



## Breaking News – July, 2008

“A 20-year-old day care worker, previously charged with five felonies for molesting young girls in his care, now faces a new charge alleging that he sexually assaulted a 3-year-old girl at a different day care facility.

“[He] has pleaded not guilty to the other felony charges accusing him of touching children in his care at the YMCA last year. The incidents involve four girls who were between the ages of 6 to 8 at the time.

“[He] is accused of touching the children either on a bus or while seated on a loveseat during ‘chill time’, court documents state.”

In 2006, YMCAs across the country served more than 20 million clients; 9.4 million of those served were children under the age of 17. These kids - and the communities they live in - have access to amazing programs like swimming, child care, and summer camps. The success and sustainability of these programs depends entirely on the dedication and generosity of thousands of YMCA employees and volunteers. In fact, more than 560,000 people support the YMCA each year in what has become one of the nation’s largest volunteer programs.

To continue to build strong kids, strong families, and strong communities, an emphasis must be placed on training and screening all employees and volunteers. We recently observed some YMCAs have not completed reference and criminal background checks, even when the employee or volunteer may be working directly with programs for young children.

These general guidelines should be considered when evaluating all employees and volunteers 18 years old or older:

- Applications should clearly outline standards for ethical behavior and harassment policies.
- Work history, and any subsequent gaps in that history, should be thoroughly documented.
- Criminal Background Checks (CBCs) should be completed on all employees and volunteers, even those not working directly with young children.

The National Sex Offender Public Registry ([www.nsopr.gov](http://www.nsopr.gov)) is a free online resource that searches each state’s sex offender registry. Every applicant should be run through the system as a primary precaution.

CBCs, which are unique to all states, should be considered for the state in which an applicant has lived or worked for more than three (3) years.

Personal references should be checked and verified. Any relevant information obtained from these reference checks should be catalogued.



## Directions

Present these facts and scenarios to all YMCA employees in a formal Strength Training™ meeting. Encourage open discussion related to the various scenarios presented and develop a consensus on the best possible course of action. Several questions have been provided to help facilitate a meaningful and productive discussion. Be sure to emphasize the impact these meetings have on your YMCA's daily operations.

## Facts

- In 2006, YMCAs across the country served 9.4 million children under the age of 17.
- More than 560,000 volunteers support the YMCA each year.
- The YMCA is now one of the nation's largest volunteer programs.

## Scenarios

1

John, a 43-year-old real estate agent from Los Angeles, recently moved to your community. He's single and has no children. He's explained that he's interested in beginning a new career and feels the YMCA is a perfect fit. John mentions that he frequently spent time with his nieces and nephews back in California, and that he loves spending time with young kids. A preliminary criminal background check revealed that he's not been convicted of any felonies, but does have two speeding tickets.

- What red flags exist in this particular scenario?
- What functions may be best suited for John?
- What functions may not be well suited for John?
- What can you do personally to ensure no issues arise?

2

The Smith's, an active family of four, are interested in volunteering a few hours a week at your YMCA. They've been members for nearly five years and have been involved in various programs. Recently, however, both children have been reprimanded for being too rowdy in group activities. Criminal background checks on both parents revealed no criminal history.

- What red flags exist in this particular scenario?
- What volunteer functions may be best suited for the Smiths?
- What volunteer functions may not be well suited for the Smiths?
- What can you do personally to ensure no issues arise?

3

Jim and Mary, a retired couple from Texas, spend their summers in your community. They're not members of your YMCA, but are interested in volunteering throughout the summer. They are both avid and proficient swimmers and enjoy the outdoors. A criminal background check revealed that Jim's ex-wife filed a restraining order against him 14 years ago.

- What red flags exist in this particular scenario?
- What volunteer functions may be best suited for Jim and Mary?
- What volunteer functions may not be well suited for Jim and Mary?
- What can you do personally to ensure no issues arise?

# SAMPLE ETHICAL *behavior standards*



The YMCA is dedicated to building strong kids, strong families, and strong communities. In doing so, safeguards have been established to ensure that children will not be subject to physical, emotional, sexual, or verbal abuse or harassment.

## You will not:

1. Participate in sexual activity with any program participant whether consensual or nonconsensual.
2. Strike or otherwise physically restrain or restrict the movement of program participants unless essential for their safety and protection. You will notify your supervisor in the latter case.
3. Release any confidential information without a signed permission form.
4. Provide participants with any form of drugs, legal or illegal, unless authorized to do so.
5. Communicate with any children via email or other internet-based mediums (MySpace or Facebook).
6. Misrepresent your credentials and provide services you are not qualified or authorized to provide.
7. Care for children, other than family, who participate in YMCA programs or class activities outside of approved YMCA activities. (Babysitting, weekend trips, etc. are not approved.)
8. Be alone with a single child in an isolated situation where you cannot be observed by other staff, volunteers, and/or children. The only exception to this would be toileting or medical emergencies, in which case another staff person or volunteer should be notified.

Violations of the above will result in immediate suspension. Should the allegations be substantiated, disciplinary procedures will include, but not be restricted to, termination, or in the case of volunteers and interns, removal from the program.

## Sample Harassment Policy

The YMCA has a zero tolerance policy expressly forbidding any form of harassment of employees. The term “harassment” includes, but is not limited to slurs, jokes, and other verbal, graphic, or physical conduct which relate to an individual’s race, color, sex, religion, national origin, citizen, age, or handicap.

Harassment also includes sexual advances, requests for sexual favors, unwelcome or offensive touching, or other verbal, graphic, or physical conduct of a sexual nature. Violation of this policy is considered a major offense and may result in immediate termination of employment, or in the case of volunteers and interns, removal from the program.

Employees who feel they are being harassed in any way by another employee, member, volunteer, or vendor should inform their immediate supervisor or executive director. It is the employee’s responsibility to bring such concerns to their immediate supervisor or executive director. Any concerns will be handled immediately and confidentiality will be protected as much as possible.

I have read the above policy statement and understand its intent, its content, and the actions to be taken by the YMCA in cases of suspected harassment or violation of the YMCA’s ethical behavior standards.

\_\_\_\_\_  
Volunteer (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Volunteer Name (printed)

\_\_\_\_\_  
Position