

# Reducing Risks for Child Sexual Abuse & Harassment

The Indiana 4-H program provides a strong educational youth development program. Our programs deliver educational experiences in a variety of settings, whether it be one-on-one, small groups, camps, or large events such as fairs and recognition events. We treasure the rich heritage of Indiana 4-H youth programs and want to ensure that our program is available to all who want to participate. We also want to do whatever we can to make sure that both you and adults have a safe, rewarding experience. As adults working with youth, we need to do our best to protect children from the dangers of child abuse and neglect. We need to take steps to ensure we are operating in a low-risk environment when we are working with these youth.

## Abuse/Harassment

- Sexual harassment and abuse are real.
- Accusations can be made when perceptions differ
- 4-H volunteers need to avoid risky situations.
- There are 11 factors that help determine the level of risk for sexual abuse for children.
  - *Location:* Public settings present a lower risk while isolated settings present a higher risk.
  - *Parental Involvement:* Parents that are actively involved provide additional observation, monitoring, and supervision of activities.
  - *Adult Supervision:* The opportunities for sexual abuse are fewer when several volunteers are present than when a single volunteer supervises program activities.
  - *Frequency/Duration:* A volunteer that interacts infrequently with a particular child has less opportunity to develop a relationship that could lead to sexual abuse than does a volunteer who meets with the same child several times a week.
  - *Changing Clothes:* When children are changing clothes, preparing for bed, or showering, they are more vulnerable to sexual abuse than when they are fully clothed.
  - *Volunteer Training:* Training can reduce risk by alerting volunteers that the organization is mindful of the potential for abuse and will respond aggressively to allegations of sexual abuse and informing volunteers about what to look for so that they can more adequately supervise program activities.
  - *Education of Children:* Educating children about sexual abuse helps them recognize attempted to actual sexual abuse; it empowers them to resist the efforts of child molesters; and it encourages children to report any individuals who behave in a sexually abusive manner.
  - *Monitoring:* The more monitoring of volunteer activity that occurs, the lower the exposure to risk for child abuse.
  - *Age and Disabilities:* The risk of sexual abuse is especially high for children between 10 and 12 years of age. Children with disabilities are more than twice as likely to be sexually abused as are children of the same ages who do not have disabilities. Children with social, emotional, or family-related problems also are at higher risk of child sexual abuse.

Child Molesters

- Youth organizations are attractive to child molesters since these organizations work so close with young people.
- The typical child molester is:
  - Male
  - Heterosexual
  - Involved in a heterosexual relationship
  - Appears respectable
  - Maintains a respectable position in an organization
  - Gained the trust of the parent/caregiver
- Child molesters target individuals that may be vulnerable or looking for acceptance.
- They groom their victims in preparation for the offense by taking an active interest in the child and his/her interests, helping the child, being extremely kind, or being the mother or father that child never had.

Duty to Report

- Everyone has the moral, civic, and legal duty to prevent child abuse.
- Indiana Code 31-33-5-1 – Failure to report is a Class B misdemeanor.
- Indiana law includes a provision for immunity for any individual who makes a report that turns out to be untrue, as long as the person was acting in good faith.

Cyber Safety

- Volunteers should avoid private emails to youth. Always send a copy of the message to the parent, and if possible, another volunteer.
- Volunteers should use great discretion when participating in online social networks (facebook, myspace, etc.). Your profile sets an example of responsible networking.
  - Volunteers should not send virtual alcohol products or participate in provocative games with youth.
- Encourage parents to monitor youth online. If you see something questionable, contact the parent first.

# Insurance and Liability for Volunteers

## General Liability

- General liability insurance provides liability coverage for bodily injury or personal injury to third parties (4-H members), as well as damage to their property, when such injury is the result of Purdue's negligent act or acts.
  - Personal injury includes defamation of character, invasion of privacy, and false arrest.
  - Coverage includes payments of claims or legal settlements, plus all defense costs.
- The general liability coverage provided by Purdue is in the amount of \$25 million combined single limit, and coverage is for the university, its employees, and its volunteers (includes 4-H Adult Leaders).
- If an accident or injury occurs, or if a lawsuit is threatened, *immediately* contact the Extension Office.
- General liability insurance should not be confused with medical coverage. Purdue **does not** provide medical coverage.

## Auto Liability

- Auto liability insurance provides coverage for bodily injury to third parties, as well as damage to their property, when such injury or damage results from: the operation of a Purdue vehicle on official university business; or the operation of an employee's or volunteer's personal vehicle on official university business.
- The personal auto coverage carried by the employee or volunteer is **always primary**. Purdue's coverage would come into play only if, and when, the limits of that personal coverage were exhausted.
- Purdue recommends those using their personal activities in volunteer activities carry at least:
  - \$500,000 personal vehicle coverage, per accident for bodily injury or property damage.
  - \$100,000 coverage is required by the University Risk Management Office.
- Purdue's coverage (secondary) is \$25 million combined single limit that covers the university, its employees, and anyone else who has been specifically approved by the University Risk Manager to operate a Purdue vehicle.
  - Coverage includes payment of claims and legal settlements and all defense costs.
- There is no physical damage coverage for vehicles owned by employees or volunteers.
- If an accident or injury occurs, or if a lawsuit is threatened, *immediately* contact the Extension Office.

## School Bus Liability

- Purdue does not carry school bus liability coverage.
- When there is a need to transport a group of youth to an event, the following guidelines should be followed:
  - Buses owned by school corporations.
  - Buses owned by private individuals. A copy of the driver's CDL license and proof of insurance is required.
  - Buses owned by private bus companies. Proof of insurance is required.

## Transportation Alternatives

- When parents drive youth to events and activities:
  - Parents should be encouraged to arrange their own rides for their children.

- Drivers must provide a photocopy of a valid driver's license and proof of insurance.
- Vehicles should not carry more persons than they are designed for.
- Individuals under the age of 21 are not to be asked to serve as driver and transport other youth.

### Accident and Illness Coverage

- This insurance covers youth and volunteers from the time they leave home until they return home.
- Vanderburgh County maintains a blanket policy through American Income Life Insurance Co, that costs \$1 per member (\$2 horse and pony) per year.
- State-wide events are covered by the State 4-H Department.

### Directors and Officers Liability

- Directors and officers liability insurance should be considered only if the members of a 4-H council or fair board (or similar body) are involved with issues and decision making which are not directly related to the mission of Purdue University or the Cooperative Extension Service.
- If there is an uncertainty as to whether the board is involved with issues and decisions directly related to the mission of the university, it is recommend that a list of the board's activities be made and submitted to CES administration who will consult with the Office of Risk Management for a final decision.

### Coverage Concerns

- Although Purdue's coverage is very broad, not everything can be covered by commercial insurance policies. In order to bridge that potential 'gap,' the University Board of Trustees passed an 'Indemnification Resolution.' This document states that the university will protect an employee or volunteer against whom an action is brought so long as that person was acting in good faith and within the scope of his/her duties.
  - This ensures coverage, including payment of defense costs, in the absence of insurance coverage.
  - 'In good faith' means acting as a responsible person in your circumstance would act (not be negligent, criminal, or irrational).
  - 'Within the scope of your duties' refers to acting within the responsibilities set for your volunteer position (Adult Behavioral Expectations, 4-H Club Organizational Volunteer).
- Supervision of youth can bring about areas of concern, especially in relationship to the 'right' ratio of adults to youth. Here are a few guidelines about appropriate supervision:
  - Mixed gender groups require at least one adult of each gender.
  - Discourage an individual adult from being alone in a room with a child to reduce the risk of false accusations.
  - There should always be more than one adult with a group in case of an emergency.
  - Consider the type of activity as well as the age and number of participants. If the activity is complex or has the potential to be unsafe, more supervision is always recommended.
- The 4-H Shooting Sports, Sport Fishing, and ATV Safety programs require that adults working in those efforts have specific training and certification. All Shooting Sports and Sport Fishing activities must be conducted in compliance with State 4-H guidelines in order for Purdue's insurance coverage to apply. There are no exceptions to this policy.
- In order for Purdue's coverage to provide protection to staff and volunteers for any incidents arising out of overnight stays at fairgrounds, the policy on overnight stays must be followed. This policy states that any 4-H youth staying overnight must be accompanied at all times by his/her parent or legal guardian.

### Summary

- For coverage to be in effect for you, you must have read and signed the Adult Behavioral Expectations Form (4-H 785) and have it on file in the Extension Office. You will be covered by Purdue insurance as long as:
  - You were acting within the scope of authority.
  - You were acting in good faith.
  - You were acting under the direction of a Purdue University Extension staff member.
- The employee's or volunteer's auto liability coverage is always primary. The recommended amount of coverage is a minimum \$500,000 per accident for bodily injury and property damage.
- There is no medical coverage provided for volunteers.
- Vanderburgh County maintains an accident policy for county events.
- Specific training and certification is required for all volunteers in 4-H Shooting Sports, Sport Fishing, and ATV Safety.

# SuperStarz 4-H Club Minutes

## June 15, 2003

The meeting was held at the farm of Leaders Harold and Fern Champion and their son Granville 'Gran' Champion, the club president. President Champion called the meeting to order...Pledges were led...Roll call...Secretary's minutes were approved...Treasurer's report...

Tom Yockey, junior leader, gave a demonstration on how to saddle a horse for show, using his horse, Blue Ribbon.

The June meeting is our annual activities meeting and overnight. Club members were allowed to participate in a workshop activity. Fern Champion held a fashion review workshop in the house. President Gran Champion did a woodworking workshop in the barn allowing Wood Science members to practice with a router and lathe. Rom Yockey took members for horseback rides on Blue Ribbon. Junior leaders Dylan Matthews and Kittye Rueger held a spot shoot for Shooting Sports project members in the apple orchard behind the barn.

Recreation leaders Paige Kylie, Sara-Beth Smiley, and Tony Miller organized the annual water-balloon war in the barn, which succeeded in getting everyone good and wet. They also had a large bonfire going with which we dried off, roasted hot dogs and marshmallows and made some smores.

Mrs. Vanna Driver, mother of first year member Mark, drove the seven clover members home at 9pm. Leader Fern Champion left for her night job in Bigg City, and leader Harold Champion went in the house to turn in. The junior and senior club members arranged their sleeping bags around the bonfire and sang 4-H songs and told ghost stories. At about 11pm, Gran Champion told a story so scary that it sent us girls inside where we camped out for the rest of the night in the Champion's living room. The boys stayed outside.

We were awakened the next morning by Mrs. Smiley, mother of Sara-Beth, and Mrs. Sherri Kylie, mother of Paige, who served breakfast.

Submitted by Ariel Scribe, recording secretary, Super Starz 4-H Club

# Indiana Code

## Title 31. Family Law and Juvenile Law

### Article 33. Reporting and Investigation of Child Abuse and Neglect

#### Chapter 5: Duty to Report Child Abuse or Neglect

#### 31-33-5-1. Duty to Report

In addition to any other duty to report arising under this article, an individual who has reason to believe that a child is victim of child abuse or neglect shall make a report as required by this article.

#### 31-33-5-2. Notification of individuals in charge of facilities – report.

(a). If an individual is required to make a report under this article in the individual's capacity as a member of the staff of a medical or other public or private institution, school, facility, or agency, the individual shall immediately notify the individual in charge of the institution, school, facility, or agency or the designated agent of the individual in charge of the institution, school, facility, or agency.

(b). An individual notified under subsection (a) shall report or cause a report to be made.

#### 31-33-5-3. Obligation to report on individual's own behalf.

This chapter does not relieve an individual of the obligation to report on the individual's own behalf, unless a report has already been made to the best of the individual's belief.

#### 31-33-5-4. Immediate oral report.

A person who has a duty under this chapter to report that a child may be a victim of child abuse or neglect shall immediately make an oral report to:

- (1) the local child protection service; or
- (2) the local law enforcement agency.

#### 31-33-6-1. Immunity

Except as provided in section 31-33-6-2 of this chapter, a person, other than a person accused of child abuse or neglect, who:

- (1) makes or causes to be made a report of a child who may be a victim of child abuse or neglect;
- (2) is a health care provider and detains a child for purposes of causing photographs, x-rays, or a physical medical examination to be made under IC 31-33-10;
- (3) makes any other report of a child who may be a victim of child abuse or neglect; or
- (4) participates in any judicial proceeding or other proceeding:
  - (A) resulting from a report that a child may be a victim of child abuse or neglect; or
  - (B) relating to the subject matter of the report

is immune from any civil or criminal liability that might otherwise be imposed because of such actions.