

# **POLICY ON THE PREVENTION OF SEXUAL ABUSE AND MOLESTATION**

**APPROVED October 8, 2013**

## **Purpose and Intent**

It is the purpose and intent of Lewes Public Library to provide a safe, secure environment for all members of our community.

The Lewes Public Library does not permit or condone actual or threatened acts of physical or mental abuse, sexual abuse, sexual molestation or sexual misconduct to occur in the library or at any activity sponsored by the Library or related to any individual's service to the Library. The Library has a **Zero Tolerance Policy** regarding any acts of prohibited conduct.

Sexual abuse takes the form of inappropriate sexual contact or interaction for the gratification of the actor. Sexual abuse includes sexual assault, exploitation, molestation or injury. It does not include sexual harassment, which is another form of behavior prohibited by the Lewes Public Library and which is regulated by a separate procedure and policy.

All employees and volunteers are subject to this policy and, prior to commencement of employment or other service, must review this policy and sign where indicated below, acknowledging review, understanding and receipt of this policy. We have adopted mandatory procedures that employees and volunteers must follow when they learn of or witness sexual abuse or molestation.

## **Background Checks**

All employees and any volunteer whose duties will include working with or around children, the elderly, or individuals with special needs will receive a background records check, including multi-state criminal records, sex offender registry, and identity verification, before the start of their employment or volunteer duties. All records, forms and reports will become a part of the employee's confidential personnel file.

Applicants must consent to a background check to be considered for a position. Any applicant who has already been hired or promoted and is subsequently found to have provided false or misleading information related to the background check may be subject to disciplinary action, up to and including termination.

All offers of employment and continued employment, whether paid or volunteer, are contingent upon a satisfactory background check. Employment shall not be effective until the applicant has satisfactorily completed the background check.

Background checks will be repeated after a period of five years.

## **Protection Policy**

Reasonable efforts will be made to have two adults present, or nearby, with children, the elderly, or individuals with special needs. Reasonable effort will be made to place children, the elderly, and people with special needs in rooms with windows or open doors when two adults cannot be present.

## **Reporting Procedure**

If staff believes that an assault has just occurred, they should call the police.

All staff members who learn of sexual abuse being committed must immediately report it to the Library Director. If the victim is an adult, the abuse will be reported by the Director to Adult Protective Services and the police. If a child is the victim, the Director will report it to the parent or guardian, the Division of Family Services, and the police.

The Director should notify the Board of the allegations. The Director should notify the insurance carrier and seek advice in immediate handling of the matter. Legal advice and counsel regarding the handling of the matter should be obtained immediately.

The Director should communicate to appropriate staff the existence of the incident, steps being taken in response, and who should speak to the press, general public, and other agencies, etc. The official spokesperson for the Library in any of these matters will be the Director.

Any employee or volunteer who is suspected of, or reported as, engaging in sexual activity, misconduct or relationships with a service recipient, will be immediately suspended, pending the outcome of an investigation into the allegations of abuse.

## **Investigation and Follow-up**

All staff members, whether paid or volunteer, witnessing an incident should complete incident forms at once, for immediate review by the Library Director. Time is of the essence; urgency and immediacy are implicit.

The form should include...

- Name and title of reporter
- Name and address of individuals involved
- Description of incident/activity/misconduct
- How misconduct was discovered
- Where and when misconduct took place
- Names of witnesses
- Names of collaborating persons
- Description of physical injury and medical response

To the fullest extent possible, but consistent with the Library's legal obligation to report suspected abuse to the appropriate authorities, the Library will endeavor to keep the identities of any alleged victim(s) and any alleged violator(s) confidential. The Library will not deny, minimize, or blame any individual involved in allegations.

All staff must document all efforts in the handling of any incident.

There are a number of 'red flags' that suggest someone is being sexually abused. They take the form of physical or behavioral evidence. Physical evidence of sexual abuse includes, but is not limited to:

- Sexually transmitted diseases;
- Difficulty walking or ambulating normally;
- Stained, bloody or torn undergarments;
- Genital pain or itching; and
- Physical injuries involving the external genitalia.

Behavioral signals suggestive of sexual abuse include, but are not limited to:

- Fear or reluctance about being left in the care of a particular person;
- Recoiling from being touched;

- Bundling oneself in excessive clothing;
- Discomfort or apprehension when sex is referred to or discussed; and
- Nightmares or fear of night and/or darkness.

All allegations will be taken seriously and Library staff will take appropriate action in accordance with the laws of the State of Delaware, insurance policy requirements, and based upon advice of legal counsel.

## **Results of Investigation**

Results of investigation must:

- Prove or disprove allegation of misconduct.
- Lead to immediate termination, immediate filing of charges, and assistance in prosecution when allegations are substantiated.
- Lead to establishment and implementation of prevention procedures to eliminate a reoccurrence of the event.

## **Retaliation Prohibited**

We prohibit any retaliation against anyone, including any employee, volunteer, board member, or other individual, who in good faith reports sexual abuse, alleges that it is being committed or participates in the investigation. Intentionally false or malicious accusations of sexual abuse are prohibited. Anyone who improperly retaliates against someone who has made a good faith allegation of sexual abuse, or intentionally provides false information to that effect, will be subject to discipline, up to and including termination.

**This policy must be read and understood by each and every employee and volunteer. A letter signed by each will be kept on file.**

**ACKNOWLEDGEMENT OF RECEIPT OF POLICY ON THE PREVENTION OF  
SEXUAL ABUSE AND MOLESTATION**

I, \_\_\_\_\_, acknowledge that I have received and read the policy on the prevention of sexual abuse and molestation. I understand that I am bound to follow the policy and understand the consequences in the event that I fail to do so.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature

\_\_\_\_\_

Printed Name of Employee/Volunteer