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SEXUAL ABUSE PREVENTION

I. INTRODUCTION

The City of Boise is committed to providing a safe environment for all minor children. The City recognizes the importance of preventing sexual abuse and has adopted this Sexual Abuse Prevention Regulation to ensure that the City's programs offer a safe environment for all participants.

This regulation will establish preventative measures designed to protect children from sexual abuse and to outline the actions to be taken in the event of a suspicion or allegation of sexual abuse.

All employees, volunteers, and participants involved in City of Boise programs shall comply with this regulation. Any actions contrary to this regulation may result in disciplinary action up to and including termination of employment and/or termination of participation in any City of Boise programs.

II. SEXUAL ABUSE

Sexual Abuse means any sexual activity or sexual contact with a minor child. This includes sexual contact by force or threat of force, regardless of the age of the participants, and all sexual contact between an adult and a child. Sexual abuse does not require actual physical contact, but may consist only of inappropriate comments, viewing of inappropriate materials or voyeurism.

III. PRE-EMPLOYMENT AND PRE-VOLUNTEER SERVICE SCREENING

The City of Boise conducts background investigations on all incoming employees and Tier II volunteers [please refer to the Volunteer Regulation for the definition of a Tier II volunteer] 18 years of age or older. The City's background investigation may include a criminal history check and a fingerprint check for all employee applicants and Tier II volunteers 18 years of age and older.

IV. ONE-ON-ONE ADULT/CHILD CONTACT DISCOURAGED

In an effort to protect children and to protect staff from sexual abuse allegations, the City of Boise recommends employees, volunteers, and vendors minimize private one-adult/one-child interactions. "Private" refers to the degree to which situations are observable and interruptible. For example, when an adult golf instructor teaches a private lesson to a minor child, the instructor is encouraged to use a location on the golf course where the instructor and the child can still be easily seen by other adults.

V. ACTIONS CONSTITUTING SEXUAL ABUSE

Because of the City's wide variety of activities and different types of interaction among individuals, plus the added dimension of different cultural norms among participants, it is impossible to list every inappropriate behavior. However the following is a list, not all inclusive, of actions that constitute sexual abuse and are prohibited:

- A. Intimate, romantic or sexual contact between an adult and a child, or an adult and an individual with a disability.
- B. Comments or jokes of a sexual nature made by an adult to a child or an individual with a disability.
- C. An adult showing pornography to a child or an individual with a disability.
- D. Sexual contact or activity accomplished through the use of force or threats.

Sexual contact or other sexual activity between two or more children may constitute sexual abuse if there is a significant disparity in age, development, or sizes, rendering the younger child incapable of giving informed consent.

Some of the City's program activities involve physical contact, and some involve hugging and other displays of affection. However, when interacting with a child, City of Boise employees and volunteers shall consider the age and sex of the child, whether the child appears uncomfortable with the interaction, whether others are present as well as other relevant factors.

VI. REPORTING SEXUAL ABUSE

Any City employee or volunteer who observes sexual abuse shall take all reasonable steps to ensure that the safety of the victim is secured. Any City employee or volunteer who has actual knowledge or a reasonable suspicion that sexual abuse has occurred, or may occur, shall report the information to Child Protective Services [CPS] or in the case of an emergency, the Boise police department, their supervisor, and Human Resources. **Reports are to be made within 24 hours and a Child Abuse / Sexual Abuse Report Form [See Exhibit 4.05c] completed.**

In addition, staff should consult with CPS or law enforcement, if applicable, to determine who is responsible for notifying the parents or guardians of the child involved.

VII. INVESTIGATIONS

All City of Boise employees and volunteers shall cooperate fully with any investigation of sexual abuse by a law enforcement, social services agency, and Human Resources.

If sexual abuse is suspected or alleged, no City of Boise employee or volunteer shall delay reporting the incident or interfere with any law enforcement or social service agency investigation.

During an investigation if the person accused of sexual abuse is a City employee or volunteer, he or she shall be relieved of his or her duties until the investigation is completed.

The City strictly prohibits any type of retaliation against any individual for reporting in good faith or participating in an investigation of alleged sexual abuse.

VIII. DISCIPLINARY ACTION

In the event of a confirmed or probable incident of sexual abuse involving sexual contact between an adult and a child, or an adult and an individual with a disability, the adult perpetrator, if a City employee, shall be subject to discipline up to and including termination of employment. If permitted by law, the adult perpetrator may also be barred from further participation in any City of Boise program.

In the event of a confirmed or probable incident of sexual abuse involving sexual contact between two children, the child perpetrator may be barred from further participation in any program of City of Boise if permitted by law.

IX. DEPARTMENT RESPONSIBILITIES

Training concerning the prevention of sexual abuse is recommended every three years for all supervisory staff and volunteers who are involved in programs that include minor children. Supervisors who receive the training shall be responsible for providing the training as soon as possible to their staff and new hires.

Prior to beginning work or volunteer service with the City of Boise, all employees shall be provided a copy of this regulation via the Employee Policy Handbook, Temporary Employee Handbook, Volunteer Service Agreement or some other means.

Any questions regarding the City of Boise's Sexual Abuse Prevention efforts should be directed to the City's Risk Manager.