

Building a Child-Protecting Organization

120 Days to a Solid Foundation

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Our Goals, Your Outcomes

- Our focus today is on early education programs, but these principles apply to all risks resulting from human interactions.
- We will help you develop a pathway for Protection Policies that:
 - Fit your organization's mission and the particular risks you face;
 - Are practical to implement; and
 - Are adapted to balance the opportunities you provide against risk of harm.
- A foundation on which you can grow your protection policies.
 - Targets, not deadlines
 - Building a safety culture



Some basic principles of protection policy

1. Risk is our frenemy:

- Risk *can* be our friend. Children need challenges. They need room to explore.
- Challenges build resilience, helps them grow.
- Risk can never be completely controlled. Nor should it be.
- You have to decide your risk tolerance.
 - Cost vs. benefit.
 - Regulations and legal requirements
 - Preserving your long-term capacity to serve future participants.
 - Minimize risks that do not advance your mission



Some basic principles of protection policy

2. Principles vs. Policies

- You can't direct every action
- Ideals vs. actions.
- What do you *want* and *expect* your staff, volunteers, and participants to *do* or *not do*?

3. There are limits to freedom.

- Regulatory requirements
 - (e.g., childcare licensing)
- Standards of care.
- Parental and public expectations.

Some basic principles of protection policy

4. If it's not written down, it doesn't exist.

- Corollary – if your folks don't understand it, it's worse than not having it.

5. If you can't do it, don't write it down.

- Consider the needs of those you serve.

6. Adapt, don't adopt.

Question 1:

When it comes to developing and implementing child protection policies, which of the following are major concerns?

- Ensuring we are meeting the standard of care
- Figuring out what works best for our organization.
- Getting employee buy-in
- Consistent enforcement of policies.

First 30 Days

1. Create your protection teams.

- Name Child Safety Coordinator (CSC)
- Name Child Protection Team (CPT)
- Name Incident Response Team (IRT)
- Confirm organization has committed resources and support
- Governing documents reflect commitment to child safety
- Governing documents communicate CPP grounded in mission & culture

First 30 Days

2. Scan the environment: CPT Team.

- **Identify risks.**
 - Survey staff & volunteers, stakeholders, experts.
- **Define terms.**
 - What is it you're trying to prevent and address?
- **What are the expectations?**
 - Standards of care
 - Define Boundaries
- **Audit your current policies**
 - Screening, Access, Interaction Rules, Off-campus interactions.
 - Review handbooks and training.

First 60-90 Days

Thoughts on Protection Policies

- Hiring policies: Background checks, references, application.
- Access control policies: who can come on-site?
- Contact vs. supervision.
- Contact between adults and minors on-site.
- Contact between adults and minors off-site, including social media, babysitting.
- Monitoring and supervision ratios.
- Rules for events open to the public.

Standards of Care

- **Legal question:**
 - What measures does a reasonable, professional childcare/early education provider implement to keep children safe from harm, abuse, and exploitation?
- **What are your licensing requirements?**
 - Child/staff ratios?
 - Background checks?
- **What are your competitors doing?**
 - Industry groups and associations
 - Insurance provider guidance
 - Outside consultants

Background Checks and Screening

- Best chance to avoid problems
- Can look for all risks
 - Sexual predators
 - Physical abuse
 - Emotional abuse
 - Anger issues
- The core question: boundary problems in their past?
- Self-selection: let bad actors screen themselves out

Tiered Screening

- Not every role needs the same level of screening
- Match screening depth to access level
 - Unfettered access: full screening
 - Mostly supervised: lower-level checks
 - Always supervised: minimal screening
- Supervision can substitute — but only if real and enforceable

The Application

- Employees or volunteers
- Always get a written application
- Summarize your child protection policies *in the application*.
- Clearly signal your organization's standards from day one
- Ask about criminal record
- Let applicants self-select out

Application (cont.)

- False or incomplete information (employment or criminal record) = grounds for termination
- Failure to follow mandated reporter protocol = grounds for discipline
- Get a signed acknowledgment agreeing to all of the above
- More signatures are better than fewer

Question 2

Which of the following methods do you currently use to screen and vet new employees?

- Criminal background check
- Financial check
- Professional references
- Personal references
- Child abuse registry
- Specialized questions during interviews

Background Checks

- **What's available**
 - Local v. national databases
 - Addresses
 - Specialized registries/searches
- **Rechecks**
- **Who pays**
- **Practical considerations**
 - What checks are best for your group
 - What to do with bad results

Background Checks

- **Specialty Registries**
 - Social Security "Trace"
 - Driving record
 - Nursing registries
 - Credit checks
 - EEOC restrictions
 - Important for financial jobs
 - Sex offender registries
 - Abuse/neglect registries

Reference Checks

- Get both work and personal references
 - Different perspectives
 - Different level of information
- 2 to 5 checks
 - Local rules & SOC
 - Be realistic about time
- Pay attention to employment gaps

Reference Checks (cont.)

- Use standardized questions for every applicant
- Know your Bona Fide Occupational Qualifications -- reason for each question
- Hobbies and leisure: ask carefully, with attorney guidance
- Adult who spends all time with children ≈ red flag

Reference Checks: What to Listen For

- Standardized ≠ identical — work through the best-fit questions
- Red flags: vague answers, reluctance, coached references
- Document everything — rough notes are fine
- Consistency protects against discrimination claims

Applicant Interviews

- Interview requirement varies with access level
- Use standardized questions — know your BFOQs & clear with your attorney

Probationary Period and Early Supervision

- Enhanced supervision even without formal probation
- Supervision only works if you can actually deliver it
- People with harmful intent seek out unsupervised moments
- Check with your attorney on pay requirements

Characteristics of Grooming

- Special relationship
- Parents trust them
- Fill a need
- Give presents
- Spend times alone

Characteristics of Good Mentoring

- Special relationship
- Parents trust them
- Fill a need
- Give presents
- Spend times alone

Unique Characteristics of Grooming

- Favoritism
- Isolation
- Boundary Violations

Unique Characteristics of Grooming

- Favoritism
 - To the exclusion of others
- Vulnerable kids
- Meeting emotional needs

Unique Characteristics of Grooming

- Isolation
 - Physical
 - Emotional
 - “No one else understands you”
- Secrecy

Unique Characteristics of Grooming

- Boundary Violations
- Physical touching
- Progressive, acclimates kids
- Increasing sexual comfort level
 - Discussion, topics of conversation
 - Encouraging inappropriate touching.

First 30 Days

3. Scan the environment: IRT Team

- Audits policies and insurance.
- Mandated reporter laws/regulations.
 - Policies.
 - Training.
- Incident response policies.
- Insurance.
 - Coverage?
 - Locate past policies.

First 60-90 Days

4. CPT Team Develops Protection Policies.

5. IRT Develops Response Policies

6. Organization audits:

- Criminal records checks.
- Insurance squared away.

Audit

- Worksheet
 - Policies
 - Historical incidents
 - Insurance
 - Staff surveys
 - Stakeholder input

First 60-90 Days

Thoughts on Response Policies

- Receiving and responding to reports
- Triage of reports.
- Mandated reporter responsibilities
- Discipline and accountability.
- Whistleblower protections.
- Written incident response plan
- Communications guidelines for employees and volunteers

Mandated Reporting

- An essential part of your response is ensuring you are reporting incidents that may occur.
 - Consult your attorney.
 - Who is required to report?
 - When must you report?
 - To whom?
 - Child Protective Services
 - Law enforcement
 - Regulatory bodies

Question 3

How often do you provide mandated reporter training for your employees or otherwise require them to take it?

- A. No requirement
- B. On hiring
- C. Annually

Building a Safety Culture

- Culture Eats Policy For Breakfast”
-Peter Drucker
- You can’t have an effective child protection policy unless you’ve cultivated and implemented a “safety culture” in your organization.
- Pre-requisite for building an organization that protects children.
- To build an organization that protects children requires building a resilient organization.

Psychological Safety Leads to Better Policies

- Are you as a leader building trust?
- Ways to build Psychological Safety:
 - Clarify how violations of policy will be addressed.
 - Who will respond, how, types of accountability.
 - Use collaborative language over adversarial.
 - “Investigation” vs. “review”
 - Avoid the situation becoming personal.
 - People are defensive. You have to build connection *prior* to an incident to have the trust necessary to correct.
 - Humility.
 - Are you as a leader building a record of acknowledging your own flaws and mistakes

A RESOURCE GUIDE FOR YOUTH ORGANIZATIONS

Protecting Other People's Children

120 DAYS TO CREATE A
STRONG CHILD SAFETY POLICY

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Questions and Discussion



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Creating Child Protection Policies
First 120-150 Days and Yearly



Date Completed	Employee, Volunteer, Intern Files (CST)
	Audit all worker files for criminal records checks
	Audit all worker files for reference checks per new policies
	Conduct checks on any employees missing them
Date Completed	Board Governance
	Encourage your Board to audit itself for good governance policies
Date Completed	CST Develops Workable Policies
	Document Retention
	Use of pictures and videos of children
	Parent orientation on child protection policies
	Offsite activities
Date Completed	Training
	CSC and CST develop and present training in new policies for all workers
	CSC and IRT develop and present mandated reporter training
	Consider training for children on safe boundaries
	CSC and CST develop and provide specialized training for those who screen employees and volunteers
	Consider needed upgrades to physical facility, develop realistic budget and timeline for potential changes

Yearly and Ongoing	
	Audit employee files for CRCs and reference checks
	Evaluate whether child protection policies are working
	Employee surveys
	Incident reports
	Training in child protection policies
	Training in mandated reporter policies
	Tabletop exercises (if possible)

Disqualification Matrix



Note: The following is simply an example. Decide what works for your particular organization, based on licensing rules and the standard of care in your industry.

Nature of Job	Positions (Examples)	Tier	Disqualifying
Direct Work with Minors, High Trust with Minimal Supervision	Teachers, Staff, Volunteers, Bus Personnel	3	• Offenses against/involving children • Crimes of violence • Drug felonies • Drug possession? • Specialized registries?
Transportation	Bus Personnel	3	• All of the above, plus • Driving record • Vehicle offenses
Financial	CFOs, Bookkeepers, Accept payments from clients	3	• Offenses in first category, plus • Financial crimes, offenses • Identity theft, offenses • Bankruptcy? • Minimum credit score?
Less Direct Work with Minors, More Supervision	Supervised Volunteers, Cooks	2	• Offenses against/involving children • Crimes of violence • Drug felonies • Less concern about misdemeanors, registries
No Contact with Minors or Public, Heavily Supervised	Back office & clerical personnel	1	• Offenses against/involving children • Crimes of violence • Select misdemeanors related to job duties

Screening Matrix



Access to Children	Positions (Examples)	Screening Level	Screening Components
Frequent	Teachers, Staff, Bus Personnel	5	• Verify identity • Work and volunteer history • State/national CRCs • Sex offender registry • Child maltreatment registry • 2-4 Reference checks • Personal interview
Sporadic	Volunteers	4	• Verify identity • Waiting period • State/national CRCs • Sex offender registry • Child maltreatment registry • At least 1 reference check • Personal interview
Sporadic with supervision	Lunchroom personnel, Outside vendors or repair contractors, Classroom speakers, Some volunteers, Board members, Parents	3	Local CRCs, registry checks, and interviews for employees and volunteers where you can require; otherwise ensure adequate supervision.
Other Youth Organizations	Intramural competitions (judges, referees, other team coaches), Accreditation visits	2	No screening, BUT include in any agreement your expectations that organization has screened its personnel. Reinforce that expectation in writing (e.g., emails and keep copies)
Public	Public competitions and events	1	No screening, BUT ensure adequate supervision of potential and unexpected interactions with students/minors.

Remember: Supervision ≈ Screening. It's not always feasible to insist on background screening for adults who enter your school, such as parents eating lunch with their child or classroom speakers or repair people. Always follow the rule that when you can't screen, you insist on constant supervision by a fully screened employee.

References

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Kohn et al, eds. *To Err is Human: Building a Safer Health System* (2000. (Institute of Medicine (US) Committee on Quality of Health Care in America, National Academies Press).