University Policy 07-040

Safety of Minors

1. Policy Statement

1.1. Oregon State University (“university”) is committed to providing a safe environment for everyone on its campuses and in its programs. This includes the thousands 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 safety of minors, this policy outlines what is required of administrators, faculty, staff, students, and volunteers who engage in programs or activities involving minors (hereafter, “youth programs”), and establishes the following requirements for youth programs affiliated with or supported by the university:

1.2.1. All youth programs and associated personnel must be registered with the Office of Youth Safety & Compliance.

1.2.2. Certain individuals are subject to a criminal history check before engaging in youth programs and at regular intervals thereafter.

1.2.3. Colleges and units operating or hosting youth programs must ensure that all youth program personnel complete appropriate training.

1.2.4. Before engaging in youth programs, all youth program personnel must review Standards of Behavior.

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 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, Clery Act, as well as state laws, including mandatory reporting of child abuse.

2.1.1. In the event there is a conflict between a separate state or federal law or to the extent that state or federal laws already regulate an activity, the state or federal law supersedes this policy.

3. **Scope & Audience**

3.1. This policy applies to those employees (regular, temporary, and student employees) and volunteers who interact with minors in their capacity as a representative of the university.

3.2. In addition, 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, criminal history checks, training and [Standards of Behavior](#) apply to any university-operated or university-hosted program that involves minors. This includes but is not limited to:

3.3.1. Activities and programs with minors that take place on university-owned or controlled property, such as overnight camps, childcare, instructional programs, day camps, academic camps, recreation camps/clinics and athletic camps.

3.3.2. Activities and programs with minors that engage university representatives in an official capacity, but which take place off campus, such as outreach, 4-H events and community service activities.

3.3.3. Internships and volunteer opportunities involving minors that operate outside of a structured youth program or activity (e.g., to job shadow or intern in a laboratory).

3.4. The following are not considered youth programs under this policy but remain subject to this policy’s One-on-One Interactions provision, Sec. 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 where all individuals under the age of 18 are enrolled for academic credit or have been accepted for enrollment.

3.4.5. Activities and programs that have been granted an exception from part or all of the policy in advance of the program taking place, as described in Sec. 5.10.

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 history check, completed required training, and reviewed the Standards of Behavior form.

4.2. **Child abuse**: Under Oregon law, the following are considered abuse of a minor:

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 Statute 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 History 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 supervision:** The monitoring of minors, as well as their activities and interactions, by sight and sound.

4.5. **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.

4.6. **Minor:** Any individual under the age of 18.

4.7. **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.

4.8. **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 youth safety compliance. The sponsoring unit is represented by a Dean, Director, Department Head, or designee who has departmental or unit oversight and with authority to approve/deny programs.

4.9. **Supervised adult:** An individual age 18 or older who serves in a program with minors who are under the direct supervision of an authorized adult. Supervised adults do not have unsupervised contact with a minor, meaning an authorized adult is physically present at all times.

4.10. **Support personnel:** Individuals who support operations or administrative functions, but who have no direct access to minors in the context of a youth program.

4.11. **University-hosted youth program:** Any event or activity that meets the following criteria: (1) Involves minors who are unaccompanied by their parent or guardian; (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 (3) Takes place on university-owned or controlled property.
4.12. **University-operated youth program**: Any event or activity that meets the following criteria: (1) Involves minors who are unaccompanied by their parent or guardian; (2) Is offered by a university representative or unit; and (3) Takes place either on or off university property.

4.13. **University representatives**: Employees and volunteers who interact with minors in their capacity as a representative of the university.

4.14. **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 OSU employees and students serving in a volunteer capacity in a youth program.

4.15. **Youth program personnel**: Anyone who will have direct access to minors in the context of a youth program, including authorized adults and supervised adults. This definition does not include support personnel who do not directly interact with minors.

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 OSU 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 running youth programs on university-owned or controlled property must operate under an approved OSU contract or use agreement with the sponsoring college or unit. Such agreements must include, at minimum, language to address compliance with incident reporting, insurance requirements, and criminal history check protocol that meets or exceeds the university’s minimum requirements.

5.3.3. The sponsor must identify a person-in-charge for each youth program.

5.3.4. All youth programs must be registered with the Office of Youth Safety & Compliance.

a. Registration for ongoing programs should be completed annually.

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.

5.4. Criminal History Checks

5.4.1. Criminal history checks are required for certain individuals working in programs and activities involving minors, including university representatives and volunteers who meet any one of the following criteria:

a. Those whose position description mentions working with minors.

b. Those whose position description does not mention working with minors, but who will be serving as authorized adults for a youth program.

c. Those who will be participating overnight in an overnight program with minors.
d. Those with other types of security-sensitive access, as determined by the Criminal History Check Crosswalk. This includes, but is not limited to: anyone who performs functions or duties that require interaction with minors in a private or unsupervised setting, personnel who will have access to youth personal information through registration, and personnel collecting registration fees.

5.4.2. Sponsoring units have the option to require criminal history checks for broader categories of individuals beyond those listed in Sec. 5.4.1.a-d, provided there is a business justification and the checks are conducted consistently across similar positions.

5.4.3. Criminal history checks must be completed for all authorized adults before they are allowed direct access to minors in a youth program.

5.4.4. Criminal history checks for youth programs must be renewed every two years.

5.4.5. The sponsoring unit is responsible for ensuring that criminal history checks are completed with satisfactory results for all youth program personnel, including those who may be affiliated with a different departmental unit, but whose involvement meets the criteria described in Sec. 5.4.1.a-d.

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 this policy.

5.5.2. It is the responsibility of the sponsor and person-in-charge to ensure that all youth program personnel have received appropriate training prior to working with minors, and annually thereafter.

5.5.3. Training content must include, at minimum, the following topics:

   a. Recognizing signs of physical, emotional, and sexual abuse.

   b. Reporting suspected child abuse and neglect in Oregon.

   c. How to help prevent child abuse.

   d. All requirements of this policy.
5.5.4. Training content may be expanded depending on the program or activity and the person’s role in the program or activity, as determined by the Office of Youth Safety & Compliance.

5.6. **Standards of Behavior**

5.6.1. All youth program personnel must review a *Standards of Behavior* form prior to working in a youth program, and annually thereafter.

5.6.2. The *Standards of Behavior* form is subject to revision but will include, at minimum, the following components:

   a. Expectations of personal conduct for youth program personnel, including adherence to all applicable laws and university policies, prohibition of alcohol and drug use, and prohibition of corporal punishment.

   b. Duty to report any designation as a registered sex offender, and any criminal convictions outlined in University Standard 576-055-0060, that occur after hire.

   c. Reporting obligations of all youth program personnel, regardless of mandatory reporter status, with regard to known or suspected instances of child abuse.

   d. Communication guidelines that limit in-person and electronic interactions with youth program participants outside of sanctioned activities.

   e. Supervision guidelines that limit one-on-one contact.

5.7. **Record Keeping**

5.7.1. 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* and *General Records Retention Schedule*:

   a. Accident and injuries 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 proof of criminal history checks.

   e. Volunteer records, including the conditions of volunteer service form and related documents, such as the description of volunteer duties.
5.8. Best Practices

5.8.1. All youth programs within the scope of this policy must follow the best practices found in the OSU Youth Program & Activity Guidelines [insert link].

5.8.2. Deviation from these best practices requires clearly documented justification and pre-approval from the sponsor and the Office of Youth Safety & Compliance.

5.9. Accountability

5.9.1. 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.

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

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

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

5.10. Exceptions

5.10.1. Activities and 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


6.2. Safety of Minors Policy Flowchart [link to be added when policy is final]

6.3. Youth Safety Standards of Behavior Form [link to be added when policy is final]

6.4. OSU Youth Program & Activity Guidelines [link to be added when policy is final]
6.5. Safety of Minors Exemption Request Form [link to be added when policy is final]

7. Frequently Asked Questions

7.1. FAQs: [link to be added when policy is final]

8. Related Information

8.1. OSU Criminal History Check Policy: https://hr.oregonstate.edu/manual/criminal-history-check

8.1.1. Criminal History Check Crosswalk: https://hr.oregonstate.edu/sites/hr.oregonstate.edu/files/ercc/criminal-history/background-check-crosswalk.pdf


8.3. OSU Risk Services Forms, including Conditions of Volunteer Service Form and DocuSign: https://risk.oregonstate.edu/forms


9. History

9.1. Adopted by OSU: Month, year.

9.2. Last review date: Month, year.

9.3. Next scheduled review date: Month, year.

10. Website

10.1 University Policy 07-040 Safety of Minors: http://policy.oregonstate.edu/UPSM/07-040_safety_of_minors
**DELIBERATIVE DRAFT—NOT OFFICIAL OSU POLICY**

### 11. Contacts

<table>
<thead>
<tr>
<th>Subject</th>
<th>Office</th>
<th>Phone</th>
<th>Website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy questions, registration process,</td>
<td>Office of Youth Safety &amp; Compliance</td>
<td>541-737-9362</td>
<td><a href="http://youth.oregonstate.edu">http://youth.oregonstate.edu</a></td>
</tr>
<tr>
<td>training and resources</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergencies / imminent safety threats</td>
<td>Department of Public Safety</td>
<td>541-737-7000 or 9-1-1</td>
<td><a href="https://publicsafety.oregonstate.edu">https://publicsafety.oregonstate.edu</a></td>
</tr>
<tr>
<td>Internal notification system for child abuse reports</td>
<td>Office of Equal Opportunity and Access</td>
<td>541-737-3556</td>
<td><a href="https://eoa.oregonstate.edu/mandatory-reporting-child-abuse-neglect">https://eoa.oregonstate.edu/mandatory-reporting-child-abuse-neglect</a></td>
</tr>
<tr>
<td>Criminal History Checks</td>
<td>Department of Human Services</td>
<td>541-737-3103</td>
<td><a href="https://hr.oregonstate.edu/manual/criminal-history-check">https://hr.oregonstate.edu/manual/criminal-history-check</a></td>
</tr>
</tbody>
</table>