



YMCA OF CENTRAL NEW MEXICO CHILD PROTECTION POLICY

OUR YMCA PROMOTES A SAFE ENVIRONMENT THAT IS FREE FROM ABUSE. NO FORM OF ABUSE WILL BE TOLERATED.

All allegations of abuse will be taken seriously and responded to in accordance with our Child Abuse Response Procedures. Any instances of confirmed abuse will result in immediate disciplinary action up to and including termination of employment or volunteer engagement and may also include reporting to the appropriate legal and reporting authorities, where necessary as mandated reporters. We will fully cooperate with authorities if allegations of abuse require investigation; staff and volunteers should also cooperate fully with any investigation of child abuse by assigned authorities. Refusal to cooperate can lead to termination of employment or expulsion from volunteering. Our YMCA and its staff will not retaliate against any staff, volunteer, participant or otherwise who makes a report or participates in an investigation of alleged child abuse.

I. CODE OF CONDUCT

The following are required expectations that all staff and volunteers should abide by at all times:

1. Staff/Volunteers will not abuse children in any way. *Refer to Section VIII for further description.*
2. The YMCA will not tolerate the mistreatment or abuse of one youth by another youth. *Refer to Section IV for further description.*
3. Under no circumstances will staff/volunteers release children in child programs to anyone other than the authorized parent, guardian, or other adult authorized by the parent or guardian (written parent authorization on file with the YMCA).
4. To protect YMCA staff, volunteers and youth, staff/volunteers are not to be alone with a single child where they cannot be observed by others.
5. Staff/Volunteers may not be alone with children they meet in YMCA programs outside of the YMCA. This includes babysitting, sleepovers, driving or riding in cars, and inviting children to their homes. Should a staff member/volunteer have a pre-existing relationship with a child in a YMCA program, that should be disclosed and documented with Human Resources or Risk Management, as appropriate.
6. Staff/Volunteers may not transport children in their own vehicles or allow youth participants old enough to drive to transport younger children in the program.
7. In situations where one-on-one interactions are approved, such as tutoring and private coaching sessions, staff and volunteers should observe the following policies to manage the risk of abuse or false allegations of abuse:
 - i. When meeting one-on-one with a youth, always do so in a public place where you are observable by others.
 - ii. Avoid physical interactions that can be misinterpreted. Limit physical interactions to pats on the shoulder, high-fives, and handshakes.
 - iii. If meeting in a room or office, leave the door open or move to an area that can be easily observed by others passing by.
 - iv. Document and immediately report any unusual incidents, including disclosures of abuse or maltreatment, behavior problems and how they were handled, injuries, or any interactions that might be misinterpreted.
 - v. Supervisors must keep a schedule of private tutoring and coaching sessions, which should include times, youth involved, and location of sessions.
 - vi. Staff/Volunteers must have supervisor approval for any tutoring or private coaching sessions.
 - vii. Tutoring and coaching sessions with our organization's youth may not occur outside of YMCA Facilities or programs.
8. Staff/Volunteers may not date program participants, volunteers or staff who are under the age of 18.
9. Staff/Volunteers will never leave a child unsupervised.
10. Restroom Supervision
 - i. Staff/Volunteers will make sure the restroom is not occupied before allowing children to use the facilities.
 - ii. Staff/volunteer will monitor the restroom area while it is being occupied by children.
 - iii. This policy allows privacy for the children and protection for the staff (not being alone with a child).
 - iv. When staff are needed to assist younger children with bathroom needs, doors to the facility must remain open. The "rule of three" will be followed (i.e. two children and one staff; two staff and one child; or a staff, child, and volunteer) at all times.
11. Staff/Volunteers will conduct or supervise private activities in pairs: diapering, putting on bathing suits, helping children with bathroom accidents, taking showers, and the like. When this is not feasible, staff shall position themselves so that they are visible to others. Staff should ensure that participants are not 1:1 with other participants, staff or volunteers in changing stalls or showers.
12. Staff/Volunteers will not give excessive gifts to or receive excessive gifts from youth (e.g., TV, video games, jewelry).
 - i. Small gifts may be given on behalf of the YMCA with approvals from a supervisor and the youth's family
 - ii. Small gifts given to staff/volunteers from youth, or their families are permitted if disclosed to a supervisor.
13. Staff/Volunteers should assess all children daily and take note of any fever, bumps, bruises, burns, and all symptoms or issues that are visible on a child. Questions or comments will be addressed to the parent or child in a non-threatening way. If a child states that the parent caused an injury, staff/volunteer will contact the program director immediately. Staff/Volunteers will document any questionable marks or responses.

14. Staff/Volunteers will respond to children in a respectful manner and consideration and treat all children equally, regardless of sex, race, religion, culture, economic level of the family, or disability. Discrimination on any basis will not be tolerated.
15. The YMCA prohibits the access, display, production, possession, or distribution of pornography and Child Sexual Abuse Materials on the YMCA's property or equipment or within any YMCA-associated Facilities, Programs, or events.
16. Staff/Volunteers are to report to a supervisor any observation or suspicion of another staff or volunteer in violation of these policies and/or other concerns related to potential abuse of minors. *Refer to Section II for further information.*
17. While assigned to work with youth, staff/volunteers are not permitted to use electronic communication devices except during approved breaks and emergency situations. Internet use, text messaging and/or emailing pictures while assigned to work with youth is strictly prohibited regardless of the type of device used and whether for business or personal reasons. Staff/Volunteers should ensure that friends and family members are aware of this policy and provide alternate means of reaching them.
18. There are occasions in which staff/volunteers will need to use approved personal or YMCA-issued electronic communication devices. In these cases, staff will have explicit policies and practices from supervisors governing use; staff should abide by all policies and practices for use. Situations which may require use of personal or YMCA-issued electronic communication devices include: (a) Field Trips, (b) Off-site Programs, and (c) Emergencies.
19. Staff/volunteers shall not withhold as punishment or require as punishment any physical activity, such as running laps and doing push-ups. Staff/volunteers shall also not withhold or require food/meals.
20. Staff/volunteers have never been adjudged liable for civil penalties or damages involving sexual or physical abuse of children.
21. Staff/volunteers have never been subject to any court order involving sexual or physical abuse of a minor, including but not limited to a domestic order or protection.
22. Staff/volunteers will immediately notify their supervisor or Human Resources Department if they are arrested or convicted of a crime while they are employed by the organization.

II. **BACKGROUND CHECKS**

YMCA staff/volunteers must satisfy the background check requirements put in place by the YMCA's Human Resources Department. The cost of the required background check will be covered by the YMCA.

All offers of employment at the YMCA are contingent upon clear results of a thorough background check. Background checks will be run on all final candidates and all employees (who are 18 years of age or older) annually, as deemed necessary.

Subsequent background checks will be run for the following scenarios:

- Any break in employment/volunteering that is more than 6 months.
- Any active staff who turned 18 years old in the previous year.
- Background checks will be run every year for staff who have been continuously employed with the YMCA.
- Background checks will be run every 2 years for volunteers who have been continuously volunteering with the YMCA.

If an employee's responsibilities include driving YMCA-owned vehicles or transporting minors participating in any YMCA programs, a mandatory driver's license background check or MVR will be performed annually.

III. **BOUNDARY OR POLICY VIOLATIONS**

A boundary violation is the act of disregarding or disrespecting the limits set by a person or group, or in our case, the Y. These limits can be physical, emotional, or informational. Boundary violations can be intentional or unintentional, but they ultimately cause discomfort or harm to the other person. Boundary and policy violations are common among those that abuse children. They can be innocent in intent but can also be early warning signals that a potential abuser is laying the groundwork for abuse in the future, also known as grooming. Look for the following – or similar – Boundary or Policy Violations:

- Goes above and beyond the call of duty to spend extra time with kids.
- Observed one-on-one with minors and outside of the visibility of other staff or participants.
- Breaks the Y's established rules and doesn't follow policy or program operating procedures like allowing unsafe, overly rough, or inappropriate games like Hide & Seek, Red Rover, or Truth or Dare.
- Discourages other adults from participating in or monitoring his or her activities with children.
- Communicates privately with children via email messages, instant messages, texting, or social networking sites such as TikTok, Instagram or Snapchat.
- Observed using physical touch in an aggressive, overly responsive manner or with anger to engage a minor.
- Observed using physical touch in a seemingly romantic manner with a minor or touching areas on a minor that would be covered by a bathing suit.
- Taking, sending, or posting personal photos or video of children – any photos or videos should be with permission from parent or guardian and must be on YMCA approved camera.
- Allowing or assigning participants to take staff roles/responsibilities (wearing a nametag or staff shirt, or controlling the walkie-talkie, etc.)
- Staff dating youth program participants regardless of staff/participant ages; this is an imbalance of power and prohibited.
- Exclusive relationships of any kind, including singling out one child/friend for different treatment (i.e. gift giving, special treatment, isolated situations or interactions) or acting possessive of a particular child may be seen as "choosing favorites." Spends too much time with a child or is overly involved in the child's private life.
- Encourages children to break or "stretch" rules.
- Gives special gifts, especially without permission or in secret.
- Treats children as if they were peers (uses inappropriate language or swears, tells off-color jokes, talks to kids about details of their personal lives).

- Asking that a secret be kept, or having interactions that are secret.
- Threatens or intimidates a child.

If you observe any of these or other inappropriate behaviors, you should:

1. **Interrupt** and stop the behaviors through direct or indirect intervention
2. **Report** what you witnessed to your supervisor immediately
3. You are required to **document** your observations and response in the form of an incident report, according to the YMCA Incident Reporting Guidelines, within 24 hours of the incident/observation
4. **Cooperate** in any additional steps outlined by leadership staff, Human Resources, or Risk Management

Once a staff member, volunteer, youth or parent has expressed a concern or made an allegation, swift and determined action will be taken to reduce any subsequent risk to the youth, to the accused staff member or volunteer, and to the organization. Because our organization is dedicated to maintaining zero-tolerance¹ for abuse, it is imperative that every staff member or volunteer actively participates in the protection of youth.

IV. **PEER-TO-PEER MISCONDUCT: BULLYING & SEXUALIZED BEHAVIOR**

We have a policy of zero-tolerance for peer-to-peer misconduct be it bullying, sexualized behavior or otherwise; we will take the necessary steps to eliminate such behaviors.

Peer-to-Peer Misconduct is harmful conduct by one child towards another child. Peer-to-Peer Misconduct can take on various forms, including:

1. Physical Misconduct – when one person engages in physical force against another person, such as by hitting, punching, pushing, kicking, pinching, or restraining another.
2. Verbal Misconduct – when someone uses their words to hurt another, such as by belittling or calling another hurtful names.
3. Nonverbal or relational Misconduct – when one person manipulates a relationship or desired relationship to harm another person. This includes social exclusion, friendship manipulation, or gossip. This type of misconduct also includes intimidating another person by using gestures.
4. Cyberbullying – the intentional and overt act of aggression toward another person by way of any technological tool, such as email, instant messages, text messages, digital pictures or images, or website postings (including blogs). Cyberbullying can involve: (a) sending mean, vulgar, or threatening messages or images, (b) posting sensitive, private information about another person, (c) pretending to be someone else in order to make that person look bad, or (d) intentionally excluding someone from an online group.
5. Hazing – an activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers that person regardless of that person's willingness to participate.
6. Sexualized Behavior – when bullying involves behaviors that are sexual in nature. Examples of sexualized bullying behaviors include sexting, bullying that involves exposure of, attempt to touch, or touching of private body parts, and verbal bullying involving sexualized language or innuendos.

Y staff and volunteers who witness incidents of misconduct and do not intervene or respond are not upholding the standards of conduct expected at the YMCA.

V. **BEHAVIOR GUIDANCE**

1. Staff/Volunteers must use positive techniques of guidance, including redirection, positive reinforcement, and encouragement rather than competition, comparison, and criticism.
2. Staff/Volunteers will have age-appropriate expectations and set up guidelines and environments that minimize the need for discipline.
3. Physical restraint is used only in predetermined situations (when necessary to protect the child or other children from harm), administered only in a prescribed manner by authorized staff, and must be documented in writing post incident.

VI. **DEFINING APPROPRIATE AND INAPPROPRIATE PHYSICAL CONTACT**

The YMCA encourages appropriate physical contact with youth and prohibits inappropriate displays of physical contact. Any inappropriate physical contact by staff or volunteers towards youth in YMCA programs will result in disciplinary action, up to and including termination of employment/volunteer experience.

1. Staff/Volunteers will respect children's rights not to be touched or looked at in ways that make them feel uncomfortable, and their right to say no. Other than diapering, children are not to be touched on areas of their bodies that would be covered by a bathing suit.
2. Staff/Volunteers will refrain from intimate displays of affection in the presence of children, parents, and other staff/volunteers.

¹ It is the position of the YMCA that we will not interpret a person's intent or motivation, and will therefore, respond to all boundary and policy violations uniformly. We will not interpret the intent of a behavior/actions/report but pass on all observed actions and/or reports to the appropriate authorities.

- Examples of appropriate and inappropriate physical interactions are:

Appropriate Physical Interactions	Inappropriate Physical Interactions
- Side hugs - Shoulder-to-shoulder hugs - Pats on the shoulder or back - Handshakes, fist bumps, high-fives and hand slaps - Pats on the head when culturally appropriate - Touching hands, shoulders, and arms - Side arm around shoulders - Holding hands (with young children in escorting situations)	- Full-frontal hugs - Kisses - Showing affection in isolated area - Lap sitting - Wrestling - Piggyback/shoulder rides - Tickling - Allowing a youth to cling to an employee's or volunteer's leg - Any type of massage given by or to a youth - Any form of affection that is unwanted. - Compliments relating to physique or body development. - Touching any areas that would be covered by a bathing suit.

VII. DEFINING APPROPRIATE AND INAPPROPRIATE VERBAL INTERACTIONS

- Staff and volunteers are prohibited from speaking to youth in a way that is, or could be construed by any observer, as harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning, harassing, or humiliating.
- Staff and volunteers must not initiate sexually oriented conversations with youth, parents, staff, or volunteers. Staff and volunteers are not permitted to discuss their own sexual activities, intimate details of one's personal life in the presence of children, parents, volunteers, or staff.
- Examples of appropriate and inappropriate verbal interactions are:

Appropriate Verbal Interactions	Inappropriate Verbal Interactions
- Positive reinforcement - Silly, age-appropriate jokes - Encouragement - Verbal praise	- Name-calling - Jokes that are of a sexual, vulgar, demeaning, or crude nature or are otherwise not suitable for youth. - Discussing sexual encounters or in any way involving youth in the personal problems or issues of staff and volunteers - Secrets - Cursing/profanity - Off-color or sexual jokes - Shaming - Belittling - Derogatory remarks - Harsh language that may frighten, threaten or humiliate youth - Derogatory remarks about the youth or his/her family

VIII. GOVERNING ELECTRONIC COMMUNICATION BETWEEN STAFF AND YOUTH

- For the protection of YMCA youth, staff, and volunteers, any private electronic communication between staff and youth, including the use of social networking websites like - Facebook, Instagram, Snapchat, direct messaging, texting, etc. - is prohibited except when directed to do so by a supervisor to conduct official business on behalf of the YMCA. Use of personal electronic communication devices or accounts to contact (via voice, text, or pictures/video) youth for personal and/or inappropriate reasons shall be grounds for discipline up to and including termination of employment/volunteer experience.
- All communication between staff and youth must be transparent. Provide this information to your participants' parents so that they know what is appropriate and inappropriate from your staff.

3. The following are examples of appropriate and inappropriate electronic communication:

Appropriate Electronic Communication	Inappropriate Electronic Communication
• Sending and replying to emails and text messages from youth ONLY when copying in a supervisor or the youth's parent • Communicating publicly with youth via "organization group pages" on Facebook or other approved public forums • "Private" profiles for staff and volunteers which youth cannot access	• Harsh, coercive, threatening, intimidating, shaming, derogatory, demeaning or humiliating comments • Sexually oriented conversations • Private messages between staff and volunteers with youth • Posting pictures of organization participants on social media sites • Posting inappropriate comments on pictures • "Friending" or "Following" participants on social networking sites • Allowing participants to "Follow" staff's personal, public or private accounts on social networking sites • Taking or sharing pictures of participants • Video game play outside of scheduled program times (e.g., E-Sports programs at the Y) or use of video game chats or other communication forums between staff and youth.

IX. CHILD ABUSE RESPONSE PROCEDURE

Every staff member and volunteer, as a mandated reporter, has a legal and ethical duty to report any reasonable suspicion of child abuse, molestation, neglect, or sexual misconduct to their local Child Protection Agency. Reasonable suspicion means that it is understandable for a person to entertain the impression, drawing when appropriate on their training and experience, that abuse may have occurred. The Child Protection Agency will determine the validity of the report.

Types of abuse:

- Physical - An injury or pattern of injuries that happens to a child that is not accidental. These may include burns, bruises, bites, welts, broken bones, strangulation or even death. Some examples of physical abuse include striking, spanking, shaking, or slapping.
- Neglect - Neglect occurs when adults responsible for the well-being of a child fail to provide for or protect the child. Neglect may include not giving food, clothing, or shelter; failing to keep children clean; lack of supervision; and withholding medical care.
- Emotional - Any chronic and persistent act by an adult that endangers the mental health or emotional development of a child, including rejection, ignoring, terrorizing, corrupting, shaming, withholding kindness, being cruel, humiliating, degrading, threatening, constant criticism, making mean remarks, insulting and giving little or no love, guidance or support.
- Sexual - Sexual abuse is the sexual assault or sexual exploitation of children. Sexual abuse may consist of numerous acts over a long period or a single incident. Sexual abuse includes but is not limited to rape, incest, sodomy, fondling, exposing oneself, oral copulation, and penetration of genital or anal openings as well as forcing children to view or appear in pornography. The perpetrator keeps the child from disclosing through intimidation, threats or rewards.

In the event that there is a suspicion of abuse in any form (physical, neglect, emotional, or sexual) with a child at the YMCA or participant in one of our programs, the YMCA will take immediate action as follows:

1. If a staff member or volunteer **observes** an incident of abuse, the staff/volunteer is to immediately **interrupt** and then **report** it to their supervisor and directly to the appropriate Child Protection Agency for the county the child lives in. ***If you feel the child is in immediate danger, call 911 to involve law enforcement.***
2. If a staff member or volunteer **suspects** abuse or if abuse is **disclosed** to them, the staff/volunteer is to immediately **report** it to their supervisor and directly to the appropriate Child Protection Agency for the county the child lives in. ***If you feel the child is in immediate danger, call 911 to involve law enforcement.***
3. Staff should immediately **document** their observations, the allegation, or disclosure of the abuse and necessary details in writing. If multiple staff were present or involved each staff member should independently document their staff statement and independently share it with their supervisor before discussing the incident with each other. The supervisor should reinforce the importance of confidentiality for the safety of all involved and the incident/allegation/disclosure should not be shared with anyone outside of the supervisor or the Child Protection Agency and/or law enforcement as assigned.
4. All reports of inappropriate behavior with youth or allegations of abuse should be taken seriously. Our organization will fully **cooperate** with the authorities if allegations of abuse are made and investigated. All staff and volunteers should fully cooperate with any investigation of child abuse by assigned authorities. Refusal to cooperate can lead to termination of employment or expulsion from volunteering.
5. Before reporting to the Child Protection Agency, gather the following information:
 - Child's name and date of birth
 - Parent's name and date of birth (if accessible)
 - Does the child live with both parents?
 - Home address and telephone number
 - Total number of children who live in the home (if accessible)
 - Parents' employers (if accessible)
 - Do we feel the child is in immediate danger?
6. If any staff member or volunteer is named as a suspect in an incident of abuse, YMCA leadership will immediately

remove the staff member from their duties, ask them to document their statement, and suspend their employment and/or volunteer responsibilities immediately during the investigation process. Human Resources should be contacted to determine appropriate terms of the suspension (length, paid/unpaid, alternative work, etc.).

7. When a situation involves a YMCA staff or volunteer- the YMCA should self-report to the appropriate Child Protection Agency and the State Childcare Licensing Agency, if applicable.
8. The supervisor will contact their next level supervisor or administrator and/or the Risk Management Department to inform of the concern. As necessary, these leaders help guide staff in reporting to the appropriate Child Protection Agency in the county which the child lives. For example, the YMCA the child is attending is in Bernalillo County, however, the child lives in Santa Fe County, therefore we would need to contact Santa Fe County to make the report.
9. The supervisor will follow up with staff involved. If you have not heard from your supervisor within 24 hours about the action that has been taken, contact the Child Protection Agency or Risk Management directly.
10. Contact Risk Management with any questions or issues related to abuse prevention or response.

X. CONTACT NUMBER FOR REPORTING ALLEGATIONS, DISCLOSED OR SUSPECTED ABUSE:

New Mexico Child Protective Services	1-855-333-SAFE (7233)
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XI. YMCA REPORTING

All members of the YMCA community are encouraged to participate in the protection of children in all YMCA programs. If you have a grievance, would like to make a report, or would like to ask a question or obtain more information, please contact our YMCA KNOW. SEE. RESPOND Hotline. Call the YMCA KNOW. SEE. RESPOND. Hotline if you have concerns about the safety of anyone in our YMCA Facilities or Programs: (720) 617-7201.

XII. ALLEGATIONS OF ABUSE AND COOPERATION WITH AUTHORITIES

The YMCA has a zero-tolerance policy for abuse. Therefore, all reports of suspicious or inappropriate behavior with youths or allegations of abuse will be taken seriously. The YMCA will fully cooperate with authorities if allegations of abuse are made and investigated. All staff and volunteers should fully cooperate with any investigation of child abuse by assigned authorities. Refusal to cooperate can lead to termination of employment or expulsion from volunteering. Our YMCA and its staff will not retaliate against any staff, volunteer, participant or otherwise who makes a report or participates in an investigation of alleged child abuse.

XIII. PROTECTION OF REPORTING PARTIES

New Mexico state law provides that anyone making a "good faith" report is immune from civil liability and criminal penalty. Furthermore, regarding the terms and conditions of YMCA employment, volunteering or program participation, YMCA policy prohibits retaliation against anyone who makes a good faith report of abuse or neglect in accordance with state mandated reporting requirements.

XIV. INVESTIGATION STATEMENT

The YMCA cooperates fully with the authorities to investigate all cases of alleged abuse. Any staff or volunteer shall cooperate to the fullest extent possible in any external investigation by outside authorities or internal investigation conducted by the organization or persons given investigative authority by the organization. Failure to cooperate fully may be grounds for termination.

ACKNOWLEDGEMENT

I have read and fully understand that I have a legal and ethical duty to report suspected mistreatment or abuse of youth, as a mandated reporter. No type of abuse will be tolerated and may be cause for immediate termination. We are committed to providing all youth with a safe environment.

I also fully understand and agree to comply with the YMCA Child Protection Policy. I understand that any violation of the Child Protection Policy may result in immediate termination of employment/volunteer experience.

I understand I am expected to participate in the annual acknowledgment of this policy and its changes, as well as annual Child Abuse Prevention training. I agree to complete all required Child Abuse Prevention Training prior to my first day of work and annually thereafter.

I acknowledge that I have never been convicted of any violent criminal acts, crimes involving children, or had my parental rights terminated due to situations involving abuse as outlined in this document. I additionally acknowledge that I do not have a history of complaints of abuse of a minor against me, have never resigned, been terminated, or been asked to resign from a position due to complaints of sexual abuse of a minor, and I did not falsify or omit any information during my hiring process regarding my history related to child abuse. I understand that I am bound by my agreement to this document to report to my supervisor or Human Resources if I am arrested or am the subject of any criminal proceeding during my employment with the YMCA.

Employee/Volunteer Signature

Print Name

Date

The YMCA annually reviews all youth abuse prevention policies and reporting guidelines for relevance, utility and necessity and modifies or rescinds as appropriate.