

CODE OF CONDUCT FOR YOUTH ORGANIZATIONS:

A Child Sexual Abuse Prevention Guide

Enough Abuse Campaign
www.enoughabuse.org

Updated 2025

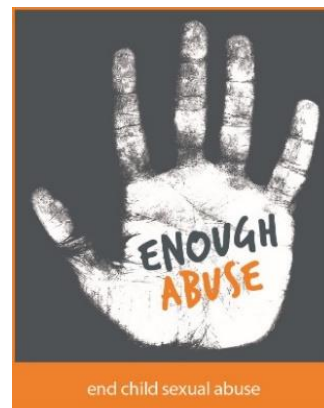


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INTRODUCTION

This Child Sexual Abuse Prevention Policy Guide is intended to support youth-serving organizations (YSOs) seeking to enhance their current Code of Conduct or to adopt new policies to prevent child sexual abuse and sexual misconduct in their programs.

Youth-serving organizations, whether providing educational enrichment programs, youth development opportunities, or organized recreational and sports activities, are well positioned to implement policies and practices aimed at preventing the children they serve from experiencing child sexual abuse, sexual misconduct or any form of child maltreatment. While insurance companies are reporting significant increases in civil actions brought against youth organizations and in the amount of monetary settlements, the vast majority of YSOs still lack comprehensive policies aimed at preventing incidences of child sexual abuse and other forms of maltreatment *from ever occurring*.

Most states require or encourage organizations serving children and youth to provide training to their staff about their legally mandated responsibility to report suspected or disclosed cases of child abuse to child protective services or law enforcement. While this is an important first step, most of these trainings focus on the mechanics of reporting and only superficially on child sexual abuse and ways to prevent it.

Adopting a Code of Conduct that details healthy interactions between staff and children, as well as those that undermine safety is essential to any youth-serving organization because it can:

- ✓ Protect children from sexual abuse/misconduct/abuse and its devastating impact on their health and mental health;
- ✓ Protect employees, contractors and volunteers by increasing their self-awareness of and ability to correct behaviors that might violate safe boundaries;
- ✓ Protect the organization, staff, and youth served from the trauma, negative publicity, and potential personal and legal liability that can result from incidences of sexual abuse.

This Guide is the result of our review of many organizational policies as we have been providing in-person and online trainings on child sexual abuse prevention for YSOs over the years. We found wide variation in Codes of Conduct adopted by YSOs, e.g., some include sexual harassment policies that focus only on adult-on-adult harassment. Some reference child sexual abuse, e.g., “*Staff will not engage in any sexually inappropriate behavior with youth*” but fail to detail the kinds of behaviors that should be prohibited and that, if left unchecked, could escalate to legally reportable sexual offenses.

We hope this Guide will encourage YSOs to assess their current policies, celebrate the ones that strengthen child safety, and also identify gaps that could be addressed by incorporating elements included in this Guide. This Guide will continue to be a work in progress as we solicit ongoing feedback from YSO administrators, staff, and the youth and families they serve. We hope that this resource will strengthen youth-serving organizations in their roles as havens where children can safely learn, grow and thrive.

Jetta Bernier, Executive Director
Enough Abuse®

Safety S.T.A.R.S.

Strengthening the culture of youth-serving organizations (YSO) to protect children from sexual abuse, and the institution from legal and financial liabilities that are often the result of such cases requires multiple, complementary and reinforcing strategies. Among them:

Screening applicants YSO positions to prevent the hiring individuals that pose a sexual risk to children;

Training all employees about child sexual abuse and its prevention;

Assessing current policies to identify strengths that should be celebrated and gaps that must be addressed;

Responding to boundary-violating behaviors through comprehensive codes of conduct and tested protocols;

Securing physical spaces to reduce opportunities for sexual abuse to occur.

Enough Abuse’s **Safety STARS** initiative promotes these strategies and provides specific resources and technical assistance to help YSOs “*Earn their Safety S.T.A.R.S.*” This “**Code of Conduct Resource Guide**” is one of those resources. Administrators and their leadership teams can choose to adopt the model Code presented here, or select specific sections to address gaps in their current Code. As state laws vary, information in Section X about mandated reporting obligations, penalties for non-reporting, and statutes that criminalize Educator Sexual Misconduct and abuse by Persons in Positions of Authority should be localized for your state.

Visit www.enoughabuse.org/safetystars for a complete listing of **Safety S.T.A.R.S.** resources. Contact us at info@enoughabuse.org and learn how your youth-serving organization can join the many others working to become “**Gold Star**” organizations.



CODE OF CONDUCT GUIDE for YOUTH-SERVING ORGANIZATIONS

I. PURPOSE

The purpose of this Code of Conduct is to provide staff, volunteers, children and youth clients, their families, and agency Board and community members with clear guidelines about the role of adults in protecting children from sexual misconduct by any adult working in or affiliated with our organization. We are committed to creating a culture of safety where inappropriate conduct, including child sexual abuse, is discussed, addressed, and prevented. We welcome and encourage the input of staff, volunteers, our clients, and their parents as we continue to celebrate our youth organization as a place where children and teens can safely learn, play and grow.

II. SAMPLE STATEMENT OF COMMITMENT TO PREVENT CHILD SEXUAL ABUSE

The (*insert name of your YSO or program*) is committed to the safety and well-being of all the children and youth we serve. We are taking steps to educate our staff and volunteers about child sexual abuse and its prevention; to strengthen our policies and practices to proactively protect children by reducing the risks of sexual abuse; and to ensure that staff and volunteers are aware of their ethical responsibility to report boundary violations, and their legal responsibility to report suspected cases of any forms of child maltreatment.

We encourage the input of staff, volunteers, the children and youth we serve, and their parents as we continue to strengthen our organization and its work to end child sexual abuse.

III. SETTING THE STANDARDS

All personnel from administrators, board members, donors, etc., to direct service staff and support personnel are required to maintain the highest professional, ethical, and legal standards when interacting with children and youth, whether within our organization or outside of it. Interactions and relationships between them should be based upon mutual respect and trust, and an understanding of the appropriate boundaries between adults and children/youth. These standards are critical to foster healthy youth development and ensure a safe environment for everyone.

To that end, personal contact between adults and youth must always be nonsexual, appropriate to the circumstances, and unambiguous in meaning. Staff shall not intrude on a youth's physical and emotional boundaries and should ensure that all interactions are *observable and interruptible*. Additionally, staff members are expected to be aware of the appearance of impropriety in their own conduct and the conduct of other staff. Staff shall discuss issues with their supervisor or program administrator whenever they have questions about whether a particular behavior is inappropriate or could result in the appearance of impropriety. Supervisors and program leadership should document these conversations.

Staff may have familial and pre-existing social relationships with parents or guardians and our young clients. Staff should use appropriate judgment when they have both a professional and familial or social relationship with them so as to avoid creating the appearance of impropriety or of favoritism. Staff members shall inform their supervisor and proactively discuss with their supervisor or YSO administrator how they will handle these situations. The supervisors should document any dual relationships staff have with youth or their parents and guardians.

a. “Three is NOT a Crowd” Safety Rule

The “rule of three” is intended to prevent the isolation of one adult and one child, a situation that elevates the risk for inappropriate conduct and potential abuse. Limit one-on-one, staff-youth interactions by having at least two adults (which may include one volunteer) present at all times. One staff with two children is less advisable, however, another adult in visual or hearing range provides extra safety. This policy should be included in staff orientation, and reinforced through supervision and monitoring.

When a one-on-one interaction between a youth and an adult staff is necessary, e.g., private tutoring, music lessons, dance instruction, sports coaching, etc. or in the case of an emergency, injury, illness, or a disciplinary situation, the “rule of three” can be satisfied by having that interaction occur, for its entire duration, in full view of at least one other staff. Often changing scheduling or adjusting the physical environment can increase the presence of adults and decrease situations where the “rule of three” would be violated, e.g. adjusting the program schedule to use part of the gym for an activity (e.g., volleyball), while having stations at the opposite end of the gym for help with homework ensures that all youth can be seen by multiple staff.

More permanent solutions to increase the line of sight for staff might involve adding windows in doors and remodeling to create a “wagon wheel” layout for program rooms that reduces spaces where youth are visually isolated and increases the number of staff who can see into multiple rooms at any given moment. If visual line of sight or hearing range with another adult is not possible, the staff member shall inform others that s/he will be alone with one child, and request that another staff member or members monitor the situation, including randomly dropping in.

In cases of mentoring, increased supervision and accountability for the adult and opportunities for mentored children to provide feedback about their experiences can increase the safety around a child. A structured set of questions for check-in with the youth, the mentor and a family member should be used at regular intervals to better understand how the mentor relationship is going and ensure boundaries are being adhered to.

Rooms in which youth are counseled by social workers, psychologists, etc. should be arranged so that the adult can be visible through the unobstructed window of the closed door while the youth is seated nearby, thus protecting his or her privacy. A video camera in the room that is systematically monitored/reviewed and focused on the set location of the adult can ensure the safety of the youth and staff.

Specific protocols for counseling staff should balance youth privacy and safety, and should adhere to the ethical standards of their respective state or national licensing bodies.

The “rule of three” shall apply to all interactions in the program setting and during all activities and field trips, including but not limited to before and after-program activities. At least two staff members should always arrive early enough so that no staff are alone with youth, and at least two staff members should stay to supervise any children that are picked up late by parents/guardians.

Staff shall know the whereabouts of youth in their care at all times, utilizing face counts or head counts, attendance, roster lists and the “rule of three.”

b. Visual and Physical Access

In order to ensure that interactions are observable and interruptible, windows to program or activity rooms will always be unobstructed. Doors to rooms without windows will remain open while youth are inside to maintain visual access to staff-youth interactions.

Staff will be made aware of areas with decreased visibility within the facility and on the property where inappropriate behaviors could occur. These include but are not limited to hallways, storage closets, boiler room, basement, roofs, bathrooms, kitchen, playgrounds, playing fields and outdoor structures. These areas should be regularly inspected for violations of access. Areas not used for routine program purposes such as closets, storerooms, and boiler/HVAC rooms and roofs, should remain locked while youth are present. Organizations can establish a daily schedule for custodian, security or other designated staff to check these areas and ensure that rooms that should be locked are secure. Keys to these rooms should be kept in a secure place where youth do not have access. Supervisors can oversee that the areas have been checked. Staff will report to the appropriate supervisor any safety issues that should be corrected, e.g., burnt out lights, broken locks, etc.

All doors to rooms that youth enter shall remain unlocked during hours when they are in use. Attention should be paid to shifts in the use of rooms over the course of a day and locked or unlocked as appropriate. For example, some programs for younger children end earlier in the day and those same spaces are used later for programs for older youth. This can leave the room(s) for younger participants unlocked and in need of securing. Field trips may leave rooms open for hours at a time or even the whole day. Programs need to be aware that such unlocked spaces could provide opportunities for staff to youth or youth-to-youth abuse.

Bright lighting will be present in all areas of the building, except when showing films or projections, which require low-light conditions for proper viewing. Never should all the lights be turned off in a room, unless for a specific educational purpose and there are two or more staff members present.

c. Restrooms, Locker Rooms, Changing Rooms

Managing restrooms, locker rooms and changing rooms is one of the most challenging concerns youth organizations contend with.

The location of restrooms can add to risk or reflect different types of risk that should be addressed differently in safety policies. For example, restrooms that adjoin large activity areas (e.g., near a large gym) can be very difficult to supervise. While there tend to be more staff present, this is overshadowed often by the ease with which youth can slip into the restroom unnoticed. This is in stark contrast to a restroom in a more isolated part of the building where youth can linger unobserved and where fewer staff are in close proximity. Each have risks, but the solutions are often different.

Ideally, staff and volunteers should not use restrooms used by youth. In the event that they must, staff and volunteers must use enclosed single stall units whenever possible, using a multi-stall bathroom only when they have ascertained, by calling into the restroom, that it is free of youth. In such cases, they will report to other staff that they are using a youth-designated bathroom and will alert youth by affixing a sign on the wall outside the bathroom that indicates: "Adult using bathroom, no youth allowed."

Once the adult has left the restroom, she or he will remove the sign. While an adult is using a youth-designated bathroom, youth will wait until the staff is out, or use another unoccupied bathroom in the building.

In the case of maintenance during program hours, maintenance workers will also verify before entering that the bathroom is empty, then place a sign indicating: "Maintenance in progress, please use other restrooms" until the maintenance is complete.

Additionally, restroom use should be monitored to prevent inappropriate staff/volunteer-to-youth and youth-to-youth interactions. All staff, including security personnel, should routinely check bathrooms and announce their presence when travelling throughout the building.

Co-supervision by two adult staff in restrooms, locker rooms, shower rooms and changing rooms can reduce opportunities for sexual misconduct or abuse and protect staff from any behaviors that might be perceived as improper. To strike the balance between ensuring security and respecting youth privacy, supervising staff can use their discretion to be either within visual or hearing range of activities occurring in these settings. For example, monitoring activity within shower rooms would require being within hearing range. Monitoring changing of costumes backstage in a theatrical performance would be within visual range.

Cell phone use or the taking of photos with cell phones, still cameras, video cameras or voice recordings by staff or youth is prohibited in these locations. Signage can be added to indicate "No Photo/Video Area."

d. Outings/Overnight Trips

Field trips present unique risks for the safety of children and youth. It is important to be aware of these risks and take measures to minimize them, especially ensuring that the "rule of three" is followed consistently. The organization should scout out any location in advance to determine how many staff or chaperones will be needed based on the number of youth and the actual

conditions. The YSO will need to address the extra staffing demands required during restroom supervision.

- The YSO will provide all parents with written or online information prior to off-site activities, including details of the activity or event, and a link to the Code of Conduct and how the “rule of three” will be kept. Parents will sign a general waiver confirming they have read and understand the organization’s safety protocols.
- Youth will be required to use a "buddy system" on off-site trips. At no time should an individual youth be allowed to remain alone.
- Youth and staff/volunteers will remain visible during off-site trips at all times, except during their own personal restroom use.
- Staff/volunteers will remain in line-of-sight of other staff during field trips or when working directly with youth.
- Staff will scan public restrooms for other people before sending in groups of youth. If the public restroom is empty, staff will wait outside and send in one youth for every open stall or urinal. As they exit, more youth will be sent in. If people unaffiliated with the YSO are present in a multi-stall restroom, staff will enter the restroom with the youth to ensure each maintains complete privacy in their own stall.
- Separate quarters will be provided for boys and girls on overnight trips. At least two staff (including volunteers) of the same gender will stay overnight in rooms near but separate from the youth.
- Staff shall ensure that youth remain in their rooms overnight.
- Staff must ensure that children/teens transported by bus/van to off-site or out-of-town trips, sporting events, etc. return to the youth organization by bus/van. No youth organization employee or volunteer shall offer or provide a ride in his or her personal vehicle to such a child/teen after such an event.
- Adult chaperones should not sit in the same bus seat next to a child/teen. Children/teens should sit with other children/teens.
- Staff, bus drivers, and volunteers serving as chaperones must immediately interrupt, and then report by phone to a supervisor, any inappropriate actions they witness, including sexual misconduct, bullying, physical or emotional abuse that involves staff and youth.
- Staff or volunteers who are authorized to carpool a group of children/teens to such an event, must ensure that the children/teens they transported must return in the same group with the same staff or volunteer after such event.

IV. SOCIAL MEDIA AND ELECTRONIC COMMUNICATION

For purposes of this Code of Conduct, “electronic communication” includes email, text messaging, and online messaging. “Social media” means any website or application used for sharing and interacting with others electronically, including but not limited to Facebook, Twitter, Instagram, Snapchat, Pinterest, Reddit, Tumblr, TikTok, etc.

Our YSO recognizes that social media and electronic communication have great value, both in and outside our programs. This policy is not intended to limit any staff member’s right to speak publicly as a citizen on matters of public concern, or to communicate with other staff about

workplace issues, so long as such communication does not interfere with the performance of job duties or disrupt the program environment. Staff members are role models, not youths' friends, and should always conduct themselves in accordance with this understanding.

1. Prohibited Conduct

What is allowed online should follow the same principles held for offline communications. The following are examples of conduct and are not intended to be all inclusive.

- Staff may not invite/accept program youth as “friends” or “followers” on social media websites. Staff or volunteers who seek to establish social media contacts with siblings, parents or other family members of their clients should review this with their supervisor to establish why and whether this is appropriate. Group participation on educational websites for instructional purposes is permitted with prior approval of the supervisor or administrator.
- As with their in-person interactions, staff should not have one-on-one interactions with youth online either. Staff should not privately/direct message youth through any electronic communication platform e.g., social media, texting, messaging apps, etc.
- Electronic communication to youth of verbal or pictorial sexual content, content advocating the illegal use of alcohol, drugs, and/or other illicit or illegal activities between youth and staff, or content encouraging or constituting hazing or bullying are prohibited.
- Electronic communication of private information regarding youth or other staff, including, but not limited to, youth record information, private cell phone numbers, private photos and pictures, and private email addresses are also prohibited.
- Electronic communications should generally occur during the hours of 8AM and 5 PM. Late night or middle-of-the-night communications are not permitted.

2. Communication Media

a. Cellular Telephones and Text Messaging

In general, communications related to YSO activities should occur onsite or through YSO-provided email addresses. Communications should include third party notification to parent or guardian. To support the privacy of staff members, YSOs should not expect staff to provide their personal contact information, such as cellular and home telephone numbers, to youth for YSO-related purposes.

To facilitate ease of communication between staff, youth and their parents during outings and overnight trips, YSOs should consider purchasing and maintaining a cell phone to be used exclusively by staff during these times. To protect youth safety during travel, youth may provide their personal cell phone numbers to staff leading such trips.

In the event that certain circumstances require the exchange of personal contact information between youth and staff, the following protocol shall apply.

- i. Prior to providing any youth with his/her home and/or personal cell phone number, a staff member shall inform their supervisor or administrator or his/her designee and obtain prior authorization. In case of an emergency, notification can be made afterwards.)
- ii. Staff members shall communicate to youth and their parents that the staff member's personal cell phone number is being provided and will only be used for program-related or safety purposes, e.g., the youth has not returned to a bus on a field trip.)
- iii. Staff members who provide youth with personal contact information shall report any unauthorized use of this information by youth (e.g., a youth contacts the staff member's personal cell phone to discuss non-YSO related issues) to the supervisor, administrator or his/her designee immediately.

b. Email Communication Procedures

- i. Staff may communicate with youth, other staff, parents, and members of the community through YSO-owned email addresses regarding YSO-related issues. All email communication is to remain professional in nature at all times, and should be concerning program activities, questions or concerns.
- ii. Staff shall not provide their personal email addresses to program youth.
- iii. Staff shall not request the personal email addresses of youth, nor shall they direct any communications to personal email addresses provided by them. All email communication between staff and youth shall be directed through YSO-owned email addresses.
- iv. In the event that youth are provided with YSO-owned email addresses as part of the program curriculum, parents must be informed and must provide consent for their child to use the email address assigned.
- v. All email communications through a YSO-owned computer, network, email address or cell phone may be monitored by the YSO for any reason without notice. Users of YSO-owned email addresses should have no expectation of privacy in content of communications on YSO-owned email addresses.
- vi. In general, communications sent or received by a YSO-owned email address are public records subject to disclosure upon request. Certain types of email communications are exempt from the definition of public records, including but not limited to communications that constitute youth records or personnel records.

c. Use of Photographs

- i. Program leadership, staff, and volunteers are not allowed to take YSO photographs or videos of YSO participants of any kind, unless it is for programmatic use by the YSO and approved in writing by the YSO, the youth's parent or guardian and the youth themselves.
- ii. Staff shall not use, copy, disseminate or share in any manner, including via social media, photos or videos of program youth for personal purposes. Photos and videos of program youth may be used only with prior approval by a supervisor or administrator, for program-related purposes, and only with confirmation that the parent(s) or legal guardian(s) have given permission for the release of photos or videos of their child(ren).

- iii. Staff must keep in mind that videos and images of program youth may constitute “youth records” within the meaning of federal and state law.
- iv. Staff shall not identify youth by their full name in any photograph at any time.

d. Social Media

- i. Staff shall not “friend,” follow, message, or engage program youth in any way on social media websites via their personal accounts.
- ii. Staff shall not communicate with youth via the direct/private messaging feature of any social media site, but rather only communicate through YSO-provided email accounts or social media posts that are publicly accessible via the organization’s social media account.
- iii. Designated staff may administer an organizational Facebook page, Twitter account, Instagram account, or other official social media page that youth may follow. The staff administrator of these accounts must moderate them for inappropriate content. Staff and teens do not need to “friend” or “follow” each other in order for youth to follow or like these pages.
- iv. Staff shall report any inappropriate use of these sites by youth or by fellow staff members to their supervisor or administrator immediately.
- v. Staff must cite links to all sources of information from third parties posted on professional social media webpages.
- vi. Staff must notify parents of the use of professional accounts on social media sites being used for official YSO purposes, and provide youth who are unable to access content hosted on these sites with the relevant information necessary for participation in the program through other means.

e. Blogs, Wikis, etc.

- i. Staff may use blogs, wikis, or any other website for instructional purposes, including but not limited to program activity pages and blog pages.
- ii. Staff shall provide the web address of his/her page to their supervisor or administrator before disseminating the address to youth, along with all usernames and passwords that permit administrative access to the page/site.
- iii. Staff shall comply with all YSO policies regarding the identification of youth by their first names on these pages. Staff must notify parents of the use these pages, and provide youth who are unable to access content on social media sites with the relevant information necessary for participation in program activities through other means (i.e. handouts, email, etc.)
- iv. Staff shall cite all sources of content they provide on these pages and comply with applicable copyright laws and other applicable intellectual property laws.

f. Video Calling and Remote Learning

Any video calls between staff or youth necessary during remote learning should be on the YSO's official video conferencing platform and be in the staff's "office hours" link where other youth or colleagues could join.

Staff should ensure that the visual background of any remote learning activity is appropriate for youth viewing and that staff adhere to the same professional dress code as would be followed at the YSO.

V. BOUNDARY VIOLATIONS

Boundary violating behaviors include a range of verbal, nonverbal, written or electronic communications, or physical activities, that the YSO has deemed inappropriate, between an employee and youth, regardless of whether the behaviors are sexually motivated. Staff can protect children and protect themselves and the YSO from misunderstandings and false accusations of sexual misconduct in staff-youth interactions by maintaining clear and consistent professional boundaries.

1. Examples of Appropriate Behaviors

Many behaviors are considered appropriate to the staff-youth relationship and require no review or action. Examples of appropriate behaviors include:

- Respect for personal space;
- Reasonable eye contact;
- Getting down to the child's eye level when comforting a child;
- Handshakes, hand slapping, fist bumps;
- Holding hands with smaller children in escorting situations (e.g., crossing streets);
- Verbal encouragement and appropriate praise;
- Conversations that support learning and growth;
- Active listening;
- Staff-youth relationships centered on program events and activities;
- Fair and equitable treatment of all youth;
- Adult-youth communication appropriate and understood by the general community standards;
- Referring youth with serious problems to local community counseling or mental health services;
- Following the YSO's policy for physically handling or restraining a youth engaged in belligerent or violent behavior that could harm another youth or themselves;
- Following the YSO's policy for providing extra support for youth with physical or developmental disabilities.

2. Examples of Boundary Violations

Boundary violations should be interrupted by the person observing the behavior, if they can do so safely. The staff person should inform their supervisor or administrator about the concerning behavior. and the supervisor should document this behavior. Examples of possible boundary violations by staff members include, but are not limited to these:

- Engaging in rough physical contact or provocative games with youth, e.g. horseplay, wrestling (if not part of a recognized program activity), tickling, or in inappropriate touching, e.g. stroking a youth's hair, rubbing their shoulders/back, patting their backside;
- Massaging of a youth athlete in sports program. If by a sports trainer or medical professional, another adult must be present and parental permission given.
- Doing things of a personal nature that youth can do for themselves, e.g. combing hair, providing bathroom assistance;
- Making sexual comments, jokes, suggestive gestures, or engaging in flirtatious behavior with a youth;
- Remarking on a youth's physical attributes or development;
- Picking up a youth, holding a youth, or letting an older youth sit on a staff member's lap
- Showering with youth after athletic practices or activities;
- Providing alcohol, drugs or tobacco products to a youth;
- Taking photos of youth or using cell phones or cameras in restrooms, locker rooms, or changing rooms;
- Addressing youth or permitting youth to address staff members with personalized terms of endearment, pet names, or otherwise in an overly familiar manner;
- Closing or locking doors when meeting with a youth before or after program activities or covering program room or office windows so that interactions with youth will not be observable and interruptible;
- Singling out a particular youth or youths for personal attention and friendship, or for censure or reprimand, beyond the professional staff/youth relationship;
- Giving money or gifts to selected youth or violating the YSO's policies on giving and receiving gifts;
- Giving a youth a ride in a staff person's personal vehicle or allowing a youth to borrow such car;
- Violating youth drop-off and pick-up policies;
- Sending youth on personal errands unrelated to any program purpose;
- Soliciting phone, email, text messages or other forms of written or electronic communication from youth unrelated to program business;
- Maintaining personal, non-YSO-related contact with a youth outside of the program by phone, email, social media, letters, cards or notes;

- Socializing or spending time with program youth, including but not limited to: going out for beverages, meals, movies, shopping, traveling, and recreational activities outside of YSO-sponsored events, except as participants in organized community activities;
- Inviting or allowing program youth to visit the staff member's home;
- Visiting a youth's home or other locations for non-YSO-related purposes;
- Violating a youth's physical or psychological privacy (e.g., walking in on the youth in the restroom, soliciting information about the youth's relationship with a girlfriend or boyfriend);
- Providing special support to a youth who reaches out to a staff member about personal problems, *without that staff person first informing, and then regularly updating, their supervisor, counseling staff or administrator;*
- Disclosing personal, sexual, family, employment concerns, or other private matters to one or more youth;
- Engaging in any type of inappropriate physical contact with a youth or any other conduct that might be considered sexual harassment under the YSO's policies.
- Dating a youth or engaging in any sexual contact with a youth, even if the youth has reached the legal age of consent established by State law;
- Engaging in any other conduct that fails to maintain professional staff/youth boundaries or any conduct that may convey the appearance of impropriety.

VI. DEFINITIONS OF SEXUAL ABUSE/SEXUAL MISCONDUCT

"Child sexual abuse" means an act involving an adult and child, or a child and another child that constitutes a sexual offense under the laws of the State. It can include, but is not limited to:

- Penetration of the oral, genital, and anal areas; intercourse; and forcible rape.
- Intentional physical conduct that is sexual in nature, such as touching, pinching, patting, brushing, massaging, and/or fondling over or under clothing;
- Sexual advances, gestures, electronic communications or messages (e.g., email, text, social media, voicemail), leering, stalking or invasion of privacy, obscene phone calls, exhibitionism, or allowing children to witness sexual activity;
- Sexual contact whether accomplished by force, threat of force, or no force;
- Online sexual exploitation, solicitation, enticement, or sextortion of a child by an adult;
- Providing youth with sexually explicit materials;
- Using a child to solicit another child to engage in sexual behavior;
- Taking explicit photos or videos of youth or showing explicit images or video to youth; and
- Asking a child/teen to take explicit photos or videos of themselves to share.

"Sexual misconduct" means any act, including, but not limited to, any verbal, nonverbal, written or electronic communication or physical activity, directed toward or with a child, regardless of the age of the child, that is designed to promote a romantic or sexual relationship with the child.

Such acts include, but are not limited to:

- Sexual or romantic invitations;
- Engaging in romantic dialogue;
- Self-disclosure or physical exposure of a sexual, romantic or erotic nature;
- Making sexually suggestive comments, innuendoes, jokes;
- Dating or soliciting dates with a youth or engaging in any sexual contact with a youth, even if the youth has reached the legal age of consent established by State law; and
- Any sexual, indecent, romantic or erotic contact with a child or youth.

VII. HAZING

Hazing can be defined as any action expected of a youth joining a club, sports team, etc., or any action a youth is expected to perform to remain in good standing with that group, that causes physical or emotional harm or that is humiliating or denigrating to the youth, to others in the group or to others outside the group. Hazing is a form of harassment that can take place in one-on-one situations or in a group. It can occur in an activity room, on a playing field, in locker rooms, on the telephone, online, or through social media.

Examples of hazing can include a youth or YSO employee or volunteer requiring someone to:

- Submit to embarrassing, hurtful, or demeaning conduct as part of an initiation into the club, team, or other activity;
- Suffer pranks continually aimed at one particular member of a club, team, or other activity;
- Ingest alcohol;
- Submit to physical striking, beating, scratching, burning, branding or to engage in self-mutilation, or requiring one to commit such acts upon another;
- Submit to acts of sexual abuse/assault;
- Suffer abusive and demeaning speech;
- Engage in acts of personal servitude;
- Proceed through a gauntlet, e.g., on a bus or in a locker room;
- Suffer sleep deprivation;
- Restrict his/her personal hygiene;
- Wear humiliating attire in public;
- Appear in public in humiliating forms of undress;
- Engage in indecent exposure;
- Engage in illegal activity;
- Engage in physical activity that is dangerous;
- Submit to being tied up or abducted, or requiring one to do the same to another;
- Expose his or herself to extreme weather conditions without appropriate protection;
- Consume vile substances or allow such substances to be smeared on the body;
- Engage in any degrading or humiliating act.

Any employee, youth or volunteer that witnesses or learns about any hazing incident is required to notify immediately the YSO director or other person(s) designated to receive such reports. Covering up hazing incidents or failing to report them is a clear violation of this Code of Conduct and could result in disciplinary actions, including dismissal.

VIII. CHILDREN AND YOUTH WITH DISABILITIES

Over 13% of youth enrolled in public schools and youth-serving organizations have some type of physical, developmental, or behavioral disability. Some adults may engage in sexual misconduct or abuse with these children believing they are more easily manipulated, less likely to disclose abuse, and/or less likely to be believed if they tell.

Research confirms that children and youth with disabilities are at seven to ten times greater risk of being victims of sexual abuse or misconduct than their peers, e.g. children who are D/deaf are two to three times more likely to be sexually abused than their non-hearing-impaired peers.

It should be noted that some physical, developmental or behavioral disabilities of children and youth could have an impact on their responses to physical interactions. For example, children with Down's Syndrome often seek and welcome physical contact, whereas those on the autism spectrum can be tactile defensive, to the point that they must never be approached from the side or behind but always directly so as not to startle. Many are averse to any physical contact at all, and can have significant fight, flight or freeze reactions when touched. This also holds true for children and youth who are affected by PTSD caused by previous trauma, including sexual abuse.

YSOs should make their staff aware of the special boundaries and vulnerabilities of these children/teens and adopt practices to ensure they are protected and empowered, without jeopardizing their opportunities for growth and development.

IX. CHILDREN AND YOUTH WITH CONCERNING OR PROBLEMATIC SEXUAL BEHAVIORS

All children participating in our programs are valued and must be treated with equal respect. However, staff must be made aware that some youth with certain histories or problems with personal boundaries may pose a risk of inappropriate behavior, including sexual misconduct or sexual abuse.

Avoid any behavior with a youth that you believe other colleagues would see as inappropriate, confusing or questionable. Stay firmly in your role as a staff member and establish clear boundaries for yourself and for the youth you serve. Remove yourself immediately from any situation that does not seem right. Document the situation at the time to provide a record of your concern that can be shared with your supervisor.

If a youth appears to be attracted to you, or speaks or behaves in a way intended to encourage a romantic or sexual relationship, be direct with him or her and remind them that:

- It is inappropriate and illegal for a staff member or volunteer to be engaged in a sexual or romantic relationship with a program youth;
- Staff and volunteers that engage with youth this way can lose their job or position, counselors may their professional license, and could face arrest;
- The YSO has policies that strictly prohibit such adult/youth relationships; and
- You are required to document and share with your supervisor, any conversations or actions on the part of a youth that violate those policies.

If the youth continues to express these thoughts and actions:

- Redefine your role or secure additional staff supervision when engaged in activities in which the youth participates;
- Distance yourself from that youth. Work with your supervisor or administrator to have the youth transferred to another activity or program and ensure that the “receiving program” is aware of this behavior so they can take appropriate steps, if necessary. and
- Document the what, where, and when of the inappropriate behavior and inform your supervisor or administrator, who will consider how to get help for that child/youth and address the behaviors, including referral to counseling services.

X. MONITORING AND REPORTING

a. Monitoring and Supervision

All staff can help create a culture of safety, watch out for each other, and point out when a staff person crosses a boundary or forgets about a specific Code policy. “Monitoring” or observing interactions of others and reacting appropriately to boundary violating behaviors is critical to avoid interactions that could escalate to serious, illegal and reportable offenses. Staff should be prepared to respond immediately to any such interactions they witness by interrupting them, if they can do so safely, e.g., *“You are the last ones in the building, so I will stay until you and your swim team member leave.”* This will maintain our “rule of three” policy and ensure both youth safety and your protection.”

b. Responding to Boundary Violations

Staff and volunteers shall immediately notify their supervisor or administrator if they witness any behavior that constitutes a violation of boundaries according to the Code of Conduct. Youth, parents/guardians and visitors are strongly encouraged also to notify the administrator of violations. If violations involve the director or administrator, the Chairman of the YSO Board of Trustees or his/her designee shall be notified and appropriate action taken. (If the violation rises to the level of an illegal sexual offense, a report shall be made to child protective services and/or law enforcement.)

The supervisor or administrator to whom a boundary violation concern is reported must document in writing for the record, the alleged violation, a summary of the meeting(s) during which the violation was addressed with the person alleged to have engaged in the violation, the person's response to the alleged violation, and the course of action taken to address the violation.

The administrator or his/her designee will be trained to implement protocols adopted by the YSO for the handling of such violations, and responsible for the implementation and monitoring of the plan accepted by the alleged violator and the YSO to address such violations.

c. Reporting Sexual Abuse

Note to YSO administrators: In some states, all YSO personnel who have reasonable cause to believe that a youth has experienced sexual abuse by a staff member, volunteer, or any person working in the YSO are required to report suspected abuse immediately and directly to child protective services or law enforcement.

In other states, a report to the administrator is allowed and the YSO must then make a formal report to legal authorities. In still other states, reporting suspected abuse to the administrator does not relieve staff who are "mandated reporters" from their legal reporting responsibilities if the YSO fails to act on the report in a timely way. In such instances, the mandated reporter must make a direct report to child protective services or law enforcement.

Check your state mandated reporting law for details about the specific actions required when reporting suspected cases of child sexual abuse. Include those details in this section of the Code. Please note that it is not the role of staff, supervisor, administrator, trustee, or any other representative of the YSO to investigate or evaluate the credibility of allegations of sexual abuse to determine if a report is required. Such investigations are the legal responsibility and duty of child protective services and/or law enforcement.

d. Whistleblower Protection

Staff can be confident that our YSO will support any employee or volunteer that in good faith notifies a supervisor about boundary violations, or reports sexual misconduct or abuse, and that it will protect said individual from any retaliations or reprisals that might arise by any YSO employee, parent/guardian, volunteer or visitor. Any retaliatory actions by staff may themselves lead to disciplinary actions up to and including dismissal.

e. Penalties for Failure to Report

Note to administrator: Most state mandated reporting laws specify penalties for failing to report suspected cases of child sexual abuse. Check your state mandated reporting law for details about penalties for failing to report a suspected case of child sexual abuse. Include this information in this section of the Code.

f. Penalties for False Reporting

Note to administrator: Child protection laws in all states provide protection for professionals and/or citizens that make a report in good faith. However, when reports are knowingly and falsely made to

intimidate or retaliate against the person reported, there are financial and incarceration penalties that can result. Check your state's laws for details. Include this information in this section of the Code.

g. Criminal Sexual Misconduct Statutes

***Note to administrator:** In addition to child abuse reporting laws, more than 50% of states have passed what are referred to as “**Educator or Person in Authority Sexual Misconduct**” statutes. These are intended to prohibit an employee who has supervisory responsibilities or is in a position of authority over youth, e.g. teacher, coach, counselor, bus driver, etc., from engaging in any sexual behavior with a youth, irrespective of that state's age of consent law of 16, 17 or 18.*

Penalties for these offenses range from classification of the misconduct as a felony, in-house punishment, revocation of license certificate, requirement to register as a sex offender, fines of up to \$300,000, and imprisonment from months to decades.

Include key provisions of your state's law and penalties here to alert employees to the serious consequences and penalties that can result from sexual misconduct and abuse. To learn whether your state has such a statute, visit: <https://www.enoughabuse.org/legislation/mapping-state-legislative-efforts/criminalizing-educator-sexual-misconduct.html>

XI. DISSEMINATION OF POLICY AND REPORTING PROTOCOLS

Staff will receive training annually by qualified content specialists or through online training resources about how to maintain appropriate boundaries and about the Code of Conduct.

All staff, volunteers and others formally affiliated with our organization, e.g. Board Trustees, will sign the Acknowledgement of the Code of Conduct and confirm their obligation to apply the Code to their conduct within the YSO. The signed statement will be kept in the individual's personnel file; the signed statement of others will be kept in the appropriate records file.

This Code of Conduct will be posted on the YSO's website, included in staff and volunteer handbooks, and read and signed by prospective employees during the interview process. Annually, all supervisors, staff and volunteers will receive a copy of the Code of Conduct, which will be reviewed annually and revised, if needed. Any revisions will be distributed to supervisors, staff, volunteers and other affiliated persons who will confirm they have read and understand the revised Code of Conduct.

Our sincere thanks to you

for all your efforts to keep youth safe and our organization strong!

EMPLOYEE/VOLUNTEER ACKNOWLEDGEMENT AND STATEMENT OF RESPONSIBILITY

I have read the entire Code of Conduct and understand my role in protecting youth from unsafe or concerning conduct by adult staff, volunteers, and others affiliated with our organization.
Specifically, I will:

- ☐ Conduct myself in accordance with the positive behaviors spelled out in the Code.
- ☐ Respect the boundaries between staff and youth, refraining from any behavior that may convey the appearance of an inappropriate relationship.
- ☐ Abide by the "rule of three."
- ☐ Help to maintain visual and physical access throughout the organization.
- ☐ Follow the social media/technology policies.
- ☐ Follow policies regarding off-site activities, including field trips and overnight activities.
- ☐ Be observant of the behavior of other staff/volunteers, interrupt boundary violations if I can do so safely, and immediately notify the supervisor or administrator/designee of any concerning behaviors.
- ☐ Refer youth with problematic or concerning sexual behaviors to appropriate staff.
- ☐ Report suspected or disclosed cases of child abuse to the administrator/designee and, if legally required, directly to state child protective services or law enforcement.

Name: _____

Signature: _____

Position: _____

Date: _____

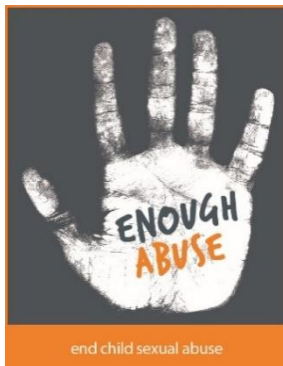
Code of Conduct Checklist

Does our Youth Organization Code of Conduct include...?

- ☐ A Statement of Commitment
- ☐ The Rule of Three Criteria
- ☐ Visual and Physical Access Rules
- ☐ Restroom, Locker Room, Changing Area Rules
- ☐ Outings and Oversight Trip Protocols
- ☐ Communications via Cellular Telephones and Text Messaging
- ☐ Email Communication Procedures
- ☐ Use of Photographs and Videos
- ☐ Social Media Prohibitions
- ☐ Use of Blogs, Wikis, Class Pages
- ☐ Video Calling and Remote Learning Practices
- ☐ Promotion of Behaviors Consistent with the Code of Conduct
- ☐ Prohibition of Sexual Abuse, Sexual Misconduct and Sexual Harassment
- ☐ Prohibition of Hazing Behaviors
- ☐ Protections for Students with Disabilities
- ☐ Support for Students with Concerning Behaviors
- ☐ Monitoring Staff Interactions
- ☐ Responding to Boundary Violations
- ☐ Reporting Sexual Abuse and Sexual Misconduct
- ☐ Whistleblower Protection Policy
- ☐ Educating Employees About Penalties for Failure to Report and False Reports
- ☐ Educating Employees About Criminal Sexual Misconduct Statutes
- ☐ Regular Reinforcement of Code of Conduct Policies
- ☐ Signing of Employee Acknowledgement Form by All Staff and Volunteers
- ☐ Posting of Code of Conduct on the organization's Website
- ☐ Inclusion of Code of Conduct in Employee and Volunteer Handbooks

ENOUGH ABUSE® is the nation's oldest citizen-based child advocacy organization with a 6-decade history of successes in improving children's lives. Its goal is to build adult and community responsibility to prevent child abuse through training, education, policy development and legislative advocacy. It works in states, nationally and with international partners to ensure every child's right to a childhood free from abuse and exploitation.

Contact us for more information and resources on how to strengthen your youth organization's capacity to prevent child sexual abuse.



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Enough Abuse gives to schools and youth-serving organizations only, the right to adopt and adapt this policy resource in the development of their Code of Conduct.

~ DISCLAIMER ~

There are no fail-safe policies that can guarantee the prevention of every occurrence of child sexual abuse. However, by implementing a comprehensive Code of Conduct, youth-serving organizations can minimize the risks of such incidents occurring. Enough Abuse assumes no liability resulting from the use or implementation of this Code of Conduct Guide. For specific cases and legal questions, organizations are encouraged to consult their legal counsel for advice.