

sundance

MOUNTAIN RESORT

Sexual Abuse and Molestation Policy

Sundance prohibits and does not tolerate sexual abuse in the workplace or in any resort related activity. Sundance provides procedures for employees, volunteers, family members, victims of sexual abuse or others to report sexual abuse and disciplinary penalties for those who commit such acts.

Sundance has a zero-tolerance policy for any sexual abuse committed by an employee, volunteer, or third party. Following any report of potential sexual abuse, Sundance will initiate an appropriate investigation. Upon completion of the investigation, disciplinary action up to and including termination of employment and criminal prosecution may ensue, if warranted.

Sexual abuse is broadly defined and “includes any sexual activity with a child where consent is not or cannot be given. This includes sexual contact that is accomplished by force or threat of force, regardless of the age of the participants, and all sexual contact between an adult and a child, regardless of whether there is deception or the child understands the sexual nature of the activity. The sexually abusive acts may include; sexual penetration, sexual touching or molestation, sexual injury or non-contact sexual acts such as exposure or voyeurism, and sexual exploitation.”

CODE OF PRACTICE AND PROCEDURES

Sundance has taken steps to educate staff about the risk related to child sexual abuse, instituted policies and practices designed to protect children from the risk of child sexual abuse and trained our staff and volunteers about proper reporting procedures. This policy is reviewed and signed off on annually with all staff.

Some, but not all of the physical and behavioral evidence or signs that someone is being sexually abused are listed below:

Physical evidence of abuse:

- Difficulty in walking
- Torn, stained or bloody underwear
- Pain or itching in genital area
- Bruises or bleeding of the external genitalia
- Sexually transmitted diseases

Behavioral signs of sexual abuse:

- Reluctance to be left alone with a particular person
- Wearing lots of clothes especially in bed
- Fear of touch
- Nightmares or fear of night
- Apprehension when sex is brought up

Designated Person

Although everyone has a role to play in ensuring that children are safe, Sundance has designated the General Manager as the executor for this policy. This designated person has specific responsibility for

implementing the policy, and acts as the point of contact to receive information and advice from Children's Services and Law Enforcement.

The designated person's general terms of reference includes:

- Maintaining an up to date policy and procedures manual.
- Ensuring that relevant staff and/or volunteers are aware of and follow the procedures, including implementing safe recruitment procedures.
- Conduct and document annual training.
- Advising the management committee on safeguarding and child protection issues.
- Maintaining contact details for local Children's Services and Police.
- If there is a concern, the designated person would:
 - Be the first point of contact for any concerns or allegations, from children or adults, ensuring that confidentiality is maintained in all cases.
 - Decide on the appropriate action to be taken, in line with the organization's procedures and in conjunction with the person in charge.

The General Manager may be contacted by phone, via email, or in person.

Reporting Procedures

If you are aware of or suspect sexual abuse is taking place, you must immediately report it to your General Manager/Supervisor or another person you designate. If the suspected abuse is to an adult, you should report the abuse to your local or state Adult Protective Services (APS) Agency. If it is a child who is the victim, then you should report the suspected abuse to your local or state Child Abuse Agency. If you do not know your state child abuse agency, you can call the Child Help's National Child Abuse hotline at 1-800-422-4453, TDD 1-800-222-4453. Appropriate family members should be notified of alleged instances of sexual abuse.

Where appropriate or required by law, Sundance will report any incidents of potential sexual abuse to the appropriate authorities. Sundance should report the alleged sexual abuse incident to their insurance agent.

Investigation and Follow Up Procedures

Sundance will take all allegations of sexual abuse seriously and will promptly and thoroughly investigate whether sexual abuse has taken place. Sundance may use an outside third party to conduct an investigation. If Sundance has a trained internal investigation team in place, the team may be used to investigate the incident. Sundance will cooperate fully with any investigation conducted by law enforcement or other regulatory agencies. It is Sundance's objective to conduct a fair and impartial investigation. Sundance provides notice that they have the option of placing the accused on leave of absence or on a re-assignment to a non-child contact area.

Sundance will make every reasonable effort to keep the matters involved in the allegation as confidential as possible while still allowing for a prompt and thorough investigation.

Anti-Retaliation Statement

Sundance prohibits retaliation made against any employee or volunteer who reports a good faith complaint of sexual abuse or who participates in any related investigation. Making false accusations of sexual abuse in bad faith can have serious consequences for those who are wrongly accused.

Sundance prohibits making false and/or malicious sexual abuse allegations, as well as deliberately providing false information during an investigation. Anyone who violates this rule is subject to disciplinary action, up to and including termination.

Hiring Procedures for Day Camp/Day Care Operations

At a minimum, the following procedures must be in place for employees and volunteers working with children in day camp or child care areas.

Hiring Practices and Screening

- Applications – All prospective staff members will complete an association application to work or volunteer that includes questions in the following areas: criminal conviction, past work history, education.
- The job description will include a statement that Sundance has a zero tolerance standard for abuse and inappropriate behavior by staff members. All job descriptions will be signed by the individual and maintained in their personnel file.
- Interviews – Prospective staff members will be interviewed by at least two separate staff members. All interviews will be documented on an association approved interview form that ensures consistency of questions asked. During all interviews the prospective staff member will be asked to read Sundance statement on abuse prevention and verify that they are in agreement with its purpose and that they will abide by its standards if hired.
- Social Security checks – This involves performing a social security address trace to identify all past addresses. A social security trace is a list from the social security administration of all addresses at which the individual has received a paycheck – it is not simply a verification of the social security number through various credit sources as is provided by many vendors.
- Criminal record checks – Sundance will conduct a search for criminal activity by any prospective staff member. This search may be through law enforcement agencies or through entities that provide such service and may include: examining local, county, state records throughout the entire country; and searching various registered sex offender lists.
- Reference checks – Sundance will contact at least three references for all prospective staff. At least one reference must be a close family member to the applicant. The reference's responses will be documented on an association-approved form that specifies questions for uniformity of evaluation.
- File documentation – All applications, reference checks, Criminal Record Checks and interview notes will be kept in the individual's personnel file that is maintained in the association's corporate Human Resources department. If the original must be housed at an off-site location because of licensing requirements, a full duplicate copy will be maintained at the corporate HR office.

Staff Expectations

- Reporting of suspicious behavior – resort staff are mandated to report any suspicion of child abuse to the jurisdiction having authority. Staff will report to their supervisor any indication of or warning signs concerning abuse involving a child. Staff who identifies suspicious behavior or a violation of policy by a fellow staff person should report the event to their supervisor immediately who will report to the General Manager.
- Being alone with children – At no time should staff be in a situation where they are alone with a child or children and cannot be observed by others. Sundance will make every attempt to design and structure its programs to eliminate the potential for a staff

member to be in a one-on-one situation. Resort staff members are not to have children enter closets or storage areas to retrieve equipment.

- Hugging and touching of children – Appropriate physical contact is important in the emotional development of all children and children at different developmental levels will need differing degrees of physical contact. Therefore, staff members should not perform frontal hugs of children – hugs should be from the side. The staff member should get down to the child’s physical level when possible. Staff should not touch children in any body location that would be covered by a bathing suit. Staff members should not pick-up school-aged children (to reduce potential for both abuse allegations and physical injury) and should not allow children to sit on their laps.
- Supervision standards – All children who are registered into programs will be supervised by resort staff at all times. This includes bathrooms, locker rooms and changing areas during day camp. At no time should one staff member have direct care of a single child. If a staff member becomes alone with a child, s/he should promptly move to a location where s/he can be observed by other resort staff members.

Program Operation

- Bathroom policy – Children who are participating in Resort programs are not to be sent to bathrooms without a resort staff member present. The buddy system or three children together are not acceptable practices and are not permitted at Sundance. For single stall bathrooms Sundance staff will be positioned outside of the bathroom to make sure no one else enters the restroom. At minimum, when multiple children are in the bathroom or locker room, staff members will be standing in the doorway so they can have at least auditory supervision of the children. Staff members can and are encouraged to be inside the facilities so they can be easily seen by the children and so they are able to immediately stop any inappropriate activity. This is best done with multiple staff members so individual staff are not subjected to unwarranted allegations.
- Protocols that address the variety of unusual circumstances possible during outdoor or off-site activities shall be established and made part of that program/activity’s operating guidelines.
- Staff will check all bathrooms immediately prior to use by the children and will be in the restroom (if not single stall) when being used by a child.

Photography

Publishing articles and photos in Resort newsletters, websites, local newspapers etc. is an excellent way of recognizing young people’s achievements and of promoting your organization and recreation as a whole. However, it is important to minimize the risk of anyone using images of children in an inappropriate way. Digital technology makes it easy to take, store, send, manipulate and publish images.

There are two key principles to bear in mind:

Before taking photos or video, obtain written consent from the child and their parents for their images to be taken and used:

- A consent form may be included with the event registration form
- Any photographer or member of the press or media attending an event should wear identification at all times and should be fully briefed in advance on your expectations regarding his/her behavior and the issues covered by these guidelines.
- Do not allow a photographer to have unsupervised access to young people at the event or to arrange photo sessions outside the event.
- Care must be taken in the storage of and access to images.

- When publishing images, make sure they are appropriate and that you do not include any information that might enable someone to contact the child.
- It is preferable to use a general shot showing participants, or a group shot without identifying them by name.
- If you are recognizing the achievement of an individual and wish to publish their name with their photo, DO NOT publish any other information (e.g. where they live, name of school, other hobbies and interests) that would enable someone to contact, befriend or start to 'groom' the child.
- Ensure that the young people pictured are suitably dressed, to reduce the risk of inappropriate use.
- The use of cameras or camera phones in changing areas should not be permitted in any circumstances. Such use by young people should be regarded as a form of bullying.

Websites and Social Media

When promoting Sundance and encouraging your members to interact through a website or social network such as Facebook, there are a few issues to bear in mind in relation to children and young people:

- follow the guidelines on the use of images of children (see Photography section above)
- ensure that the content and language on your site or page, including contributions to blogs, forums etc., is not inappropriate for younger visitors and does not link directly to unsuitable material on other sites
- provide a clear process for parents and others to report inappropriate content or online bullying and to request that content is removed have a robust procedure for handling and assessing such a report or request and acting promptly to remove the offending content.

ACKNOWLEDGING RECEIPT AND UNDERSTANDING OF SEXUAL ABUSE POLICY

I acknowledge that I have received and read the sexual abuse policy and/or have had it explained to me. I understand that Sundance will not tolerate any employee, volunteer, or third party who commits sexual abuse. Disciplinary actions will be taken against those who are found to have committed sexual abuse.

I understand: (1) that it is my responsibility to abide by all rules contained in this policy, (2) how to report incidents of sexual abuse as set forth in the abuse policy, (3) that I shall not retaliate against any employee/volunteer or other exercising his or her rights under this policy, (4) that I shall not make false and/or malicious sexual abuse allegations, or deliberately provide false information during an investigation, and (5) that violation of this policy can lead to disciplinary action by Sundance, up to and including termination of employment.