



University Policy 07-040

Protection of Minors

Responsible Executive: Vice
Provost for Student Affairs

Responsible Office: Youth Safety &
Compliance

Effective: October 21, 2019

Last Revised: October 31, 2023

1. Policy Statement

- 1.1. Oregon State University (“university”) is committed to promoting and protecting the safety and well-being of Minors who participate in programs and activities both on and off campus. Members of the university community who interact with Minors in any official capacity are expected to foster and maintain an appropriate and secure environment for Minors.
- 1.2. To support the protection of Minors, this policy outlines what is required of university employees, students and Volunteers who engage in programs or activities involving Minors (hereafter, “youth programs”), and Section 5.3 to 5.8 establishes requirements for youth programs affiliated with or supported by the university.
- 1.3. Pursuant to the Oregon Child Abuse reporting statutes, all university employees, regardless of their affiliation with or involvement in youth programs, must follow mandatory reporting procedures if they have reasonable cause to suspect Child Abuse or neglect.

2. Reason for Policy

- 2.1. This policy is intended to promote and protect the safety of all Minors who participate in university-operated programs, as well as programs hosted by the university but operated by outside entities. This policy also supports compliance with federal laws, including Title IX and the Clery Act, as well as state laws, including mandatory reporting of Child Abuse.

3. Scope & Audience

- 3.1. This policy applies to employees (regular, temporary, and student employees) and Volunteers who interact with Minors in their capacity as a representative of the university.
- 3.2. This policy obligates university employees to contractually require non-university entities, individuals or third parties operating youth programs on university property

to follow standards that meet or exceed those set forth for university youth programs.

- 3.3. Policy requirements of program registration, background checks, training and the *Youth Safety Standards of Behavior Form* apply to any university-operated or university-hosted program that involves Minors. This includes but is not limited to:
 - 3.3.1. Programs with Minors that take place on university-owned or controlled property, such as group visits and campus tours, overnight camps, childcare, instructional programs, day camps, academic camps, recreation camps/clinics and athletic camps.
 - 3.3.2. Programs with Minors that engage University Representatives in an official capacity, but which take place off campus or in a virtual setting, such as university-sponsored outreach, events and community service activities.
 - 3.3.3. Internships, unpaid work experiences and Volunteer opportunities involving Minors.
 - 3.3.4. Any overnight activities, transportation, or university-coordinated travel with Minors, including activities that may operate outside of a structured youth program (*e.g.*, study abroad or service-learning trip).
- 3.4. The following are not considered youth programs under this policy but remain subject to this policy's One-on-One Interactions provision pursuant to Section 5.1, and other laws, university policies and standards, and procedures, including but not limited to mandatory Child Abuse reporting:
 - 3.4.1. Events open to the public that are not specifically intended for a youth audience, but which Minors may attend, and during which parents or guardians are expected to be responsible for the Direct Supervision of the Minors at all times.
 - 3.4.2. Employment of Minors who are working for the university, when the Minors are not also participants in a youth program.
 - 3.4.3. Activities and programs in which Minors are serving exclusively as subjects in research that has been approved by the Human Research Protection Program and Institutional Review Board (IRB), and when the Minors are not also participants in a youth program.
 - 3.4.4. Undergraduate or graduate academic degree programs, classes, or activities in which Minors are enrolled or admitted as degree seeking students.

4. Definitions

- 4.1. **Authorized adult:** An individual age 18 or older, paid or unpaid, with university authorization and responsibility for Direct Supervision of Minors, who has successfully cleared a Criminal Records Check and Sex Offender Registry Check, completed required training, and reviewed the *Youth Safety Standards of Behavior Form*.
- 4.2. **Child abuse:** Under Oregon law, the following are considered Child Abuse:
 - 4.2.1. Any assault or physical injury caused by non-accidental means, including any injury which appears to be at variance with the explanation given for the injury;
 - 4.2.2. Any mental injury, including observable and substantive impairment of the child's mental or psychological ability to function caused by cruelty to the child;
 - 4.2.3. Rape of a child, which includes but is not limited to rape, sodomy, unlawful sexual penetration and incest;
 - 4.2.4. Sexual abuse, as described in Oregon Revised Statutes chapter 163;
 - 4.2.5. Sexual exploitation, which includes contributing to the sexual delinquency of a Minor, or allowing, permitting, encouraging or hiring a child to engage in prostitution or to patronize a prostitute;
 - 4.2.6. Negligent treatment or maltreatment, including failure to provide adequate food, clothing, shelter or medical care to a Minor;
 - 4.2.7. Threatened harm, which means subjecting a Minor to a substantial risk of harm to their health or welfare;
 - 4.2.8. Buying or selling of a person under 18;
 - 4.2.9. Permitting a person younger than 18 years of age to enter or remain in or upon premises where methamphetamines are being manufactured;
 - 4.2.10. Unlawful exposure to a controlled substance that subjects a child to a substantial risk of harm to the child's health or safety.
- 4.3. **Criminal records check:** The review of any and all criminal records containing any information collected and stored in a state or county repository or the criminal records repository of the Federal Bureau of Investigation.
- 4.4. **Direct access:** Interactions that meet either of the following criteria:

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- 4.4.1. Performing duties or functions that include the possibility of care, supervision, guidance or control of Minors; or
 - 4.4.2. Regular or repeated interactions with any Minor who is unaccompanied by their parent or guardian. This includes both in-person and virtual interactions.
 - 4.5. **Direct supervision:** The monitoring of Minors, as well as their activities and interactions, by sight and sound.
 - 4.6. **Mandatory reporter:** An individual required by law to report suspected Child Abuse. Under Oregon law, all university employees are considered Mandatory Reporters and must report incidents of Child Abuse at all times, not just incidents that may occur during working hours or on university property.
 - 4.7. **Minor:** Any individual under the age of 18.
 - 4.8. **Person-in-charge:** A university employee who is responsible and accountable for compliance and overall administration of a youth program, including programs operated by non-university entities. The Person-in-Charge is designated by the Sponsoring Unit administrator.
 - 4.9. **Sponsoring unit:** The university department, college, administrative unit, professional school, Extension Service, research facility, or branch campus that offers a youth program or gives approval for the use of university property, resources or brand for a youth program, and is responsible and accountable for compliance with applicable university policies. The Sponsoring Unit is represented by a dean, director, department head, or designee who has departmental or unit oversight and with authority to approve or deny programs.
 - 4.10. **Sex offender registry check:** A review of the National Sex Offender Public Website hosted by the U.S. Department of Justice or other sex offender registry.
 - 4.11. **Support personnel:** University employees and Volunteers who support operations or administrative functions, but who have no direct access to Minors in the context of a youth program.
 - 4.12. **University-hosted youth program:** Any event or activity that meets the following criteria:
 - 4.12.1. Involves Minors who are unaccompanied by their parent or guardian;
 - 4.12.2. Is operated by a third-party contractor, consultant, vendor, student-run organization or other non-university entity or individual, including a member of the university community who is operating independently and not on behalf of the university; and

4.12.3. Takes place on university-owned or controlled property.

4.13. **University-operated youth program:** Any event or activity that meets the following criteria:

4.13.1. Involves Minors who are unaccompanied by their parent or guardian;

4.13.2. Is offered by a university representative or unit; and

4.13.3. Takes place either on or off university property.

4.14. **University representatives:** Employees and Volunteers who interact with Minors in their capacity as a representative of the university.

4.15. **Volunteer:** An individual appointed to perform official university duties without compensation or remuneration. The Volunteer performs activities at the request of, for the benefit of, and under the supervision of, the university. This includes university employees and students serving in a Volunteer capacity in a youth program.

4.16. **Youth program personnel:** University employees and Volunteers who will have direct access to Minors in the context of a youth program. This definition does not include third-party staff or individuals who are supervised by non-university operators, nor does it include Support Personnel who do not directly interact with Minors.

4.17. **Youth program registry:** The online system that is required to be used by university units to register university events and activities involving Minors and to track Youth Program Personnel compliance.

5. Responsibilities & Procedures

5.1. One-on-One Interactions

5.1.1. One-on-one interactions between a Minor and an employee or Authorized Adult (who is not the Minor's parent or guardian) must occur within an observable or interruptible distance from another adult and should only take place in open, well-illuminated areas. This provision applies to university employees regardless of their involvement in youth programs.

5.2. Mandatory Reporting

5.2.1. All university employees have a legal obligation to report Child Abuse at all times and in all situations, including instances occurring off campus or outside of work hours.

- 5.2.2. Separate from any legal duty, non-employees and Volunteers acting as Youth Program Personnel or Support Personnel are required by this policy to report reasonably suspected Child Abuse discovered while performing duties related to the program.
- 5.2.3. All instances of Child Abuse must be immediately reported to the Oregon Department of Human Services (DHS) or law enforcement.
 - a. If a Minor or anyone else is in imminent danger, call 9-1-1.
 - b. If neither a Minor nor anyone else is in imminent danger, call DHS toll-free at 1-855-503-SAFE (7233).
- 5.2.4. In addition to an external report, university employees have a further obligation to internally notify OSU about any instances of Child Abuse related to university youth programs or affiliated persons by following the university's *Mandatory Reporting of Child Abuse & Neglect protocol*.

5.3. Sponsoring and Registering Youth Programs

- 5.3.1. Any youth program that engages a university representative in an official capacity, or which utilizes the university's property, resources, or brand, must be sponsored by a university college, school, department, or unit.
- 5.3.2. Sponsoring units working with non-university organizations and entities operating, attending, or participating in youth programs on university-owned or controlled property must document the relationship in writing and obtain appropriate approvals from authorized representatives in the college, school, department, or unit, and signature by a University Contract Officer before the youth program commences. Such agreements must include, at minimum, language to address compliance with incident reporting and responsibility for background screening, selection, supervision, and conduct of all chaperones, agents, employees, and Volunteers under the external organization's control.
- 5.3.3. The Sponsoring Unit must identify a university employee as a Person-in-Charge for each youth program.
- 5.3.4. All youth programs must be registered in the OSU Youth Program Registry.
 - a. Registration for ongoing programs should be completed annually, at the beginning of the academic year or term.
 - b. Registration for one-time or seasonal programs should be completed at least 30 days prior to the proposed start date of the program.

- c. A program may be delayed or cancelled if it is not registered.
- d. A roster of Youth Program Personnel must be submitted in the Youth Program Registry no fewer than three business days prior to the start date of the program or session in order to demonstrate adequate supervision.

5.4. Background Checks

- 5.4.1. Youth Program Personnel are required to participate in a Criminal Records Check and Sex Offender Registry Check before engaging in youth programs and every two years or more frequently following date of hire, initial service date, or position assignment.
 - a. The university will conduct background checks and background check renewals for university employees and Volunteers.
 - b. Vendors, contractors, or non-university operators offering youth programs on university property are responsible for implementing a background check protocol that aligns with 5.4.1 of this policy and [University Policy 05-010 Comprehensive Background Checks](#).

5.5. Training

- 5.5.1. All Youth Program Personnel must complete university-approved training annually, in one of two ways:
 - a. The Office of Youth Safety & Compliance provides online training content that meets university standards for all employees and Volunteers whose work will involve Minors.
 - b. If a college or unit chooses to utilize its own training resources, the content must cover the required topics outlined in the *Youth Safety Training Assessment Form* worksheet.
 - 5.5.2. It is the responsibility of the Sponsoring Unit and Person-in-Charge to ensure that all Youth Program Personnel have received appropriate training prior to working with Minors, and annually thereafter.
- 5.6. The university reserves the right to require additional training based on the program or an individual's role in the program, as determined by the Office of Youth Safety & Compliance. If additional training is required, the Person-in-Charge will be notified and access to training resources will be provided.

5.7. Standards of Behavior

- 5.7.1. All Youth Program Personnel must review a *Youth Safety Standards of Behavior Form* prior to working in a youth program, and annually thereafter.

5.8. Recordkeeping

- 5.8.1. Unless otherwise mandated by state or federal laws, the following records must be retained by the sponsoring college or unit in accordance with [University Standard 04-010 Records Retention](#):
- a. Accident, incident and injury records.
 - b. Liability waivers, including but not limited to participation agreements, parent consent forms, photo/media releases or consent for medical treatment.
 - c. Child and youth program participant records, including but not limited to rosters, attendance tracking and household/demographic data.
 - d. Employment records, including but not limited to time keeping and dates of Criminal Records Check and Sex Offender Registry Check.
 - e. Volunteer records, including the conditions of Volunteer service form and related documents, such as the description of Volunteer duties and dates of Criminal Records Check and Sex Offender Registry Check.
 - f. Training records that specify dates, content covered, and participant names for all personnel participating in required training.

5.9. Activity Guidelines

- 5.9.1. All youth programs within the scope of this policy must follow the activity guidelines found in the *Safety of Minors Policy Resource Guide*. These guidelines include recommended practices and operational requirements, including but not limited to supervision guidelines, incident reporting and escalation, emergency management, and parental consent.
- 5.9.2. Deviation from these activity guidelines requires clearly documented justification and pre-approval from the Sponsoring Unit and the Office of Youth Safety & Compliance.

5.10. Accountability

- 5.10.1. The Office of Youth Safety & Compliance will conduct periodic monitoring and reviews of youth programs to promote compliance with this and other university policies related to the safety of Minors.

5.10.2. Violations of this policy may result in the delay, non-approval, or immediate termination of the youth program.

5.10.3. Individuals violating this policy may be subject to disciplinary action, up to and including termination.

5.10.4. University policy prohibits retaliation against anyone who, in good faith, reports policy violations or suspected misconduct.

5.11. Exceptions

5.11.1. Programs may be granted an exception from part or all of this university policy in advance of the program taking place, after a written *Exception Request Form* has been submitted to the Office of Youth Safety & Compliance and approved by the Vice Provost for Student Affairs.

6. Forms & Tools

6.1. Mandatory Reporting of Child Abuse & Neglect protocol:

<https://youth.oregonstate.edu/abuse>.

6.1.1. Mandatory Reporting Notification Form:

<https://youth.oregonstate.edu/abuse/notification-form>.

6.2. Safety of Minors Policy Flowchart: <https://youth.oregonstate.edu/flowchart>.

6.3. Youth Safety Standards of Behavior Form: <https://youth.oregonstate.edu/standards>.

6.4. Safety of Minors Policy Resource Guide: <https://youth.oregonstate.edu/resource-guide>.

6.5. Safety of Minors Exception Request process:

<https://youth.oregonstate.edu/exception>.

6.6. OSU Youth Program Registry: <https://youth.oregonstate.edu/register>.

6.7. Youth Safety Training Assessment Form and resources:

<https://youth.oregonstate.edu/training>.

6.8. Contract Services forms and contracting procedures for youth programs engaging non-university entities and third-party contractors: <https://fa.oregonstate.edu/contract-services>.

7. Frequently Asked Questions

- 7.1. The Office of Youth Safety & Compliance hosts frequently asked questions about this policy on their website: <https://youth.oregonstate.edu/faq>.

8. Related Information

- 8.1. University Policy 05-010 *Comprehensive Background Checks*: <https://policy.oregonstate.edu/policy/comprehensive-background-checks>.
- 8.2. [Mandatory Reporting of Child Abuse & Neglect protocol](#).
- 8.3. Human Research Protection Program (HRPP) and Institutional Review Board (IRB) FAQ and training resources: <https://research.oregonstate.edu/irb-1>.
- 8.4. Insurance and Risk Management Services forms, including Acknowledgement of Risk and Waiver of Liability Form: <https://risk.oregonstate.edu/forms>.
- 8.5. General Records Retention Schedule: <http://scarc.library.oregonstate.edu/general-schedule.pdf>.
- 8.6. [Clery Compliance at Oregon State University](#).

9. History

- 9.1. Adopted by OSU: University Policy 07-040 *Safety of Minors* was adopted by Oregon State University on October 21, 2019.
- 9.2. Revised: University Policy 07-040 *Safety of Minors* was reviewed, revised, and renamed *Protection of Minors* on October 31, 2023.
- 9.3. Next scheduled review date: October 2026.

10. Website

- 10.1 <https://policy.oregonstate.edu/policy/protection-minors>

11. Contacts

Policy questions, registration process, training and resources:

Office of Youth Safety & Compliance

541-737-9362

<http://youth.oregonstate.edu>

Mandatory Reporting of Child Abuse & Neglect:

Oregon Dept. of Human Services

855-503-7233

<https://www.oregon.gov/DHS/abuse>

Emergencies / imminent safety threats:

Department of Public Safety

541-737-7000 or 9-1-1

<https://publicsafety.oregonstate.edu>

Internal notification form for Child Abuse reports:

Office of Equal Opportunity and Access

541-737-3556

<https://youth.oregonstate.edu/abuse/notification-form>

Background Checks:

University Human Resources

541-737-3103

<https://hr.oregonstate.edu/careers/background-checks>