



BEST PRACTICES IN CHILD SEXUAL ABUSE PREVENTION

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Overview of Presentation

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- The Aftermath of Penn State at the University of California
- Sample exposures on campus involving minors and common claims in litigation
- How offenders operate: types of offenders and conditions necessary to offend
- The University of California program: Nine Steps to Prevention



The Aftermath of Penn State

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- UCOP FY12 Managing Youth Activities (MYA) Steering Committee
 - ✦ policy review and development
 - ✦ share information in identifying resources at a system-level in order to provide assistance to the campuses/lab
- Risk Management Leadership Council (RMLC)
 - ✦ Camps Workgroup Survey Project
- UC Policy on Minors in Laboratories and Shops
 - ✦ requires UC employees, affiliates, or academic appointees who oversee minors to have a criminal background
- Best Practice Guidelines on Volunteers
 - ✦ recommend additional screening and/or special training for volunteers who have responsibilities for minors
- Revision of PPSM 21 Appointment Policy
 - ✦ includes the requirements for job-related background checks for critical positions.



FREEH Report Recommendations

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- MYA Steering Committee (con't)
 - Freeh report crosswalk
 - ✦ Governance/oversight
 - ✦ Administrative structure
 - Ethics, Compliance and Audit Services (ECAS), OGC, HR, Student Affairs
 - policies and procedures
 - Clery Act compliance
 - UCPD
 - ✦ Risk assessment and mitigation
 - Athletics
 - Management of Programs for Minors
 - ✦ UC Policy on *Reporting Child Abuse and Neglect*
 - CA Child Abuse and Neglect Reporting Act



The Aftermath of Penn State

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- Sexual Molestation Liability Insurance
 - Terms and conditions of coverage
 - ✦ Issues Raised by Claims
 - Applicability of objective “reasonable person” standard
 - what a reasonable supervisor-insured “knew or should have known”
 - “substantial probability” that certain consequences would result
 - whether the employer of the abuser knew or should have known of the offender’s sexual abuse or proclivity to abuse
 - negligent hiring
 - retention
 - supervision
 - The UC Systemwide Praesidium Tour

Sex Abuse on Campus: How Child Molesters Operate and How to Stop Them



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About Praesidium

"To help you protect those in your care from abuse and to help preserve trust in your organization."

- Two decades of experience
- More than 4,000 clients
- Completed thousands of root cause analyses
- Developed comprehensive abuse risk management model
- Full range of risk management solutions
- National safety partner with:
 - YMCA of the USA, BGCA of America, USA Swimming (Olympics NGB), Church Pension Group (covering the Episcopal community), CWLA (Child Welfare League of America), and CMSM (Conference of Major Superiors of Men)



What We Believe

- Abuse can be prevented
- Everyone is responsible for preventing abuse
- Abuse prevention requires a commitment to quality
- Commitment starts at the top



Scope of the Problem

- 1 in 4 girls / 1 in 6 boys
- 10% of school children
- 300% increase in child-to-child abuse
- 80% of abuse does not get reported
- Frequency in higher education unknown
- Legislature changes facilitate litigation



Effects of Abuse on Victims

- Psychological
- Educational
- Behavioral
- Interpersonal
- Sexual



Effects of Abuse on Organizations

- Threat to the Mission
- Awards from \$3,000 to Multi-Millions
- Plaintiffs Prevail in Two-Thirds of Cases
- Jeopardizes Insurability
- Reputational Damage



The Challenge

- Competing Demands
- A Human Problem
- Faulty Assumptions
- Low Frequency High Effect



Common Claims in Litigation

- Negligent Screening
- Negligent Training
- Negligent Supervision
- Negligent Retention



Types of Offenders

- Predatory / Preferential
- Opportunistic / Situational



How Offenders Operate

The APCs:

- Access
- Privacy
- Control



Potential Exposures on Campus Involving Minors

- University employee, contractor, or volunteer to minor
- Adult student to minor
- Registered sex offender student or employee to minor
- Adult student in university practicum with access to minors
- University sponsored child care services or child development laboratories
- University sponsored summer programs serving minors
- University authorized contractual programs serving minors

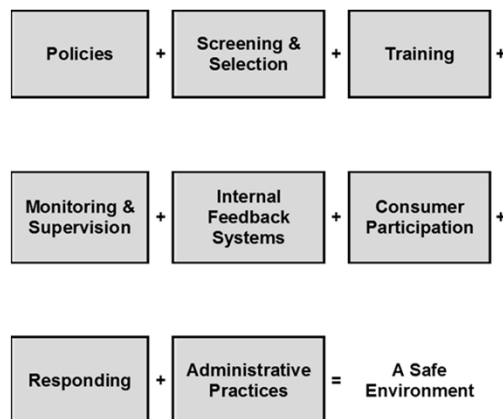


Unique Circumstances in Higher Education

- Decentralized Policies
- Unclear Ownership of Risk
- Departmental Autonomy in Program Launch and Risk Management
- Diversity of Potential Exposures
- Relative Ease of Access



The Praesidium Safety Equation™



Nine Steps to Prevention

- Step 1: Pledge a commitment to child safety in all campus associated programs.
- Step 2: Form a child safety task force.
- Step 3: Heat map the university.
- Step 4: Develop minimum standards.
- Step 5: Provide compulsory abuse prevention training.
- Step 6: Monitor and enforce compliance with standards.
- Step 7: Remove barriers to reporting.
- Step 8: Develop systematic and consistent methods to respond.
- Step 9: Build feedback loops to the top of the university.



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