibility for seeking the advice of and interacting with appropriate agencies. All allegations must be reported by the District Governor to Rotary International within 72 hours.

1. **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 alleged victim and the alleged offender during the investigation. District 5810 maintains the privacy (as distinct from confidentiality) of all persons in any reports.

1. **Do Not Challenge the Alleged Offender.**

The Rotarian, Rotary staff member or volunteer who receives an allegation of abuse 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, the District Youth Protection Officer is responsible for investigating, and will be in contact with the alleged offender after the alleged victim has been moved to a safe environment.

1. **Follow-Up**

After reporting allegations to the District Youth Protection Officer (DYPO), a follow-up will take place to make sure steps are being taken to address the situation. The District Youth Protection Officer (DYPO) will conduct an independent and thorough investigation into any claims of sexual abuse. When needed the District Governor (DG) or the District Youth Protection Officer (DYPO) can convene a meeting of the District Youth Advisory Committee (DYAC). Any person (adult or juvenile) against whom an allegation of sexual abuse is made will be removed from all contact with the alleged victim and other persons potentially at risk until the matter is resolved.

1. **Post-Allegation Report Guidelines**
2. 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, and Rotary. The team should be, the District Governor (DG), the District Youth Protection Officer (DYPO), the Club President and any other Rotary leaders involved with the alleged victim.

1. Appropriate Response for Addressing Issues Within the Rotary Club for Allegations Made Against Rotarians, or Non-Rotarians, (Adult or Juvenile’s).

When addressing an allegation of abuse 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.

The information in this document was compiled by Rotary District 5810 Youth Protection Officer (Daniel Long) in June of 2020 at the request of Rotary District Governor Beverly Grogan. The information was derived from, Rotary International, Boy Scouts of America, Texas Child Protection, Past Rotary District 5810 and State of Texas Rules, Laws and Denouncements. The document was Approved by Rotary Internationals Senior Specialist | Youth Exchange & Youth Protection on June 5th of 2020.