# CHILD USA'S GOLD STANDARD

Policy Recommendations for Preventing Child Sexual Abuse







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### BACKGROUND



The Gold Standard was created through three general steps:

#### 1. Synthesizing insights from three major research programs within CHILD USA:

#### a. Research on Elite Athletes and Survivors of Larry Nassar.

CHILD USA surveyed a national sample of over 450 elite athletes, surveyed a sample of over 50 survivors and family members of survivors of Larry Nassar, and formed the Game Over Commission to Protect Youth Athletes (the Commission includes experts in child abuse, pediatric research, trauma, law, and more). From these three projects, CHILD USA generated novel insights into the perpetration and prevention of abuse in sport organizations and thus, novel approaches to prevention policies.

#### b. Research on the survivors of abuse in Scouting.

CHILD USA analyzed data from a survey of over 1,500 alleged survivors of abuse in Scouting. From this analysis and report, CHILD USA gained valuable insights into what organizational policies may have prevented the abuse of these survivors.

#### c. Catholic Church Policies.

A critical review of Catholic Church Archdiocesan child protection policies. CHILD USA conducted an extensive review and content analysis of the child protection policies of 32 of Catholic Archdioceses in the United States, an unprecedented comparative study that informed the Gold Standard.

#### 2. Literature reviews

CHILD USA research staff conducted literature reviews by inputting search terms relevant to each policy domain into academic databases. Information from articles demonstrating evidence-based, best practices in the field of child sexual abuse prevention was synthesized and incorporated into the Gold Standard where possible.



### BACKGROUND

#### 3. Roundtables

Nationally recognized experts on Child sexual abuse (CSA) prevention, child maltreatment, and trauma were convened in a series of roundtable discussion panels, moderated by CHILD USA, in order to share advice on the content and design of the Gold Standard. CHILD USA organized expert roundtables on the following dates: 05 October, 2020; 11 January, 2021; 12 January, 2021; and 21 January, 2021.

Scientists have studied child sex abuse for decades and impressive progress has been made in identifying it and in understanding trauma and its effects. It is not enough, however, to understand the phenomenon and its costs. The best theoretical procedures in the world will not protect children if they are unenforced. Thus, the research-based Gold Standard is designed to be enforceable across very different Youth-serving organizations (YSOs) using YSO-insurers as novel enforcement mechanisms.

#### <u>List of Expert Contributors at CHILD USA Roundtables</u>

- Steven J. Berkowitz, PhD, Professor, University of Colorado Denver Anschutz Medical Campus; Founder, Penn Center for Youth and Family Trauma Response and Recovery (CYFTTR)
- Jetta Bernier, MA, Executive Director, the Enough Abuse Campaign
- Justin Conway, Survivor, Activist, & Ambassador, CHILD USA
- Kevin Dougher, Vice President & Partner, Johnson, Kendall & Johnson, Inc
- David Finkelhor, PhD, Director, Crimes against Children Research Center & Co-Director, Family Research Laboratory
- Jennifer Freyd, PhD, Founder, President, and Chair of the Board, Center for Institutional Courage
- Marci Hamilton, Esq., CEO & Founder, CHILD USA
- Teresa Huizar, Executive Director, National Children's Alliance
- · Carolynn Komanski, PhD, Director, Office of Youth Compliance Services at University of Florida
- Jason Letendre, Director of Risk Management, YMCA of Greater Rochester New York
- James Marsh, Esq., Founder, Children's Law Center & Marsh Law Firm PLLC
- Mary Beth Ormiston, Owner, MBO Consulting LLC (consulting services for youth serving and family organizations)
- Kathryn Robb, Esq., Executive Director, CHILD USAdvocacy
- Tonya Roy, Chief Consulting Officer, Redwoods Risk Management and Consulting Department
- Jillian Ruck, Executive Director, CHILD USA
- Philip Scribano, DO, MCSE, attending physician and Section Chief of Safe Place: The Center for Child Protection and Health at Children's Hospital of Philadelphia.
- Charol Shakeshaft, PhD, Professor, Educational Leadership at Virginia Commonwealth University



#### I. Prevention



#### II. Response

- 1. Background Screening
- 2. Safe Physical Environment and Adequate Supervision
- 3. Prevention Training
- 4. Code of Conduct
- 5. Reporting Red-Flag
  Behaviors

- 1. Reporting Abuse to Civil Authorities
- 2. Cooperation with Independent External Investigations
- 3. Victims' Rights and Assistance

CSA prevention must be a top priority for all YSOs. To date, few comprehensive efforts have been made to establish the best evidence-based policies for YSOs to put in place to protect children. CHILD USA is a leader in the field of CSA prevention and has created a "Gold Standard" for YSOs to implement. The policy provisions outlined in this document are based on a critical review of Catholic Church Archdiocesan child protection policies [1], comprehensive literature reviews [2], and roundtables with nationally recognized experts on CSA prevention [3].

The Gold Standard establishes a baseline for YSOs to create clear and effective child protection policies. It outlines practices that are necessary and based on best practices while being attentive to barriers to implementation. The components related to prevention and response to abuse all relate back to the primary goal of preventing child sexual abuse before it takes place. Once abuse is acknowledged and reported, YSOs must make sure appropriate steps are taken to bring abusers to justice and make sure that children are better protected going forward.







# Safeguarding Children in Youth Serving Organizations



#### **Prevent**

- · Comprehensive background screening
- Environmental safety and supervision
- Training for all employees, volunteers, children, and caregivers
- Signed Code of Conduct for personnel



#### Detect



#### Act

- Remove suspected perpetrator
- Cooperate with civil investigation
- Protect and care for the victim
- Take corrective action to strengthen policies and practices







### COMPONENT 1: Background Screening

Background screening is essential to safe involvement in a YSO, either as an employee or volunteer. YSOs must conduct background investigations on all potential employees and volunteers in a minimum effort to prevent sex offenders from working with children. The formal background check is just one aspect of background screening for youth-serving organizations. To be effective, criminal background checks should be combined with personal reference checks, structured interviews [4], examining employment history, credential verification, identity verification (such as fingerprinting or photos), and checking abuse registries and other disciplinary bodies [5].

Value-Based Interviewing (VBI) is an example of a structured interview protocol developed for CSA prevention. Employers prompt prospective employees to describe examples of past workplace behavior and to explain the "how" and "why" of such behavior in follow up questions based on the

- Standardize a written, signed employment or volunteer application
- Conduct structured interviews [6]
- Call and speak to at least three references
- Conduct multiple levels of checks for every employee or volunteer (e.g., state criminal history, FBI fingerprinting, national sex offender registry, CPS registry, etc.)
- · Conduct background screenings for all third-party contractors who have contact with children.
- Conduct international background checks for all potential employees and volunteers who have lived in other countries.
- Must pass background investigation before beginning employment.
- Repeat background screening at least every five years.





# COMPONENT 2: Safe Physical Environments & Adequate Supervision



A crucial part of CSA prevention involves modifying physical spaces to increase security and child safety. Physical environment risks include rooms with no windows, offices with doors lacking windows, and no security cameras in high-risk areas [7]. Administrators should pay special attention to overnight travel arrangements. Offenders often take advantage of overnight trips as an opportunity to isolate and exploit child victims [8]. CSA prevention experts also discourage isolated interactions in YSOs [9], indicating a need for adequate staff-to-child ratios. Supervised and transparent interactions protect staff and children from increased risk of abusive or improper behavior.

- Increase visibility by creating clear lines of sight throughout the building, securing areas not used for program purposes, installing bright lighting in all areas, and installing clear windows to allow visibility into offices and meeting rooms [10].
- Establish formal screening procedures for building entrances and exits, including a sign in/out sheet and a staff monitor.
- If possible, install video surveillance technology in all spaces where adults have contact with children.
- Ensure adequate staff-to-child ratios.
- Assign adequate supervision to staff to perform regular, unannounced site visits.
- Acquire separate sleeping, changing, and bathing accommodations for adults and children during overnight trips.
- Prohibit staff / volunteers from providing one-on-one transportation for children.



# COMPONENT 3: Prevention Training

Implementation of training programs is a vital part of CSA prevention efforts in YSOs. Two primary goals of any prevention training program should be to promote the health and safety of children and to promote a healthy organizational culture and sense of professionalism. Training programs are increasingly delivered online, which allows for controlled costs and the ability to repeat trainings on a consistent basis [11]. YSOs should deliver training to everyone involved with their programming, including adult staff and volunteers, parents and guardians, and youth participants and volunteers. Although training children on CSA prevention can help protect youth, it is always first and foremost the responsibility of adults to prevent abuse.

#### RECOMMENDATIONS

- Provide child sexual abuse prevention training for employees / volunteers, parents, and children
  - Nature and scope of child abuse
  - Signs, symptoms, and consequences of child abuse
  - Appropriate and inappropriate physical contact and other interpersonal boundary violations
  - Common grooming behaviors
- Require training for employees / volunteers to be completed within 30 days of being hired and before working with minors
- Repeat training at least annually
- Utilize evidence-based training programs

#### Important content for **employees / volunteers**:

- Appropriate physical and emotional boundaries when working with children
- Laws, policies, and procedures to report abuse allegations
- Civil reporting procedures and mandated reporting requirements
- Whistleblower protections
- Types of abuse disclosure and how to respond appropriately
- YSO child abuse prevention policies



#### Important content for parents:

- How to discuss personal boundaries and sexual behavior with children
- Monitoring off-site contact between children and YSO staff
- Monitoring communications (e.g., texts, emails, social media) between children and YSO staff

#### Important content for **children**:

- Basic safety skills
- Recognition of dangerous and abusive situations
- Ability to say "no" to unwanted situations
- Ability to identify trusting adults with whom to speak
- Importance of disclosure if inappropriate or unwanted actions are directed to self or others
- Recognition that abusive situations are never the fault of the child
- How to safely interact with technology, including the Internet and mobile devices



### COMPONENT 4: Code of Conduct



Creating an organizational culture that prioritizes child safety starts with a strong Code of Conduct. The Code of Conduct is fundamental because it provides a straight-forward outline of how adults should maintain appropriate relationships with youth, and it clearly states acceptable and unacceptable behavior. By reading and signing the Code, employees, and

volunteers, including teens and pre-teens, agree to abide by the Code and that the Code's requirements are fundamental to the organization's health.

#### RECOMMENDATIONS

 Provide guidelines on appropriate physical contact

#### Physical boundary violations include:

- kissing
- contact with any sexual body parts on or under clothing
- having children over age 5 sit on lans
- tickling and/or play wrestling
- Offering or asking for massages
- inappropriate and/or lengthy embraces
- photographing and/or videotaping minors without permission.
- Provide guidelines for interacting digitally and/or on social media [12]
- Prohibit grooming behaviors such as forming special relationships or giving children special gifts or privileges
- Prohibit sharing sleeping quarters with children during overnight trips or travel for competitions
- The Code of Conduct should be explained to children and parents and posted on the organization's website
- Prohibit one-on-one interactions between adults and children

 Provide guidelines on verbal interactions, prohibiting sexualized conversations or emotional boundary violations

#### **Sexualized conversations** include:

- Commenting on physique, appearance, or developing bodies
- Making sexually suggestive comments
- inquiring about children's sexual identity or experiences
- Inappropriate self-disclosures
- Any kind of exposure to pornography

#### Emotional Boundary Violations include:

- sharing secrets
- becoming over-involved in a child's personal life
- treating the child as if they were an adult
- Prohibit off-site interactions between staff / volunteers and children unless part of organizational activity with parental permission.
- Require staff and volunteers to sign a statement of receipt and agreement with the Code of Conduct upon being hired and annually thereafter



### COMPONENT 5: Reporting Red-Flag Behaviors

CSA is often preceded by sexual grooming. Grooming is a method used by offenders that involves building trust with a child and the adults around a child in an effort to gain access to and time alone with her/him [13]. The perpetrator then slowly pushes back the boundaries of acceptable behavior to desensitize the child to contact. Therefore, improper sexual organizations must empower recognize and report concerning behaviors which violate sexual and/or emotional boundaries, even if they do not rise to the level of abuse. These "red flag" behaviors should be clearly prohibited in the organization's code of conduct, and a separate policy should outline the steps an employee or volunteer must take to report concerns about red flag behaviors observed in colleagues.

#### Sexual Grooming may include:



- Designate an internal officer within the human resources department to receive all reports of "red flag" behaviors and coordinate a response
- Provide a confidential means of making reports if the reporter wants to remain anonymous
- Conduct a risk assessment following reports of concerning behaviors
- Determine fitness for employment and decide on any restrictions
- Limit contact with minors to supervised interactions until decision is made
- Notify all future employers of boundary violation concerns





RESPONSE TO ABUSE

### COMPONENT 1: Reporting Abuse to Civil Authorities

When sexual abuse does, unfortunately, occur in youth-serving and athletic organizations, staff and administrators must report the abuse directly to civil authorities. This mode of reporting must take priority over reporting to internal administrative bodies for several reasons. First, civil authorities are better equipped to handle any existing evidence in CSA cases and to properly interview victims. Second, conflicts of interest are less likely to arise in investigations conducted by independent civil authorities. Finally, victims must be given the opportunity to seek restitution through the criminal justice system. Policies mandating proper reporting to civil authorities contribute to prevention by making sure that child sex offenders are not transferred, absolved by internal investigations, or otherwise inappropriately protected.

#### RECOMMENDATIONS

- Make it clear in policies that abuse only needs to be suspected; personnel are not to attempt to carry out their own investigation
- Report all allegations of abuse, including those beyond any statute of limitations, to authorities as required by law
- Require reporting within 24 hours of first knowledge or disclosure of abuse
- Lay out who to call, information to include in call, and phone numbers to call
- Provide information on how to report abuse on website and in child-friendly posters on the organization's premises
- Suspected abusers should not be confronted by staff; first contact should be made by law enforcement
- Establish penalties for failures to report, including organizational and legal consequences
- Establish whistleblower protection policies and provide good-faith immunity for reporters



#### **Whistleblower Protection**

 The policy should make it clear that no employee or volunteer who, in good faith, reports a concern shall be subject to retaliation or, in the case of an employee, adverse employment consequences.
 Moreover, employees who retaliate against someone who has reported a concern in good faith may be disciplined, up to and including termination.



# COMPONENT 2: Cooperation with Independent External Investigations



Using internal investigators presents risks for corruption and cover-ups. Therefore, YSOs must not preempt, or interfere with, civil or criminal investigations of accused staff members. During the outside **YSOs** investigative process, are responsible for protecting victims from further contact with, and intimidation by, the accused. Record keeping is also important for criminal prosecutions and to allow discovery of evidence during any future civil lawsuits.

Preservation and timely transfer of evidence increases the chances that abusers are convicted and removed from YSO environments and reduces opportunities for other children to be victimized.

- Inform law enforcement of suspected or known abuse and cooperate with investigation
- Seize evidence in a timely fashion
- Describe and document evidence in writing and preserve descriptions in records
- Turn all evidence over to civil authorities
- Suspend accused staff member or volunteer during investigation
- Prohibit accused from contacting or retaliating against victim in any way
- Ask coworkers and direct supervisors to report any inappropriate behavior they have observed
- Prohibit transfers within the organization or employment recommendations while investigation of abuse is pending



# COMPONENT 3: Victims' Rights and Assistance



YSOs should have visible and accessible materials on victims' rights. These materials it clear YSO's should make that a culture makes child organizational protection a priority. This discourages potential perpetrators from exploiting children and reinforces the message that the organization's leadership is focused on safe environment where creating reporting is encouraged. Victims' rights policies should cover access to legal representation, information, mental health resources, and emotional closure within the organization. When CSA victims identified within a YSO, externally hired, independent coordinators should victims navigate the healing process.

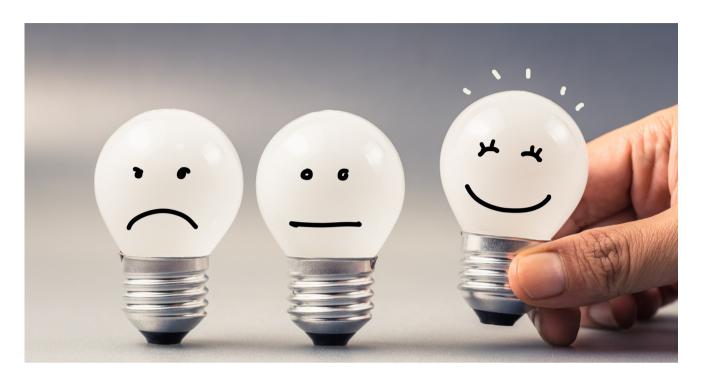
#### **Independent Coordinators**

Social workers and other licensed mental health professionals are good candidates for the independent coordinator role. These professionals can help children and families find social services and resources, and they are often trained to use trauma-informed practices to prevent revictimization.

- Post victims' rights throughout the premises, on the website, and in an employee / volunteer handbook
- Establish rights for victims to:
  - Physical and emotional safety
  - Privacy
  - Report abuse
  - Receive support and assistance (e.g., counseling, mental health treatment)
  - Know the status and results of any investigation
  - An apology letter from YSO leadership
  - Not be bound to a confidential settlement agreement
  - Acquire legal representation
- Establish an independent victim's assistance coordinator
- Provide funding for counseling or mental health treatment regardless of victim's decision to pursue legal action
- Recognize need to prevent revictimization and develop a plan to meet any special needs of the child so that he or she can feel safe within the organization



### COMPONENT 4: Monitoring and Evaluation



After the civil authorities complete their investigation, the organization should review the incident to assess and improve the effectiveness of its sexual abuse prevention, detection, The response policies. process reviewing and analyzing an incident of abuse helps agencies to detect gaps in the implementation of policies. After determining what went wrong, should addressed problem be strengthening practices and training to keep children safe.

Organizations should consider an external audit to probe for other areas of weakness in the implementation of child sexual abuse prevention and detection policies.

- Take corrective action to strengthen policies and practices following the completion of civil investigations
- Strengthen policies and practices through continuous evaluating effectiveness of practices and programs
- Evaluate policies and programs with evidence-based methods and strategies
- Establish regular benchmarks and milestones for meeting prevention goals
- Consider external audits to probe for other areas of weakness in program and policies



### **CONCLUSION**

YSOs exist to improve children's lives. Unfortunately, organizations have failed too often to put adequate protections in place to prevent CSA and to respond appropriately when abuse is uncovered. CHILD USA's Gold Standard provides an accessible set of recommendations that YSOs can implement to make sure they are up to date on best practices in CSA prevention.

Youth-serving institutions need strong policies to provide a blueprint of appropriate behavior. Policies and procedures also represent important risk-management tools for the prevention and early identification of sexual misconduct and for protecting those vulnerable to or already victimized by misconduct.

However, good policies are only the first step to preventing CSA. Risk of CSA grows in an atmosphere of secrecy. Preventing future abuse requires educating children, parents, and personnel at all levels of an organization about abuse and encouraging them to speak up whenever a concern arises.

YSO leaders must also work closely with their employees and volunteers to constantly reinforce an organizational culture of prioritizing child protection first and foremost. Values such as transparency, accountability, and an emphasis on children's rights can form the basis of such a culture. Ultimately, it is up to the adults responsible for caring for children to demonstrate a total commitment to their safety, which starts with sound policy and continues as a constant process of vigilance, evaluation, and recommitment to preventing CSA.





## GOLD STANDARD CHECKLIST

#### **Primary Prevention**

#### • Background Screening

- Written, signed employment or volunteer application
- Conducts structured interviews
- o Calls and speaks to at least 3 references
- o Conducts multiple levels of checks for every employee or volunteer
- Conducts background screenings for all third-party contractors who have contact with children
- Conducts international background checks for all potential employees and volunteers who have lived in other countries
- Employee must pass background investigation before beginning employment
- Repeat background screening at least every five years

#### • Safe Physical Environment and Adequate Supervision

- · Visibility throughout the building,
- Bright lighting in all areas
- Clear windows to allow visibility into offices and meeting rooms
- Formal screening procedures for building entrances and exits, including a sign in/out sheet and a staff monitor
- Video surveillance technology in all spaces where adults have contact with children.
- Adequate staff-to-child ratios
- Adequate supervision to staff to perform regular, unannounced site visits
- Separate sleeping, changing, and bathing accommodations for adults and children during overnight trips
- Prohibit staff / volunteers from providing one-on-one transportation for children

#### • Prevention Training

- Provides child sexual abuse prevention training for employees / volunteers, parents, and children
- Require training for employees / volunteers to be completed within 30 days of being hired and before working with minors
- Repeat training at least annually
- Utilizes evidence-based training programs

#### • Code of Conduct

- Provides guidelines on appropriate physical contact
- Provides guidelines on verbal interactions, prohibiting sexualized conversations or emotional boundary violations
- Provides guidelines for interacting digitally and/or on social media [12]
- Prohibits grooming behaviors such as forming special relationships or giving children special gifts or privileges
- Prohibits sharing sleeping quarters with children during overnight trips or travel for competitions
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- The Code of Conduct explained to children and parents and posted on the organization's website
- Prohibits off-site interactions between staff / volunteers and children unless part of organizational activity with parental permission.
- Prohibits one-on-one interactions between adults and children
- Requires staff and volunteers to sign a statement of receipt and agreement with the Code of Conduct upon being hired and annually thereafter

#### • Reporting Red-Flag Behaviors

- Designates an internal officer within the human resources department to receive all reports of "red flag" behaviors and coordinate a response
- Provides a confidential means of making reports if the reporter wants to remain anonymous
- Conducts a risk assessment following reports of concerning behaviors
- Determines fitness for employment and decide on any restrictions
- Limits contact with minors to supervised interactions until decision is made
- Notify all future employers of boundary violation concerns

#### Response to Abuse

#### • Reporting Abuse to Civil Authorities

- Makes it clear in policies that abuse only needs to be suspected; personnel are not to attempt to carry out their own investigation
- Reports all allegations of abuse, including those beyond any statute of limitations, to authorities as required by law
- Requires reporting within 24 hours of first knowledge or disclosure of abuse
- Lay out who to call, information to include in call, and phone numbers to call
- Provides information on how to report abuse on website and in child-friendly posters on the organization's premises
- Suspected abusers should not be confronted by staff; first contact should be made by law enforcement
- Establishes penalties for failures to report, including organizational and legal consequences
- Establishes whistleblower protection policies and provide good-faith immunity for reporters

#### Cooperation with Independent External Investigations

- Informs law enforcement of suspected or known abuse and cooperate with investigation
- Seizes evidence in a timely fashion
- Describes and documents evidence in writing and preserve descriptions in records
- Turns all evidence over to civil authorities
- Suspends accused staff member or volunteer during investigation
- Prohibits accused from contacting or retaliating against victim in any way
- Asks coworkers and direct supervisors to report any inappropriate behavior they have observed



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• Prohibits transfers within the organization or employment recommendations while investigation of abuse is pending

#### • Victims' Rights and Assistance

- Posts victims' rights throughout the premises, on the website, and in an employee / volunteer handbook
- Establishes rights for victims to:
  - Physical and emotional safety
  - Privacy
  - Report abuse
  - Receive support and assistance (e.g., counseling, mental health treatment)
  - Know the status and results of any investigation
  - An apology letter from YSO leadership
  - Not be bound to a confidential settlement agreement
  - Acquire legal representation
- Establishes an independent victim's assistance coordinator
- Provides funding for counseling or mental health treatment regardless of victim's decision to pursue legal action
- Recognizes need to prevent revictimization and develop a plan to meet any special needs of the child so that he or she can feel safe within the organization
- Monitoring and Evaluation
  - Takes corrective action to strengthen policies and practices following the completion of civil investigations
  - Strengthens policies and practices through continuous evaluating effectiveness of practices and programs
  - Evaluates policies and programs with evidence-based methods and strategies
  - Establishes regular benchmarks and milestones for meeting prevention goals
  - Considers external audits to probe for other areas of weakness in program and policies



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- 2. CHILD USA research staff conducted literature reviews by inputting search terms relevant to each policy domain into academic databases and synthesizing information from articles demonstrating evidence-based, best practices in the field of child sexual abuse prevention.
- 3. CHILD USA organized expert roundtables on the following dates: 05 October, 2020; 11 January, 2021; 12 January, 2021; and 21 January, 2021.
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