

# ABUSE AND HARASSMENT ALLEGATION REPORTING GUIDELINES

Customize this policy to fit your local and legal circumstances.

The section in **blue** follows Rotary's certification requirements for Rotary Youth Exchange; remove this if your district is not certified to participate in Youth Exchange.

## DISTRICT \_\_\_\_\_ ABUSE AND HARASSMENT ALLEGATION REPORTING GUIDELINES

District \_\_\_\_\_ is committed to protecting the safety and well-being of all youth program participants and will not tolerate abuse or harassment. All allegations will be taken seriously and must be handled within the following guidelines.

**The safety and well-being of program participants must always be top priority.**

### DEFINITIONS

**Emotional or verbal abuse** — The use of fear, humiliation, or verbal assaults to control the behavior of another. Examples include rejecting the person, preventing him or her from developing normal social relationships, and making derogatory statements about his or her race, religion, ability, intellect, tastes, or personal appearance.

**Physical abuse** — Physical contact intended to cause pain, injury, or other physical suffering or harm.

**Neglect** — Failure to provide the food, shelter, or medical care that is necessary to well-being.

**Sexual abuse** — Engaging in or arranging implicit or explicit sexual acts, whether they are performed alone or with another person of any age or gender, through force or coercion or with anyone who is unable to give consent. Any sexual activity between a legal adult and a minor is considered sexual abuse. Sexual abuse can also include nontouching offenses, such as voyeuristic behavior, indecent exposure, or showing a young person sexual or pornographic material.

**Sexual harassment** — Sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature that is unwanted or directed at someone unwilling or unable to provide consent. In some cases, sexual harassment precedes sexual abuse and is used by sexual predators to desensitize or groom their victims.

Examples of sexual harassment include:

- Sexual epithets or jokes, written or spoken references to sexual conduct, gossip about one's sex life, and comments about a person's sexual activity, deficiencies, or prowess
- Verbal abuse of a sexual nature
- Display of sexually suggestive objects or images
- Sexual leering or whistling
- Inappropriate physical contact, such as brushing against a person
- Obscene language or gestures, and suggestive or insulting comments

## RECEIVING AN ALLEGATION REPORT

Any adult to whom a program participant reports abuse or harassment must:

*Listen attentively and stay calm.* Acknowledge that it takes courage to report abuse or harassment. Be encouraging, but remain neutral; do not express shock, horror, or disbelief.

*Assure privacy but not confidentiality.* Explain that you will have to tell someone about the abuse or harassment to make it stop and ensure that it doesn't happen to others.

*Get the facts, but don't interrogate.* Ask questions that establish facts: who, what, when, where, and how. Reassure the young person that he or she did the right thing in telling you. Avoid asking "why" questions, which may be interpreted as questioning the young person's motives. Remember that your responsibility is to report this information to the proper authorities.

*Be nonjudgmental and reassure.* Avoid criticizing anything that has happened or anyone who may be involved. It's especially important not to blame or criticize the young person. Emphasize that it was not his or her fault and that it was brave and mature to come to you.

*Document the allegation.* Record the conversation, including the date and time, as soon after the report as you can. Try to record the young person's exact words.

## ALLEGATION RESPONSE

The following steps must be taken immediately after alleged abuse or harassment is reported. Some of them may be performed by any program volunteer, while others should be performed by a district officer, as specified.

### **1. Protect the young person.**

Ensure the safety and well-being of the young person by removing him or her from the situation immediately and preventing all contact with the alleged abuser or harasser. Reassure the young person that this is for his or her safety and is not a punishment.

Take immediate action to ensure the young person's health and well-being, and get him or her medical or psychological care, if necessary.

### **2. Report the allegations to appropriate authorities.**

Immediately report all cases of abuse or harassment — first to [designate appropriate law enforcement authority] for investigation and then to club and district leaders for follow-through. Interrogations related to allegations of abuse or harassment must be left entirely to law enforcement agencies.

In most situations, the first Rotary contact is \_\_\_\_\_, who is responsible for seeking advice from and interacting with appropriate agencies. If the allegation involves the conduct of this Rotarian, the district governor or \_\_\_\_\_ should be the first Rotary contact.

District \_\_\_\_\_ will cooperate with police or legal investigations.

District \_\_\_\_\_ has researched local, state, and national laws related to youth protection, including reporting allegations, and notes the following legal requirements of which all volunteers must be aware:

- *[list relevant points]*

### **3. Remove the accused person from contact with youth.**

District \_\_\_\_ will remove the alleged offender from all contact with Rotary youth program participants until the matter is resolved.

Follow established criteria and procedures for removing a Rotary Youth Exchange student from a host family if they report a problem with, or make an allegation against, a host family member. If appropriate, move the student to the temporary housing that was screened in advance.

### **4. Avoid gossip and blame.**

Don't tell anyone about the allegation other than those who need to know. Be careful to protect the rights of both the victim and the accused during the investigation.

District \_\_\_\_\_ maintains the privacy (as distinct from confidentiality) of any accused person by enforcing the following procedures:

- *[list appropriate procedures]*

### **5. Follow through.**

A district officer must inform RI of the allegation within 72 hours and provide ongoing status reports.

District \_\_\_\_ will ensure that the program participant's parents or legal guardians have been notified and offer the young person an independent, non-Rotarian counselor to represent his or her interests.

If law enforcement agencies will not investigate, or if the investigation is inconclusive, the district governor will appoint a district review committee to coordinate an independent review to ensure that district youth protection policies were followed, confirm that youth safety was the highest priority, and determine any necessary modifications to district procedures. This review is not responsible for determining the validity of any allegations; that can only be done by youth protection agency personnel or trained law enforcement professionals.

If law enforcement has found the allegations to be noncriminal, the district governor is responsible for contacting the alleged offender. The district governor may delegate this task to a district youth protection officer or district review committee.

District \_\_\_\_ will document all accusations of inappropriate behavior and the actions taken to resolve the situation, so that patterns of inappropriate behavior are identified and addressed.

## 侵害與騷擾申訴處理準則

請視需要修訂本項政策，以符合當地實際情況與法令規定。

**藍色**標示的段落乃是依據扶輪青少年交換的認證要求所作的規定；若您所屬地區並未取得參與青少年交換的認證，請刪除此段落。

### \_\_\_\_\_地區侵害與騷擾指控通報準則

\_\_\_\_\_地區承諾將戮力保護所有青少年計畫參與者的安全與福祉，絕不容忍任何侵害與騷擾行為。所有申訴案件均會慎重以對，並依下列準則處理。

**計劃參與者的安全與福祉永遠必須擺在第一位。**

#### 定義

**情緒或言語虐待**—利用恐懼、羞辱或言語攻擊來控制他人的行為，例如排擠某人、阻止其發展正常的社會關係、以貶損用語批評其種族、宗教、能力、智力、品味或外表。

**肢體虐待**—意圖使人疼痛、受傷或引起其他身體上的痛苦或傷害的肢體接觸。

**疏忽照顧**—未提供食物、住所或維持健康所必要之醫療照護。

**性侵害**—以暴力或脅迫的方式，或與任何無法行使同意之人從事或安排暗示性或明確之性行為，無論該行為是否由其單獨為之，或是與任何年紀或性別之他人共同為之。任何達到法定成年年齡者與未成年人間的性行為均被認為性侵害。此外，性侵害也包括非接觸性的侵犯，例如窺淫行為、猥褻性暴露、或是向青少年展示性物品或色情物品。

**性騷擾**—不受歡迎或違背其對象意願或其對象無法行使同意之性接近、性要求、或具有性意味的言詞或肢體行為。性騷擾有時發生於性侵害之前，是性犯罪者用以降低受害人的敏感度或誘引受害人的手段。性騷擾的例子包括：

- 具有性意涵的描述詞語或玩笑，以書面或口頭方式談論性行為，閒聊某人的性生活，以及評論某人的性行為、性方面的缺陷或高超能力。

- 具有性意味的言語侵犯
- 展示具性暗示的物品或影像
- 具有性意味的注視或口哨
- 不恰當的肢體接觸，例如碰觸身體
- 猥褻的言詞或手勢，以及暗示性或侮辱性評論

## 聽取申訴案

任何聽取計畫參與者關於侵害或騷擾申訴案件的成年人均必須：

*仔細聆聽並保持冷靜。*向申訴人表示，提出侵害或騷擾申訴案是一件勇敢的事。採取鼓勵的態度，但保持不偏不倚；切勿表現出震驚、恐懼、或不信任的態度。

*保證個人隱私權將受到保護，但並非保密。*向申訴人解釋，您必須將侵害或騷擾案通知某人，以阻止這種行為，並確保它不再發生在其他人身上。

*取得事實，但不要用審問的方式。*提出能夠確認事實狀況的問題：誰（who）、什麼事（what）、何時（when）、何處（where）、以及如何（how）。向該名青少年保證，他或她把事情告訴您是正確的。避免提出「為什麼」（why）的問題，這類問題可能被解讀為您在質疑該名青少年的動機。請記住，您的責任是將此資訊通報主管機關。

*不做任何評價，讓申訴人安心。*避免對任何已發生的事件或相關人士做出批評，尤其重要的是，不要責備或批評該名青少年，要強調發生這種狀況並非他或她的錯，來找您是勇敢與成熟的表現。

*將申訴案做成紀錄。*收到申訴案後儘快將談話內容做成紀錄，包括日期與時間。試著將該名青少年的陳述逐字記錄下來。

## 對申訴案之回應

收到侵害或騷擾申訴案後，應立即採取下列步驟，這些步驟中有些得由任何參與計畫的義工執行，有些則必須由指定的地區職員執行。

### 1. 保護青少年

立即使該名青少年遠離受害環境，並防止其與涉嫌侵害者或騷擾者有任何接觸，以確保其安全與福祉。向該名青少年說明，前述措施的目的是為其安全著想，而不是懲罰，使其安心。

立即採取行動以確保該名青少年的健康與福祉，必要時，為其提供醫療或心理照護。

## 2. 向主管機關通報申訴案

所有侵害或騷擾案件均應立即通報—首先應向 [載明適當的執法機關] 通報以利案件之調查，其後應向扶輪社與地區領導人通報，以進行後續處理。有關侵害或騷擾案的審問工作應完全交由執法機關來處理。

在大多數情況下，第一順位扶輪聯絡人為\_\_\_\_\_，其負責向主管機關尋求建議並互相聯繫。若申訴案涉及該名扶輪社員的行為，則地區總監或\_\_\_\_\_應為第一順位扶輪聯絡人。

\_\_\_\_\_地區將與警察合作，並配合司法調查。

\_\_\_\_\_地區已研究當地、州與國家有關青少年保護的法令，包括申訴案之通報，並注意到以下所有義工均必須知悉的法律規定：

- [列出相關各點]

## 3. 使涉嫌人遠離青少年

事件解決前，\_\_\_\_\_地區將使涉嫌人不得再接觸扶輪青少年計劃參與者。

若扶輪青少年交換學生提出與接待家庭成員間發生問題，或針對接待家庭成員提出申訴案時，應遵循有關將交換學生遷離接待家庭的既定標準程序來處理。若適當時，應將學生遷往事先篩選過的臨時住所。

## 4. 避免聊八卦或責備

除必須知悉申訴案的人士外，切勿將案件透露予他人。調查期間應小心保護受害者與涉嫌人之權利。

\_\_\_\_\_地區執行下列程序，以保護涉嫌人隱私（不同於保密）：

- [列出適當程序]

## 5. 後續處理

地區職員必須於 72 小時內將申訴案通知國際扶輪，並提供現況報告。

\_\_\_\_\_地區將確保計劃參與者之父母或法定監護人受到通知，並提供該名青少年一位非屬扶輪社之獨立輔導顧問，以代表其利益。

若執法機關不對案件進行調查，或調查結果並無結論，地區總監將委任地區審查委員會負責獨立審查的協調整合，確保一切均符合地區青少年保護政策，同時確認青少年安全確實被擺在第一位，並查明地區的程序是否有修正之必要。這項審查的目的不在於查明申訴案的指控是否屬實，該任務僅能由青少年保護單位的人員或受過訓練的專業執法人員來處理。

若執法機關認定案件查無刑事犯罪事證，地區總監應負責聯絡涉嫌侵害人。地區總監得委派一名地區青少年保護職員或地區審查委員會執行此項工作。

\_\_\_\_地區將對所有不當行為的申訴案件與解決事件所採取的步驟做成紀錄，以期找出不當行為的模式並予以因應處理。