

KIDSPEACE POLICY
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Title: PREA – Official Response Following a Resident Report	Chapter: Payer or Regulatory Specific
Policy Number: GA.6408	Subsection: PREA
Initiating Authority: Lou Shagawat, Executive Director Georgia Programs	Supersedes: PR.GA.G.03
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Approving Authority: Sue Leyburn, Executive Vice President Programs and Quality Improvement	

I. POLICY STATEMENT

It is the policy of KidsPeace National Centers of Georgia that whenever anyone has reasonable cause to suspect that a client in the care, supervision, guidance, or training of the organization has been abused or neglected, they are required to report or cause a report to be made of their suspicion to the appropriate official agency immediately and that the alleged abuse or neglect is investigated.

II. PURPOSE

The purpose of this policy is to document a list of procedures to be followed in the reporting of suspected abuse or neglect toward a client perpetrated by an associate or by another client, or by others outside of KidsPeace National Centers of Georgia. This policy defines the steps that KidsPeace National Centers of Georgia and the associates will take following the report of suspected sexual abuse.

III. SCOPE

KidsPeace National Centers of Georgia.

IV. GENERAL

Not applicable.

V. POLICY

- A. When any associate at KidsPeace Georgia learns that a client is subject to a substantial risk of imminent sexual abuse, immediate action will be taken to protect the client.
1. Clients will have protective measures put in place such as transfer to another residential provider, increased counseling sessions, more frequent status checks, movement of bedroom, a Client Focus Meeting, etc.
 2. Associates may have protective measures in place such as a transfer of working assignment, more frequent supervisory conferences, increased training, etc.
 - a) KidsPeace Georgia may remove any alleged associate sexual abuser from contact with clients pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted.
 - b) The Executive Director and/or the Human Resource Manager may place an associate on Administrative Leave pending the results of an investigation and/or clearance for the external agency investigating the allegation.

- c) If the allegation of sexual abuse is not substantiated, the period of administrative leave or non-contact will not be utilized in the accused associate's performance evaluations, but all records of investigations will be maintained by the Residential Services Supervisor.
 - 3. The Reporting Associate(s) will complete a Critical Incident Report (CIR) and Incident Case Management note prior to leaving their shift.
 - 4. The On-Site Campus Manager will notify Program Leadership and the PREA Coordinator or their designated associate immediately upon suspicion, knowledge and/or an allegation of a possible sexual incident.
- B. The PREA Coordinator or their designated associate is required to:
 - a) Ensure that the alleged victim and abuser are separated.
 - b) Preserve and protect any crime scene until appropriate steps can be taken to collect any evidence.
 - (1) If the alleged abuse occurred within the past 72 hours, ensure that the alleged victim does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, showering, drinking, or eating.
 - (2) If the alleged abuse occurred within the past 72 hours, ensure that the alleged abuser does not take any actions that could destroy physical evidence, including, as appropriate, washing, brushing teeth, changing clothes, urinating, defecating, showering, drinking, or eating.
 - c) **Comply with any applicable mandatory child abuse reporting laws.**
- C. The credibility of an alleged victim, suspect, or witness shall be assessed on an individual basis and shall not be determined by the individual's status as client or associate.
- D. Leadership will do everything possible to ensure that a culture of non-retaliation is prevalent throughout the facility. Associates shall protect clients and their co-workers who report sexual abuse or sexual harassment or are victims of sexual abuse or sexual harassment from retaliation.
 - a) Associates will immediately report any retaliation against clients or staff who report sexual abuse or sexual harassment.
 - b) Associates will immediately report any associate neglect or violation of responsibilities that may have contributed to an incident or retaliation.
- E. KidsPeace Georgia shall not require a client who alleges sexual abuse to submit to a polygraph examination or other truth-telling device as a condition for proceeding with the investigation of such an allegation.
- F. Internal Investigations:
 - 1. The identified PREA Coordinator or their designated associate will ensure safety for alleged abuser and victim, by not allowing any access and/or interactions with any party involved in the incident/allegation.

2. The PREA Coordinator or designated associate will interview each party involved in the allegations/incident and obtain facts related to the incident. Fact-finding interviews will take place within a 24-hour period and gathered in a private area.
3. The PREA Coordinator or their designated Associate will ensure all personnel are notified of allegations, this will include but is not limited to the Executive Director Program Leadership, Clinical Leadership, and Educational Leadership.
4. The Executive Director or their designee will send out an Incident Notification email.
5. KidsPeace Georgia will document in written reports a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.
6. All parties involved (alleged abuser, witnesses, victim, etc) will be asked to document on a Resident/Staff Statement Form any information about the alleged incident.
7. KidsPeace Georgia will investigate to determine whether associate actions or failures to act contributed to the abuse.
8. All written reports in reference to substantiated and unsubstantiated allegations of sexual abuse, sexual harassment, associate sexual misconduct, and client sexual misconduct shall be maintained for as long as the alleged abuser is incarcerated or employed by the agency, plus five years.
9. Once all written reports are finalized and gathered, the PREA Coordinator or their designated associate will conduct an Internal Investigation Task Focus Meeting to determine the outcome of the investigation and what further steps are to be taken to substantiate, unsubstantiated, make an external report, and/or call local law enforcement agencies.

G. External Notifications:

1. The PREA Coordinator and/or their designated associate can only make external notification with the Internal Investigation Task Focus and/or Executive Director's approval.
2. KidsPeace Georgia is not the legal guardian of any clients in its care, KidsPeace Georgia and its associates do not have the authority to make legal decisions on behalf of those clients, nor does KidsPeace Georgia provide legal advice or counsel for those clients. KidsPeace Georgia does do everything in its ability to promptly inform guardians and appropriate agencies of circumstances involving law enforcement issues.
3. The Program Manager or their designee will complete and submit the Office of Regulatory Child Care's Incident Intake Information Form and notify Child Protective Services (CPS) as soon as possible but no later than 24-hours of learning about the allegation or incident. This notification will be documented in each client's record via a Case Management Note.
4. Within 24 Business Hours, the Executive Director or his/her designee will notify the Office of Regulatory Child Care Services, Department of Human Resources, Office of Provider Management, and the Department of Juvenile Justice regarding an incident resulting in police involvement.

5. KidsPeace Georgia will request relevant information from each External Investigative Agency in order to inform the client of the outcome of the investigation.
- H. KidsPeace Georgia will ensure that all investigations into allegations of sexual abuse, sexual harassment, associate sexual misconduct, and client sexual misconduct are done so promptly, thoroughly, in a professional manner, and objectively for all allegations, including third-party and anonymous reports.
- I. For at least 90 days following a report of sexual abuse, KidsPeace Georgia shall monitor the behavior and services of clients or associates who reported the sexual abuse and of clients who were reported to have suffered sexual abuse to see if there are changes that may suggest possible retaliation by clients or associates.
 1. The Interdisciplinary Team will monitor clients,
 2. Their direct supervisor will monitor associates,
 3. Monitoring will continue beyond the 90 days if the initial monitoring indicates a continuing need.
- J. KidsPeace Georgia will not terminate an investigation solely because the source of the allegation recants the allegation or because the alleged abuser or victim has departed the facility or employment from KidsPeace Georgia.
- K. KidsPeace Georgia shall impose no standard higher than a preponderance of the evidence in determining whether the allegations of sexual abuse or sexual harassment are substantiated.
- L. Any client who makes an allegation of being sexually abused while at KidsPeace Georgia will be provided information regarding the outcome of any investigation.
- M. If any other individual who cooperates with an investigation (such as a witness) expresses a fear of retaliation, KidsPeace Georgia will take appropriate steps to protect that individual from retaliation. KidsPeace Georgia's obligation to monitor for retaliation will terminate if it is determined that the allegation is unfounded.
- N. Aside from reporting to designated supervisors or officials and designated State or Local services agencies, staff shall be prohibited from revealing any information related to a sexual abuse report to anyone other than to the extent necessary, as specified in agency policy, to make treatment, investigation and other security and management decisions.
- O. KidsPeace policy pursuant to the following PREA standards:
 1. § 115.361
 2. § 115.362
 3. § 115.364
 4. § 115.367
 5. § 115.368
 6. § 115.371