

FSAS Child Sexual Abuse Prevention Policy

INTRODUCTION

Purpose

Child sexual abuse (“CSA”) has a significant impact on the well-being of many of Maine’s children. The Board of Fiddlehead School of Arts & Sciences (“FSAS”) is committed to implementing best practices to prevent and respond to child sexual abuse, and to ensure that all children attend a school that is a safe and secure learning environment. As CSA prevention education has been found to be effective in helping to prevent abuse, and in compliance with State Law LD 1180 (signed into law in 2015 and updated 2018), the FSAS Child Sexual Abuse Prevention Policy addresses the prevention, response and reporting of child sexual abuse within the school setting (20-A MRS §254, sub-§18). The policy herein is consistent with 20-A MRS §4502, sub-§5-C.

Scope

This policy covers required actions that apply to the school community, including school personnel, students, volunteers, and afterschool program workers employed by FSAS.

Policy Definitions

Child Sexual Abuse: All sexual engagement either through hands-on or hands-off activities between an adult and a child is sexual abuse. Sexual engagement between children also can be sexual abuse when there is a significant age difference between the children or if the children are very different in development, size or other power differential. More specifically, Child Sexual Abuse is defined as employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or assist any other person to engage in, any sexually explicit conduct or any simulation of such conduct for the purpose of producing any visual depiction of such conduct: or rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children.

Evidence-Informed Practice or Program: Programs that use the best available knowledge and research to guide program design and implementation; the program has clearly identified intended outcomes and conducts evaluations to measure those outcomes.

Qualified Instructor: An individual who has the knowledge, skills and comfort level necessary to professionally address child sexual abuse prevention education, aligned to research and best practices. A qualified instructor may be school personnel or from a community-based organization.

School Personnel: Any individual required to be certified, authorized or approved by the Department of Education under Chapter 501 or 502 of Title 20-A.

Policy Components

This policy will outline the following six components and procedures for FSAS in educating school personnel, students and volunteers on the actions and resources to help prevent and respond to child sexual abuse and to promote student well-being and resiliency:

Prevention

1. The development and maintenance of a functional school HEALTH & CRISIS RESPONSE TEAM with identification of clinical resources and administrative tools to support prevention;
2. The development and implementation of CSA prevention protocols and reviewing reporting procedures for schools and school personnel;
3. Child sexual abuse awareness training for all school personnel is required (inclusion of regular school volunteers in this training is recommended);
Prevention education for grades Pre-K – 5 with qualified instructor (as required by cited law) and grades beyond to meet the needs of students in all grades offered by FSAS;

Intervention/Response & Resources

4. Procedures for reporting suspected or disclosed child sexual abuse.
5. Resources and services for victims and non-offending family members, as well as for school personnel that work with youth who are victims of child sexual abuse.

PREVENTION

Health & Crisis Response Team

A school HEALTH & CRISIS RESPONSE TEAM shall be appointed annually by the Executive Director of FSAS at the start of the school year, and members will include the Executive Director, Coordinator of Teaching and Learning, School Counselor/Social Worker, School Nurse/Acting School Nurse and others based on their area of expertise, which may include community professionals, as deemed appropriate. These professionals have been specifically trained in crisis preparedness and response and will take the leadership role in developing child sexual abuse prevention plans, ensuring school personnel know the warning signs of child sexual abuse, school protocol, and Mandated Reporter requirements for child sexual abuse.

Basic Staff Training/Professional Development

- All school personnel including administrators, teachers, bus drivers, anyone who is employed contractually, part-time or full-time at FSAS are required to complete a minimum of 1-hour in-service child sexual abuse prevention training every 4 years pursuant to 22 MRS §4011-A, sub §9 (which is in addition to Mandated Reporter Training);
- All new school personnel must complete the minimum of 1-hour in-service child sexual abuse prevention training within 6 months of hire;
- It is recommended that individuals who volunteer within the school on a regular basis also receive this 1-hour in-service training as well;
- This minimum of 1-hour in-service training must be delivered by a qualified instructor(s) and the content must be evidence informed.

The Content of this Basic Child Sexual Abuse Prevention Training will:

- Increase awareness of developmentally appropriate and inappropriate sexual behaviors in children;
- Increase ability to identify indicators of sexual abuse, including physical and psychosocial indicators on a spectrum (including lower to higher probability);
- Increase ability to effectively respond to sexual behavior or disclosures or suspicions of child sexual abuse;
- Include current information about school, community, and state resources for help, including the local sexual abuse and sexual assault support center.

Child Sexual Abuse Prevention Education & Curricula

Age-appropriate child sexual abuse prevention for education curriculum programs shall be:

1. Delivered by qualified instructors;
2. Part of the written comprehensive school health education curriculum;
3. Aligned to the Maine Learning Results Health Education Standards for grades Pre-K through 5 (pursuant to 20-A MRS §6209);
4. Follow an appropriate scope and sequence.

In addition, the classroom curriculum will be consistent with evidence-informed, age-appropriate child sexual abuse prevention education for students and include the following:

Grades PreK-5: Child Protection Units (CPU) and health curricula:

1. Age-appropriate education regarding physical and personal boundaries, including biologically accurate body terminology;
2. Helps children identify unsafe or uncomfortable situations including a range of feelings, touches or violations of physical boundaries;
3. Helps children identify safe adults with whom they could discuss unsafe or uncomfortable situations;

4. Helps children identify and develop skills to support a friend who may be experiencing unsafe or uncomfortable situations.

Grades 6-8: continuation of CPU and health curricula with more in-depth information on the human body and mental health, along with help-seeking strategies, cyber-safety, and additional resources for help.

Additional Programming: the HEALTH & CRISIS RESPONSE TEAM will consider the annual coordination of a Community Resource and Prevention Night with information tables and/or speakers on health topics which could include: suicide warning signs and prevention, self-injury, internet safety, child abuse & neglect prevention, and child sexual abuse prevention, etc.

Policy Distribution

This policy shall be distributed annually to school personnel and be included in the Fiddlehead School Employee Manual.

INTERVENTION/RESPONSE

Warning Signs in Children and Adolescents of Possible Child Sexual Abuse

While the following warning signs can also sometimes emerge at other times of stress in a child's life--such as during a divorce, death of family member or other anxiety-inducing or traumatic events--the presence of several of these warning signs together may guide school personnel in considering to seek help for the child:

Warning signs more typical of younger children:

- An older child behaving like a younger child (such as bed-wetting or thumb sucking);
- Has new words for private body parts;
- Resists removing clothes during appropriate times (bath, bed, toileting, diapering);
- Asks other children to behave sexually or play sexual games;
- Mimics adult-like sexual behaviors with toys or stuffed animals;
- Wetting and soiling accidents unrelated to toilet training.

Warning signs more typical in adolescents:

- Self-injury (cutting, burning);
- Inadequate personal hygiene;
- Drug and alcohol abuse;
- Sexual promiscuity;
- Running away from home;
- Depression, anxiety;
- Suicide attempts;
- Fear of intimacy or closeness;
- Compulsive eating or dieting.

Physical warning signs of sexual abuse are considered rare, but can include pain, discoloration, bleeding or discharges in genitals, anus or mouth.

CSA Reporting Procedures

Mandatory Reporting of Child Sexual Abuse

Mandatory Reporters

Maine law (22 M.R.S.A. section 4011 et. seq.) requires that certain school employees such as teachers, administrators and coaches, who are acting in a professional capacity and who have reason to suspect that a child has been or is likely to be abused (including CSA) or neglected must immediately notify the Executive Director or their designee. The designee shall immediately notify the Executive Director of any such report and they will determine whether there is reasonable cause to suspect the child has been or is likely to be abused or neglected.

If such a determination is made, the Department of Health and Human Services will be immediately notified by telephone. Maine law also requires immediate telephone notification of the District Attorney's ("DA") office in situations where the person suspected of abuse or neglect is "NOT responsible" for the child's health or welfare. (The law makes a distinction between abuse or neglect by a person who is responsible for the child's welfare such as a parent or guardian and one who is not, such as a teacher.) The child's parent(s) or guardian will also be notified unless they are under suspicion or FSAS is advised otherwise by DHHS or the DA. If the person suspected of committing the abuse or neglect is an employee of FSAS there are additional policies and procedures that apply set forth below.

Other Reporters

Other FSAS employees, volunteers, and interns, are required as a matter of school policy to report suspicions of child abuse (including CSA) or neglect of a FSAS student to the school counselor, the Executive Director or their designee. Other individuals affiliated with FSAS (parents, alums, friends) who have suspicions of child abuse (including CSA) or neglect of a FSAS student are strongly encouraged to report as provided in this section.

Any individuals associated with the school who are not mandated reporters, but who know of or suspect child sexual abuse are encouraged to also make a report directly to DHHS or the DA. If such a report is made the employee must so notify the School and complete any additional reports as the School requires. Phone numbers for DHHS and the Cumberland County DA's Office are listed below.

It is important to note that individuals suspecting or knowing of child sexual abuse should NOT ask additional questions or engage in interviewing techniques with the child, and should limit written documentation to the information required by 22 MRS §4012.

Procedures on Reporting

To report suspected child abuse, neglect or sexual abuse, or to seek assistance in complying with this policy an employee should contact the school counselor, the Executive Director or their designee. Employees who,

for any reason, are unable to report suspected abuse or neglect to one of these individuals may contact the Maine State Department of Human Services.

Failure to comply with state law and/or school policies

Failure by a mandated employee reporter to comply with state laws and/or the School's policies and procedures regarding reporting of child abuse and neglect may subject the employee to disciplinary action or, in some cases, civil liability.

Good Faith Defense

Acts of reprisal or retaliation against any person who reports an incident of child sexual abuse are prohibited.

In accordance with Maine law, any person acting in good faith in reporting suspected abuse or neglect or participating in a related child protection investigation or proceedings will be protected from any criminal or civil liability for the act of reporting or participating in the investigation or proceedings.

Contents of Report

The report to DHHS or the DA should include the following information if within the knowledge of the person reporting:

- The name and address of the child and the persons responsible for the child's care or custody;*
- the child's age and sex;*
- the nature and extent of abuse or neglect, including sexual abuse or exploitation and including a description of injuries and any explanations given for them;*
- family composition and evidence of prior abuse or neglect of the child or the child's siblings;*
- the source of the report, the person making the report, their occupation and where they can be contacted;*
- the actions taken by the reporting source, including a description of photographs or x-rays taken; and*
- any other information that the person making the report believes may be helpful.*

Multiple In-school Reports

In the event that there are multiple in-school reports on one child, the Executive Director will bring such reports to the attention of DHHS and the DA, if necessary, in accordance with the requirements for confidentiality and access to records.

Cooperation with DHHS.

FSAS will cooperate with officials of DHHS, the police or the DA's Office investigating allegations of child abuse or neglect and FSAS staff will provide pertinent information and personal observations as requested. FSAS may interview a child without prior notification of the parent or guardian when they have reasonable grounds to believe that prior notice would increase the threat of serious harm to the child or another person. DHHS may conduct one initial interview with a child without prior notification when the child contacts DHHS or when a person providing services to the child puts the child into contact with DHHS. The

interview may take place at FSAS and FSAS shall permit DHHS to meet with and interview the child during school hours, if necessary.

Suspicion of child abuse by a FSAS employee, volunteer, or intern.

In addition to other reporting requirements, any person who suspects or is aware of an incident of child abuse or neglect committed by a FSAS employee, volunteer or intern must immediately report this information to the Executive Director or, if the allegation is against the Executive Director, to the President of the Board of Trustees. In addition to any actions that may be taken by DHHS or the DA's office the following provisions will apply unless the School is directed otherwise by either agency:

No Student Contact

Upon receiving the initial report, the employee, volunteer or intern against whom an allegation is made will be immediately instructed that they may not have any contact with the child at issue and may be prohibited from contact with all students. If a determination is made that there is reasonable cause to suspect that such person has abused or neglected the child, FSAS will, in addition to following the reporting procedures for mandated reporters, place the employee on paid leave until after a determination is made as to whether the allegations are substantiated. Services of volunteers or interns may be suspended or terminated.

Investigation

The Executive Director or President of the Board of Trustees, if the allegation is against the Executive Director, will appoint an investigator to conduct an internal investigation into the allegations, if necessary, to determine the facts.

Confidentiality

The School will make every effort to keep initial allegations of child abuse and neglect against an employee, volunteer or intern confidential pending the investigation and to the extent allowed by law. FSAS expects that the individual accused of child abuse or neglect will do likewise. Confidentiality is important to ensure an objective investigation, to protect the privacy of the child and to protect those people against whom an erroneous allegation has been made.

Investigative Findings and Decision

At the conclusion of the investigation, the investigator will report their findings to the Executive Director who will determine the appropriate actions, if any, including whether additional investigation is warranted.

Substantiated allegations

If not already reported to DHHS and/or the DA's office, substantiated allegations will be reported to the appropriate state agency and will result in disciplinary action which may include but is not limited to suspension without pay or termination and a report will be placed in the employee's personnel file. The individual may also be subject to prosecution or further action by the State. The Executive Director

will report directly to the President of the Board of Trustees regarding the outcome of each case where the allegations are substantiated.

Unsubstantiated allegations

Unsubstantiated allegations will also be documented. All such records and information will remain confidential and in the custody of the Executive Director or President of the Board of Trustees, if the allegation is against the Executive Director. FSAS may use such information if further allegations are made against the employee but will not otherwise release it except upon the express written authorization of the employee, pursuant to a court order or as otherwise required by law.

Confidentiality and access to records

To the extent allowed by law, the highest degree of confidentiality will be maintained for reported cases of child abuse or neglect to protect all parties. In addition to the above requirements for records and information of allegations against FSAS employees, copies of relevant reports will be placed in a separate confidential student file in the custody of the Executive Director and not in the student's permanent record.

POSTVENTION

Student Re-Entry Procedures

Schools may have additional legal obligations under Title IX of the Education Amendments of 1972 to ensure that the abuse does not impact the child's ability to access any educational program or activity receiving federal financial assistance. FSAS does not discriminate on the basis of sex in the educational programs and activities it operates, and is required by Title IX not to discriminate in such a manner. If a re-entry plan is needed, the Executive Director or another designee, such as the Coordinator of Teaching and Learning, shall meet with the student's parent(s)/guardian(s), and if appropriate, include the student to discuss any educational accommodations. Any necessary accommodations shall be discussed and documented.

RESOURCES & SERVICES

Children's Safety Partnership	www.childrenssafetypartnership.org
Domestic Violence Hotline	tele: 1-866-834-HELP (4357)
Emergency 911	tele: 911
Maine 211 (resource line)	tele: 211
Maine Coalition Against Sexual Assault	www.mecasa.org
Maine Crisis Hotline	tele: 1-888-568-1112

ME Department of Education www.maine.gov/doe/healthed/areas/index.html

Maine Department of Health and Human Services tele: 1-800-452-1999
Office of Child & Family Services

Cumberland County District Attorney's Office tele; 1-207-443-5104

National Suicide Prevention Hotline tele: 1-800-273-8255
www.suicidepreventionlifeline.org

Sexual Assault Crisis & Support Line tele: 1-800-871-7741

Sexual Assault Response Services of Southern Maine (SARSSM)
for Cumberland County www.sarssm.org

The Trevor Lifeline for LGBTQ Youth tele: 1-866-488-7386
www.thetrevorproject.org

PREVENTION EDUCATION RESOURCES

Maine Department of Education, Health Education website
www.maine.gov/doe/healthed/areas/index.html.

Maine Coalition Against Sexual Assault
www.mecasa.org

Second Step curriculum
<https://www.secondstep.org/child-protection>

Sexual Assault Response Services of Southern Maine (SARSSM)
for Cumberland County
www.sarssm.org

Stop It Now!
www.stopitnow.org

REFERENCES

LD1180 (6/30/2015): "An Act To Require Education in Public Preschool Programs and Elementary Schools Regarding Child Sexual Abuse. "...a school administrative unit that operates a public preschool program or an elementary school shall adopt a written local policy for child

sexual abuse prevention education and response that is consistent with the model policy developed by the commissioner...” In a 2/6/2018 statement, Maine DOE released that “SAUs are expected to develop the policy on or before the beginning of the 2018-19 school year.”

www.mainedoews.net/2018/02/06/child-sexual-abuse-prevention-education-and-reponse-model-policy/

https://www.maine.gov/doe/sites/maine.gov.doe/files/inline-files/Model_Policy_for_CSA_Prevention.pdf

Children’s Safety Network YouTube Training Video

<https://www.youtube.com/watch?v=NfGnLW7AF5M&feature=youtu.be>

https://www.childrensafetypartnership.org/uploads/4/4/3/6/44365787/csa_policy_implementation_guide_for_web.pdf

Stop It Now!

www.stopitnow.org

Resources related to mandatory reporting of child sexual abuse can be found at the Maine Department of Health and Human Services Office of Child and Family Services

<http://www.maine.gov/dhhs/ccfs/mandated-reporters.shtml>

Approved: 9.02.2020