



Keeping Students Out of Harm's Way: Reducing Risks of Educator Sexual Misconduct

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Appendix

CSA PREVENTION EVALUATION TOOL FOR ORGANIZATIONS:

Child Protection Policy & Procedures

Sandy K. Wurtele (2017)

INSTRUCTIONS: Rate questions using 1, 2, 3, or N/A

1 = Question answered affirmatively without equivocation. Policy/practice is well understood and regularly adhered to.

2 = Partially true. May be a standard practice but is not codified.

3 = Policy/practice is virtually absent, sporadic, non-uniform, or not well understood.

N/A = Not applicable. Use sparingly.

General Standards for Youth Protection Policy	Rating
<p>a. Is the purpose of the policy clearly stated? (e.g., Policy demonstrates agency's commitment to protect the health, safety, and welfare of all children in their care). Principles underlying standards are clearly articulated (e.g., All children have the right to protection and safety including protection from harm; to an environment free from violence, abuse, harassment, and discrimination; and to be treated with respect, dignity, and fairness. Everyone in the organization has a responsibility to protect children.)</p> <p>b. Is the policy publicized, openly displayed, promoted, and widely distributed?</p> <p>c. Is the policy written in a clear and easily understood way? Contains definitions of key terms (e.g., Sexual Abuse; Minor) and specifies to whom standards apply (e.g., staff and volunteers)</p> <p>d. Has the policy been approved and endorsed by relevant management/oversight body? (Evidence: signed statement of approval by organization's governing authority; excerpt from minutes of relevant meeting to show approval)</p> <p>e. Has the policy been developed in collaboration with and input from many stakeholders? (e.g., children, parents, law enforcement, legal counsel, experts, child protective services)</p> <p>f. Is the policy reviewed/updated on a regular basis? (e.g., every three years or whenever there is a major change in the organization or relevant legislation). (Evidence: Timetable for review)</p> <p>g. Does the policy identify personnel with clearly defined roles and responsibilities in relation to child protection? Person(s) responsible for implementing/reviewing policy and procedures.</p> <p>h. Is there information about where to go for help and contact details for designated contact person, local social services department, police, and emergency medical help?</p>	
<p>Standard 1: Safe Screening and Hiring Practices</p>	
<p>a. Are there policies and procedures for recruiting personnel and volunteers and assessing their suitability to work with children? (Evidence: Copy of Recruitment Policy & Procedure)</p> <p>b. Does the agency have a standard written application form? (Evidence: application form)</p> <p>c. Have criteria for acceptance/rejection been identified? Lists non-negotiable minimum standards for rejection/which offenses automatically disqualify applicants. (e.g., history of CSA? violence? substance-related problems? use of child pornography? major mental disorders? prior inpatient psychiatric treatment?)</p> <p>d. Have person(s) responsible for screening, interviewing, reference checks, hiring, etc. been identified?</p> <p>e. Are policies and processes for screening and selection stated and systematically followed?</p> <p>f. Are all adults who have the opportunity for regular contact with children, or who are in positions of trust, screened?</p> <p>g. Does applicant sign a permission form for contacting at least 2 personal references and performing a criminal background check?</p>	

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General Standards for Youth Protection Policy	Rating
<p>h. Are applicants asked to disclose previous criminal histories of sexual offenses, violence against youth, and other criminal offenses? Are candidates asked if there has ever been any investigation or action taken against them for any ethical, moral, legal, or malpractice action? (e.g., Have you ever been censured, disciplined, dismissed, expelled from, been put on probation, or been requested to resign or withdraw from any professional school, internship, volunteer program, employment, or training program?)</p> <p>i. Are reference checks conducted, with all work/volunteer experience carefully verified?</p> <p>j. Is verbal contact made not only with the people listed on the application, but also people mentioned by those references?</p> <p>k. Are criminal background checks conducted (with fingerprinting if possible), and are Sex Offender Registries checked?</p> <p>l. Does the agency keep the results of criminal background checks confidential? (e.g., secure storage location, limited access to files)</p> <p>m. Are informal Internet searches conducted as a way to find additional relevant information about an applicant?</p> <p>n. Does the interviewer inquire about applicant's motivations for working with children, examine candidate's past in terms of work history with children, sexual development history, how spare time is spent, or preference for spending time with children?</p> <p>o. Are applicants' home environments assessed (for mentoring programs where youth meet with mentors at their homes)?</p> <p>p. Is contact with youth prohibited until applicant has been approved?</p> <p>q. Does the agency let applicants know (verbally and in writing) that the program's priority is the safety and well-being of children?</p> <p>r. Is there an induction process for all staff and volunteers which includes familiarization with the child protection policy and procedures?</p>	
Standard 2: Code of Conduct	
<p>a. Is there a written Code of Conduct, which provides clear guidance on acceptable/expected standards of behavior of adults toward children? Is there a clear statement of the need to set and maintain professional relationships with youth? (Evidence: Code of Conduct for adult-child behavior and for child-child behavior)</p> <p>b. Does the agency list ethical conduct/appropriate behaviors (behaviors to be encouraged)? (Evidence: Guidance on acceptable/appropriate behaviors)</p> <p>c. Does the agency list unethical conduct/inappropriate behaviors or boundary violations? Specifies disrespectful/unsafe/harassing behaviors (i.e., makes it clear that discriminatory behavior or language in relation to any of the following is not acceptable: race, culture, age, gender, disability, religion, sexual orientation, or political views). Evidence: Code of Conduct specifically prohibits certain behaviors (hitting or physically assaulting children; having intimate, romantic, or sexual relationships with children; viewing pornography on work computers; showing pornography to children; exploiting children to meet emotional or sexual needs; asking youth to keep secrets)</p> <p>d. Does the policy address one-on-one interactions with youth (e.g., being alone with a child in an area that cannot be seen or observed by other adults; taking children to private homes, to restaurants, or traveling alone with a child in a car)?</p> <p>e. If applicable, does the policy address high-risk situations (e.g., bathing, changing, bathroom activities, and sleep-overs)?</p> <p>f. Does the policy address out-of-program contact restrictions (e.g., socializing with youth outside of agency-sponsored activities)?</p> <p>g. Does the policy address discipline practices (that do not involve physical punishment or any other form of degrading or humiliating treatment)? Does it state the expectation that adults and children will treat each other with dignity and respect?</p>	

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General Standards for Youth Protection Policy	Rating
<p>h. Does the policy address adequate adult/child ratios? Are there clear guidelines that specify under what circumstances—if any—staff are allowed to be alone with a child?</p> <p>i. Does the policy describe responsible use of the Internet and communication devices (e.g., clear prohibition against downloading/viewing pornography)?</p> <p>j. Does the policy address taking photographs/videos of youth (including smart phones)?</p> <p>k. Does the policy provide guidelines on contacting/communicating with youth via technology (use of social media, emails, and mobile phones)?</p> <p>l. Does the policy provide guidelines regarding communication/language with children (e.g., self-disclosure; personal/intimate topics; secrecy; sexual innuendo), and conduct (inappropriate gift giving)?</p> <p>m. Does the policy prohibit the display or distribution of sexually suggestive or pornographic material?</p> <p>n. Does the policy address transporting students/youth?</p> <p>o. Does the policy outlaw use, possession, or distribution of illegal or unauthorized drugs? Does it outlaw furnishing or encouraging minors to use, possess or unlawfully distribute alcohol, tobacco, illegal or unauthorized drugs?</p> <p>p. Does the Code contain guidelines relating to adult-child physical contact (e.g., initiating physical contact for the purpose of furthering a romantic or sexual relationship is never allowed)?</p> <p>q. Does the Code contain input from constituents (e.g., staff, parents, youth are consulted in developing codes of behavior)?</p> <p>r. Does the Code outline sanctions for breaching? (e.g., Contains a statement “I have read and understand the Policy and agree to be bound by the provisions contained within. I understand that violations involving sexual relations with a student, sexual abuse of a student, or communication with a student of a sexual or romantic nature, shall result in dismissal, prompt notification of law enforcement and social services if required by state law, and in the case of an employee or volunteer licensed by a Board of Professional Licensing, the initiation of a complaint against the license.”)</p> <p>s. Does the applicant sign/date a statement “I agree to abide by/adhere to Code of Conduct”?</p>	
<p>Standard 3: Implementation and Monitoring</p>	
<p>a. Is there a written plan showing what steps will be taken to keep children safe, who is responsible for implementing these measures, and when/how often monitoring will occur? (Evidence: Copy of the Child Protection Plan)</p> <p>b. Are audit procedures in place for monitoring the extent to which policies and procedures and all training programs are being implemented (i.e., method of demonstrating accountability and transparency)?</p> <p>c. Does the agency use formal supervision including periodic evaluations (e.g., annual appraisal of staff, review of volunteers)?</p> <p>d. Does the agency use informal supervision (random observations)?</p> <p>e. Does the agency encourage professionals and volunteers to keep their eyes open for potentially problematic adult-youth interactions and share their concerns with the designated supervisor?</p> <p>f. Does the agency provide therapeutic supervision (i.e., encourage and support the recognition of personal needs like loneliness and how they may be affecting professional relationships; acknowledging emotional/sexual feelings toward clients; climate of trust in which staff feel free to disclose feelings and experiences to their supervisors)?</p> <p>g. Does the agency provide multiple opportunities for youth and staff to voice concerns and seek support (e.g., peer mentoring)?</p>	
<p>Standard 4: Ensuring Safe Environments</p>	

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General Standards for Youth Protection Policy	Rating
<ul style="list-style-type: none"> a. Does the agency insure spaces are open and visible with no hidden areas (windows in doors remain uncovered; “no-closed door” policy)? b. Does the agency provide youth with privacy when toileting, showering, or changing clothes? c. Are there surveillance cameras installed in difficult-to-supervise public areas? d. Are parents allowed/encouraged to visit the agency unannounced at any time? e. Are policies in place for field trips/off-site activities? f. Are transportation policies established and monitored? g. Are zero-tolerance, abuse-free, or anti-bullying policies advertised throughout the environment? Is youth safety a priority? h. Is the child protection policy openly displayed and freely available to everyone (e.g., is included in staff handbooks along with student and parent handbooks)? i. Are children aware of their right to be safe from abuse and know who to speak to if they have worries or concerns? j. Does the agency create a climate that encourages guardians/staff to question concerning or confusing behaviors or practices? 	
Standard 5: Investigating & Reporting Concerns, Disclosures, Allegations	
<ul style="list-style-type: none"> a. Does the agency provide clear guidance on what to do when a child protection concern arises? (Evidence: Reporting practices and procedures) b. Does the policy clearly state who <i>must</i> report suspected sexual misconduct (mandatory reporters) and who <i>may</i> report? (e.g., Anyone who becomes aware of possible sexual misconduct may report and is encouraged to do so.) (e.g., Priests are clear that the Seal of Confession does not apply to disclosures of abuse.) c. Are all employees and adult volunteers trained in recognizing obvious signs and symptoms of abuse but also more subtle signs (e.g., crossing boundaries or grooming behaviors)? d. Are all adults trained in how to respond to a child who discloses abuse or questionable behavior? e. Do staff, parents, and youth know how to report concerns, suspicions, and allegations about unacceptable behavior? Do adults understand that they should not investigate, or attempt to evaluate the credibility or validity of allegations involving sexual misconduct? Can reports be made anonymously? f. Do youth have opportunities to report/describe concerning behavior directly and indirectly (e.g., a suggestion box to make complaints)? Are children provided with information on where to go to for help and advice in relation to abuse, harassment and bullying? (Evidence: Copies of information for children about sources of support) g. Is there step-by-step guidance on what action to take if there are concerns, allegations, suspicions, or disclosures of abuse (historic or current)? h. Is there a designated person/person(s)/officer (Designated Officer and Deputy Officer if possible) (key point of contact) with clearly defined role and responsibilities for receiving complaints, reports, suspicions, or concerns? i. Is the chain of reporting clearly described? Are contact details for local social services and police included? (Evidence: Flow chart) j. Does the designated Officer consult with Child Protective Services/Law Enforcement about all allegations/disclosures? k. Is there a process for recording all incidents, allegations, concerns, suspicions and referrals and storing these securely and maintaining confidentiality? (Evidence: Child Protection Recording Form; General Incident Reporting Form) l. Is there a process for dealing with complaints made by parents and children about unacceptable and/or abusive behavior, with clear time tables for resolving the complaint? 	

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General Standards for Youth Protection Policy	Rating
<p>m. Is there guidance on confidentiality and information-sharing which makes it clear that the protection and safety of the child is the most important consideration?</p> <p>n. Are there clearly stated guidelines for conducting an internal evaluation of complaint (of limited scope)? Do the guidelines delineate what behaviors the agency will respond to internally and what behaviors require reporting to authorities?</p> <p>o. Are records maintained? Every referral should be documented, and a file should include a log of actions, events and information received. Any information/observations in connection with the case should be documented and included in the personnel file.</p> <p>p. Does the policy identify who has responsibility for notifying parents/guardians of alleged victim? Does the policy describe if, how, when, and by whom all parents/guardians are notified regarding any health or safety risk?</p> <p>q. Does policy provide guidance on how to respond to a child who is suspected to have been abused?</p> <p>r. Are there arrangements for providing information and support to staff and volunteers during and following an incident or allegation? Is there information about referrals, reimbursement for counseling, restorative justice, a list of professionals and organizations providing assistance? (Evidence: List of contacts for advice, information, therapy)</p> <p>s. Is there clear guidance for responding to media/press? Is there a clear plan for making public apologies?</p> <p>t. Is there a "whistle blower" policy to prohibit retaliation for a person making an allegation or providing information relevant to an allegation?</p> <p>u. Are all incidents, allegations of abuse and complaints recorded and monitored? (Evidence: Summary of number of incidents of abuse and number of complaints)</p>	
<p>Standard 6: Training/Educational Programs</p>	
<p>a. Has the agency developed and implemented educational programs specifically designed for youth, parents, professionals in training, and staff/administrators and volunteers who have significant contact with children? (Evidence: Copy of training plans/programs)</p> <p>b. Are constituents educated about all forms of child maltreatment including sexual exploitation (e.g., causes, signs and symptoms, debunk myths about offenders, consequences of abuse, grooming behavior)?</p> <p>c. Does training include discussion of need for and guidance in establishing and maintaining professional boundaries with youth? (Almost all serious ethical infractions emerge from a context of escalating boundary violations.)</p> <p>d. Does training of professionals include discussion of how personal problems, needs, deficits, can result in over-involvement (boundary violations) with needy youth? Does the training acknowledge power differential between adults and youth and emphasize that no sexual relationship with a minor can ever be consensual?</p> <p>e. Does training provide guidance in spelling out/setting boundaries and limits with youth? Do trainees have opportunities to discuss and role play risky situations? Is the training/education presented as ways to protect staff from being wrongfully accused of sexual misconduct by ensuring their interactions with children are always professional?</p> <p>f. Are there discussions about how sexual misconduct can have its beginnings in good intentions (need to save a child from pain, risk of taking on the role of various or parent surrogate), but that it is easy to cross boundaries? Does training/education help trainees recognize ethical conflicts and provide practice in responding to sexual behaviors of youth?</p> <p>g. Are there opportunities for careful self-examination/training in recognizing when personal needs or unresolved problems are affecting work (e.g., addictions, pressures of work/home, loneliness, need for physical contact, for belonging, adoration, connecting)?</p>	

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General Standards for Youth Protection Policy	Rating
h. Are trainees taught to recognize rationalizations/cognitive distortions adults use to construe deepening involvement as something other than sexual misconduct (e.g., good for the child)? Victim sensitization approaches can make it difficult for trainees to deny the harmful effects that sexual relationships have on clients/mentees.	
i. Are trainees provided with testimonials from respected faculty/administrators who have encountered strong (sexual) feelings for their clients (i.e., serve as models for how to engage in an open, professional discussion of sexual issues)?	
j. Does training provide opportunities to discuss the need to prevent sexual feelings from evolving into ethical infractions? (Draw the line between feelings and actions)	
k. Does training help staff recognize and intervene when they observe a co-worker crossing professional boundaries (e.g., taking a student to lunch or dinner, giving gifts)?	
l. Are trainees informed about duty to report sexual misconduct?	
m. Does training include a means of confirming participation and completion?	
n. Is training provided before interactions with children begin? How often is training repeated?	

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