

LAKE COUNTY BOARD OF DD/DEEPWOOD

BOARD POLICY

Reviewed and Adopted by the Board:
Date: November 21, 2022

Signature on File
Elfriede Roman, Superintendent

I. SUBJECT: SOCIAL SKILLS AND HUMAN SEXUALITY

II. PURPOSE:

To establish policy and guidelines for Board operated programs in the area of human sexuality and social skills that supports the freedom to make responsible choices and protects individuals from harm.

III. REFERENCES:

LCBDD/Deepwood Policy A-10 Reporting and Handling of Major Unusual Incidents/ Unusual Incident

LCBDD/Deepwood Policy A-18 Informed Consent

LCBDD/Deepwood Policy A-27 Rights of Persons with Developmental Disabilities

LCBDD/Deepwood Policy B-19 Prohibition of Sexual Harassment & Other Unlawful Harassment or Discrimination: Reporting & Complaint Procedure

LCBDD/Deepwood Administrative Procedure 15.1 Social Work Services Referral Process

IV. POLICY:

The Board recognizes that the expression of one's sexuality is the right of every person. The rights of people who are developmentally disabled include the same opportunities, responsibilities and consequences experienced by the general population. The Board also acknowledges its dual obligation to develop and promote the abilities of individuals while also protecting them from harm that may result from sexual behavior.

The Board shall advocate for age-appropriate sexual development of each individual through the implementation of this policy, training and education of individuals and staff. Training and education shall be provided with the goal of enabling individuals to develop healthy social relationships and shall be provided to staff with the goals of enabling staff to reconcile the dual obligations of the duty to protect from harm while promoting autonomy.

A. Individuals Training and Services:

- 1) The Board operated ICF/IID will annually assess each individual for sexuality awareness. The Adult Service program will assess an individual for sexuality training when a need for such is identified by the individual's team.
- 2) Once assessed, the Board operated ICF/IID and the Adult Service programs will implement sexuality education programs via the IP team process that are individualized, age appropriate and promote the following goals of sexuality education:
 - a) To acquire social skills thereby making it possible to interact with individuals of both sexes.
 - b) To encourage communication about sexuality with others without guilt or embarrassment.
 - c) To provide information about human bodies and enable individuals to see themselves to be like others.
 - d) To provide some insight into the commitments of relationships, parenthood and family in order to set realistic goals for the future.
 - e) To learn to recognize and avoid situations where sexual exploitation may occur and know how and to whom to report such occurrences.
 - f) To prevent involvement in inappropriate sexual behavior and promote awareness of consequences.
 - g) To enrich lives by enhancing sexual expression that best fits abilities and needs.
 - h) To provide accurate and unbiased sex information which is accessible to the general public.
 - i) To provide information about the potential source of exposure to serious health risks, some of which have permanent or fatal consequences.
 - j) To become responsible sexual persons with awareness of appropriate sexual behavior and customary social practices.
 - k) To provide information, instruction, and access to birth control when sexually active or contemplating activity.
- 3) To support the right of confidentiality, individuals' needs will be stated in a non-specific manner as part of the Individual Service Plan. Team members will be informed of the specific plan of care on a need to know basis as determined by the team.
- 4) School age individuals shall receive sexuality education through the school curriculum in addition to addressing individual needs through the IEP.
- 5) Adult individuals being served in County Board residential or adult services programs who communicate a desire to engage in an active sexual relationship may be referred to Social Work by their Team for an assessment to determine their capacity to participate in a relationship of this nature. Refer to *Administrative Procedure 15.1 Social Work Services Referral Process* to make

a referral to Social Work and to *Board Policy A-18, Informed Consent* for the assessment. that shall evaluate the following:

- a) Knowledge of the physical nature of sexual conduct and
- b) Knowledge of the emotional nature of sexual conduct
- c) The possible consequences of sexual conduct including pregnancy
- d) The possible consequences of disease
- e) Demonstration of comprehension of risks and benefits of each of the above.

- 6) Due to the personal nature of an individual's sexual conduct and the right to privacy that accompanies sexual behavior, confidentiality shall be respected and strictly observed.

B. Staff Education and Training:

- 1) All staff shall receive education and training on the philosophy and implementation of this Policy in their respective departments.
- 2) Views about sexual conduct are shaped by differing religious, moral, ethical, cultural and other values, and all individuals tend to have a variety of strongly held opinions shaped by these influences. Staff education shall include sensitivity training to heighten awareness and tolerance of other individuals' beliefs and preferences and how not to impose their own values and judgments on others.

C. Responses to questionable situations of a sexual nature:

- 1) If a staff member observes a situation involving questionable sexual conduct, he/she should separate the individuals in a calm, non-judgmental manner and direct them to an appropriate activity, the situation is to be reported following the instructions outlined in *Board Policy A-10, Reporting and Handling of Major Unusual Incidents/Unusual Incidents*.
- 2) In a situation where physical harm or perceived threat to safety occurs the individuals shall be separated immediately and medical attention sought. The incident is to be reported by following the instructions outlined in *Board Policy A-10, Reporting and Handling of Major Unusual Incidents/Unusual Incidents*.
- 3) If an individual reports an act of sexual contact that is not considered to be appropriate for that individual, the staff member shall first ensure the safety of the individual and then report the incident to the supervisor on duty. The incident is to be reported by following the instructions outlined in *Board Policy A- 10, Reporting and Handling of Major Unusual Incidents/Unusual Incidents*.

- 4) In situations in which an individual claims to have been raped or molested, the staff is to immediately ascertain if the alleged perpetrator had contact with the individual at the time the act is alleged to have happened. The allegation is to be reported to the supervisor immediately. If the possibility of a rape or molestation is possible, the victim is to be taken to the Emergency Room (ER) immediately. The individual is not to bathe or change clothing until the doctor has examined them and the evidence has been collected. The incident is to be reported by following the instructions outlined in *Board Policy A-10, Reporting and Handling of Major Unusual Incident/Unusual Incident*. In addition, the following will apply:
 - a. If the accused perpetrator is an individual being served by the Board, he/she shall be visually monitored at all times within any Board service area while the allegation is investigated.
 - b. If the accused perpetrator is an employee of the Board, *Board Policy A-10 Reporting and Handling of Major Unusual Incident/Unusual Incident and Administrative Procedures A-10 Assignment of Employees to Non-Direct Care (NDC) Duties and A-10.1 Administrative and Internal Investigation Procedure will be followed.*

V. DISTRIBUTION:

Board Members
All Management Staff
All Staff (via Department Managers)
LEADD President

VI. REVIEWED:

11/22, 11/20, 11/18, 11/17, 11/16, 11/15, 11/14, 11/12, 11/10, 11/08, 11/06, 5/04, 5/02, 3/00, 2/97