

Sexual Abuse & Misconduct

FOCUS is committed to the creation and growth of thriving Christian communities at every college campus in DFW. Unfortunately, not one of us engaged in these communities is exempt from sin's temptation, and thus we recognize the importance of having clear and effective means for our students and staff to report any kind of sexual abuse or misconduct.

First off, let it be said that any form of sexual abuse or misconduct will not be tolerated nor allowed to continue within our ministry. Any participant in our events or ministry at-large is encouraged to report immediately any action that might be perceived as abuse, whether experienced directly, witnessed by, or even communicated to the reporting person.

Reporting Procedure:

Students should report potential offenses orally and/or in written form to a FOCUS staff person or a FOCUS leader with whom they feel safe and whom they trust. Staff who receive such reports should report to the Campus Director of their respective campus immediately with the understanding, and if possible with the consent, of the accuser. If, for whatever reason, an accuser does not feel safe following the aforementioned steps, they can contact Kristen Wilemon from the FOCUS Board of Directors (469-441-0170 | kkperry1@tx.rr.com).

Investigation & Follow-up:

FOCUS will take all allegations of sexual abuse or misconduct seriously and will promptly, thoroughly and equitably investigate whether misconduct has taken place. In addition, FOCUS will make every reasonable effort to keep the matters involved in the allegation as confidential as possible while still allowing for a prompt and thorough investigation.

A review committee will be appointed to review the more serious accusations or will be formed where specifically requested. The committee will recommend to the campus directors and Board of Directors an appropriate reaction, correction, and remediation.

The committee membership will be mutually acceptable to the accuser and FOCUS and comprised of representatives from both within and outside of FOCUS, with a majority coming from *outside* of FOCUS. If agreement cannot be reached, an attorney representing FOCUS and an attorney representing the accuser will together negotiate and arbitrate an agreement in appointing the committee.

Strict confidentiality is to be exercised among the involved parties, and information will be made only as public as mutually agreed upon by FOCUS, the review committee, and accuser(s). Spokespersons will be appointed and approved by the FOCUS directors. It must be agreed that no one will speak publicly or privately, inside or outside of the FOCUS community, without the agreement or at least the prior knowledge of the campus directors, Board of Directors, the duly appointed review committee, and the accuser(s).

If necessary and appropriate, Christian attorneys will be secured for FOCUS and/or the accuser and/or the accused. If attorney fees are not covered by the FOCUS liability policy, each entity is responsible for their own attorney fees unless otherwise agreed upon by the FOCUS Board of Directors.

*In the event that the alleged perpetrator is not involved with FOCUS, staff involvement will be limited to providing care to the victim and encouraging that law enforcement is contacted. If a victim confides in a FOCUS staff person, he or she may have an expectation that this information will not be shared with others, including law enforcement. If the staff person wishes to share this information with law enforcement, it should be done with prior permission from the victim.

Law Enforcement:

If necessary, and after careful deliberation, offenses that are criminal in nature will be reported within 24-48 hours to the appropriate law enforcement or governmental agencies by the FOCUS Director and/or a member of the Board of Directors.

All accusations will be carefully considered and those who have been hurt will be offered proper support, counseling, and assistance. However any costs incurred will be the responsibility of the accuser unless agreed to in advance by FOCUS.

All actions should be documented for careful review and audit should it be needed. The Board of Directors and review committees will cooperate fully with law enforcement and other involved government agencies to assure openness, accountability, and complete, fair resolution of offenses.

Those with any obvious conflicts of interest due to close ties, family relationships, business associations, and so forth will be recused from participating in the evaluation of and dealing with accusations of offenses.

Mandatory Reporting Laws:

In the event that the accuser is 17 years of age or younger, Texas state law mandates that anyone who suspects child abuse or neglect must report it immediately (within 48 hours). The report may be made to (1) any local or state law enforcement agency; or (2) the Department of Family and Protective Services.

This mandatory reporting applies to all individuals and is not limited to teachers or health care professionals. The law even extends to individuals whose personal communications may be otherwise privileged, such as attorneys, clergy members, and health care professionals. A person acting in good faith who reports or assists in the investigation of a report of child abuse or neglect is immune from civil or criminal liability. Failure to report suspected child abuse or neglect is a Class A Misdemeanor, punishable by imprisonment of up to one year and/or a fine of up to \$4,000. Merely reporting the incident to your supervisor or manager is insufficient.