



SHAMBHALA

Shambhala Child Protection Policy

Approved February 23, 2020

1. Why have a Child Protection Policy in Shambhala?

A Child Protection Policy (the “CPP”) aims to ensure that the growing minds and bodies of children are respected, and that each child be protected from abuse. Adults in Shambhala must set an example for children of care and behaviour we want for future generations.

2. To whom does the CPP apply?

2.1 Scope and Application. The prohibited conduct in Section 3 applies to everyone. Unless otherwise noted, the other provisions of the CPP apply to everyone who participates in an activity associated with Shambhala where children are present or involved. Except for Section 3 misconduct, the CPP does not address programs or activities unrelated to Shambhala carried out or sponsored by individuals or members of Shambhala.

2.2 Effective date. The effective date of the CPP is February 26, 2020 (the “Effective Date”), and it shall apply only to complaints arising due to events and circumstances occurring on or after the Effective Date.

2.3 Amendments to the CPP. This CPP may be amended at any time by the Board of Directors of Shambhala based upon a review by the Office of Community Care and Conduct.

2.4 Defined Terms.

a.) Child. The age of adulthood varies in different locations and countries. For the purposes of this policy the term “child” will refer to a person under the age of 18, regardless of the local legal age of majority.

b.) Adult. “Adult” refers to a person 18 years of age or over.

c.) Sexual activity. “Sexual activity” includes sex and any interaction between a child and adult in which the child is used for sexual stimulation. This can include both touching and non-touching behaviors occurring either in person or online. Non-touching behaviors can include voyeurism, exhibitionism, or exposing the child to pornography.

d.) Shambhala activities. For purposes of this policy, “Shambhala activity” means a program or activity carried out under the name or auspices of, or sponsored by, Shambhala, whether or not held in a Shambhala location.

e.) Shambhala location. For purposes of this policy, “Shambhala location” means any physical location owned or leased by (i) Shambhala Canada Society or Shambhala USA or (ii) any entity or organization subsidiary to, or affiliated with, Shambhala Canada Society or Shambhala USA (e.g., Shambhala Europe GmbH).

3. Child Sexual Abuse Prohibited. For purposes of this Child Protection Policy, **sexual activity in the context of any activity associated with Shambhala between a person 18 years of age or older and a person under the age of 18 is prohibited** regardless of the age of majority or consent locally. Mistaken belief in the age of the child is not a defense.

4. What to Do in the Event of Allegations of Child Sexual Abuse

4.1 Reporting Potential Child Sexual Abuse. Anyone who has knowledge of, witnesses, or develops concerns or reasonable suspicions regarding child sexual abuse in any activity associated with Shambhala, must report such concerns according to procedures 4.2 - 4.7

4.2 If the person with knowledge or concerns believes this matter would be subject to mandatory reporting, then report immediately to local authorities, which may be law enforcement and/or child protection agencies as prescribed in local law. The matter should then be reported to centre or group leadership. If the person with knowledge or concerns is uncertain whether the matter is subject to mandatory reporting, they must report the matter first to centre or group leadership.

Procedures to follow by Centre or group leadership:

4.3 Determine if there is a mandatory reporting requirement and immediately report the incident to appropriate authorities if that has not already occurred.

4.4 If there is suspicion of a crime, then the matter shall be reported to the appropriate authorities whether there is a mandatory reporting requirement or not.

4.5 The child’s parents or guardians shall be notified as soon as possible; if there is no mandatory reporting requirement, and it does not appear that a crime has been committed, then the child’s parents or guardians will determine if the matter is reported to law enforcement and outside agencies.

4.6 Maintain careful records of interviews, statements, and other evidence and maintain these records of the above in a confidential file for use by the appropriate authorities.

4.7 Notify the Director of Community Care and Conduct of the above.

GUIDELINES

5. Guidelines for people assigned responsibility for children in any activity associated with Shambhala

5.1 Compliance with Law. All Shambhala centres, groups, and individuals offering programs involving children are responsible for complying with local laws and regulations regarding children, including mandatory reporting requirements. Centres, including locations that are not Shambhala centres, may adopt child protection policies that are stricter than the CPP and in that case, the stricter rules will apply. However, where there is no local policy or the local policy is less strict, then the CPP provision shall apply.

5.2 Decorum. People assigned responsibility for children should respect the developmental age of the children/youth in behaviours and activities. While caring for children, the people assigned responsibility for working with them must refrain from intoxication, including through the use of unprescribed medications, drugs or alcohol of any kind, and from inappropriate or obscene language or behaviours.

5.3 Staff Ratios. It is recommended that two adults be present at all times with children to provide care and supervision. If there is a ratio of adult caregivers to children that is required by local law, it must be followed. Young people, who are also children, are welcome to assist, but the overall care is the responsibility of the assigned adult(s).

5.4 Record Keeping. It is required that all programs keep a record of which adults were responsible for activities with children.

5.5 Background Checks. It is required for those people who are assigned responsibility for working with children to undergo a background check (See background check protocol).

Additional guidelines for people assigned responsibility for children in residential programs

5.6 Compliance with Law. All residential programs involving children, conducted, sponsored, or hosted by Shambhala or on Shambhala properties shall comply with local laws and regulations. A centre or group, through the director or coordinator of a residential program, is required to know the relevant local laws and regulations and to inform all staff of them at the beginning of the program.

5.7 Residential programs for children, for example Sun Camp, shall adopt, maintain and enforce specific and additional guidelines related to the conduct of staff, volunteers, and guests. These guidelines shall be maintained on file and updated with the Director of Community Care and Conduct.

5.8 In residential programs, emergency procedures and responses must be clearly in place in accordance with local laws.

6. Guidelines where people have a history of abuse of children.

6.1 History of Abuse. These guidelines are intended to assist everyone to develop healthy and appropriate boundaries in their relationships, and to ensure the safety of children.

6.2 Self-reporting. If anyone has a public record of allegations and/or convictions of abuse of children, and they are, or will be, in any Shambhala activity, they are required to self-report to centre or group leadership. This self report will allow a centre or group to work in a confidential and considerate manner regarding their participation in activities when children are present.

6.3 Reporting concerns involving others. If anyone becomes aware that a person with a public record of allegations and/or convictions of abuse of children is attending any activity associated with Shambhala, they should ask the person to self-report and to let them know when that report has been made. This request is mutual sharing of responsibility for each other and everyone's well-being. If the person with a public record of allegations and/or convictions of abuse of children does not self-report, then anyone with knowledge of their public record has a responsibility to report that information to Centre leadership in a confidential manner.

6.4 Follow Up Procedures.

a.) Where a report has been made about a person with a public record of allegations and/or convictions of abuse of children, local leadership must notify the Director of Community Care and Conduct. Director of Community Care and Conduct and local leadership will discuss before proceeding further.

b.) Where there has been a conviction or allegations have been confirmed or self-reported, a meeting will be arranged involving (a) the person with the history of abuse of children, and if that person wishes, a support person of their choice, and (b) at least two people in attendance representing the centre or group leadership.

c.) In this meeting, the person will be required to sign a confidential agreement regarding the conditions under which they may or may not participate in Shambhala activities in which children are present. This agreement (see CPP Agreement Form) will be kept on file locally and with the Director of Community Care and Conduct.

d.) If signing an agreement is not acceptable to the person with a public record of allegations and/or convictions of abuse of children, they will not be permitted to participate in any Shambhala activities or be present in Shambhala locations, subject to review by the Director of Community Care and Conduct.

e.) Leadership in local Shambhala communities and the Director of Community Care and Conduct will respect the need for confidentiality and respectful communication for everyone involved.

Policy Effective Date: Feb. 26, 2020

Policy Review Date: Feb. 26, 2021

Approved By: Shambhala Board of Directors