



Office of the City Clerk

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Legislation Details (With Text)

File #: O2018-7132
Type: Ordinance
Status: Failed to Pass
File created: 9/20/2018
In control: City Council
Final action:
Title: Amendment of Municipal Code Chapter 8-16 by adding new Section 8-16-129 regarding written policies and appropriate methods for communications between staff of youth serving organizations and participants
Sponsors: Burke, Edward M., Solis, Daniel, O'Connor, Patrick, Scott, Jr. Michael, Reilly, Brendan, Laurino, Margaret, O'Shea, Matthew J.
Indexes: Ch. 16 Offenses By or Against Minors
Attachments: 1. O2018-7132.pdf

Date	Ver.	Action By	Action	Result
5/29/2019	1	City Council	Failed to Pass	
9/20/2018	1	City Council	Referred	

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ORDINANCE

WHEREAS, the City of Chicago is a home rule unit of government pursuant to the 1970 Illinois Constitution, Article VII, Section 6 (a); and

WHEREAS, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, due to the recent allegations of child sexual abuse in several different schools throughout the City, there is a substantial need for implementing new guidelines in all varieties of youth serving organizations; and

WHEREAS, while children are at school for a majority for the day, they also spend their time in other activities before and after school or attend day care programs; and

WHEREAS, although children are taught about the dangers of strangers, the reality is ninety percent (90%) of child sexual abuse is committed by a person the child and his or her family knows, according to the organization Darkness to Light; and

WHEREAS, abusers often form relations with potential victims and their families prior to the abuse - a process called "grooming;" and

WHEREAS, the potential offender uses grooming to connect with a child to gain their trust for the future purpose of sexual abuse and is able to maintain that relationship in secrecy; and

WHEREAS, according to statistics calculated at Crimes against Children Research Center in 2002, nearly seventy percent (70%) of all reported sexual assaults occur to children ages seventeen (17) and under; and

WHEREAS, a national survey published in 2000 by Child Abuse & Neglect revealed, while there is a risk for children of all ages, children are most vulnerable to abuse between the ages of seven (7) and thirteen (13); and

WHEREAS, additionally the survey reported that the median age for reported abuse is nine (9) year old, however, more than twenty percent (20%) of children are sexually abused before the age of eight (8); and

WHEREAS, according to the longitudinal Adverse Childhood Event (ACE) study in 2009 performed by the US Centers for Disease Control, 1 in 4 girls, and 1 in 6 boys will be sexually abused by the age of eighteen (18); and

WHEREAS, a report in the American Journal of Life Medicine in 2011 revealed "children who are sexually abused are at significantly greater risk for later posttraumatic stress and other anxiety symptoms such as depression and suicide attempts;" and

WHEREAS, youth serving organizations have a strong responsibility to protect children from becoming victims of child sexual abuse; and

WHEREAS, appropriate interactions between staff and children are essential in supporting positive youth development, making youth feel valued, and providing the caring connections that serve as protective factors for children in their early stages of adolescence; and

WHEREAS, because youth serving organizations have direct access to children, these types of child care - including clubs, centers, teams, troops, etc. - have a clear responsibility to implement safeguards to prevent and safeguard against predatory behavior; and

WHEREAS, businesses whose primary duty is to look after children should be required to have a written policy regarding staff communication with those participants via email, text or instant messaging, and social media; and

WHEREAS, it is the duty of the City Council to protect children at all levels, in or out of the school environment, and therefore it is in our best interest to require youth serving organizations to establish written guidelines for staff communication; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

SECTION 2. Chapter 8-16 of the Municipal Code of Chicago is hereby amended by inserting a new Section 8-16-129 as follows:

8-16-129. Youth Serving Organizations.

(a) Definitions. For purposes of this section:

"Social Media" means online platforms, networks or websites through which users post or share information, ideas, messages and other content (such as photos or videos) and includes, but is not limited to, media sharing sites and social networking sites such as Twitter, Facebook, Instagram, Snapchat, YouTube and LinkedIn.

"Staff Communication Policy" means the written policy required under subsection (b) of this Section.

"Youth Serving Organization" means a corporation, association or other organization operating in Chicago as an Illinois corporation, but excluding public and nonpublic schools, and which offers recreational, cultural, social, or other activities or services for fifty (50) or more persons age five (5) through seventeen (17), who for purposes of this section, shall be referred to as Participants.

b) Policy requirement. Each youth serving organization shall: develop, maintain, and comply with a written staff communication policy that defines appropriate methods of communication between staff and Participants. Such policy shall: (a) establish clear guidelines for appropriate communications between staff and children via email, text or Instant Messaging (IM), social media, and any other youth-involved communication; (b) be posted on the organization's website in a clear and conspicuous manner; and (c) be distributed in written form to the child's parent or guardian at the time of enrollment or service initiation.

c) Violation. Any person who violates this section shall be subject to a fine of not less than \$20.00 nor more than \$50.00 for each offense. For purposes of this subsection each of the following shall constitute a separate and distinct offense: (i) each day the youth serving organization is without a policy; (ii) each day that a parent or guardian is not given the written policy; and (iii) each Participant for whom the policy is not distributed.

SECTION 3. This ordinance shall take effect ninety (90) days after passage and approval.

Edfyard M. Burke Alderman, 14th Ward

Margaret Laurino Alderman, 39th Ward