

Policy Title: Protection of Children who Participate in University Activities	
Responsible University Office:	
University Office:	Human Resources
Office Website URL:	
Policy Owner:	
Email:	
Phone:	
DATE:	
Policy Concept Form: The policy concept form was approved by the Senior Vice President and Provost on the following date:	
NOTE: Policy development may not proceed until the policy concept has been approved.	
Preamble: A University Official must take reasonable measures to protect a Child who participates in a University Activity from Abuse, including making a Report when the University Official has reasonable cause to believe that a Child with whom the University Official comes in contact has suffered Abuse or that any person with whom the University Official comes in contact has abused a Child.	
Reason for Policy: This Policy is promulgated to support and promote the safety of children and as part of the University's efforts to meet its legal obligations under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Title IX of the Education Amendments of 1972, Oregon law, and other applicable laws and regulations protecting the welfare of Minors and Vulnerable Adults.	
Definitions:	
University Official - An employee of the University or an authorized volunteer acting in the course and scope of his or her official duties.	
Child – An unmarried person under the age of eighteen years.	
Abuse - (a) (A) Any assault, as defined in ORS chapter 163, of a Child and any physical injury to a Child which has been caused by other than accidental means, including any injury which appears to be at variance with the explanation given of the injury. (B) Any mental injury to a Child, which shall include only observable and substantial impairment of the Child’s mental or psychological ability to function caused by cruelty to the Child, with due regard to the culture of the Child.	

- (C) Rape of a Child, which includes but is not limited to rape, sodomy, unlawful sexual penetration and incest, as those acts are described in ORS chapter 163.
- (D) Sexual abuse, as described in ORS chapter 163.
- (E) Sexual exploitation, including but not limited to:
 - (i) Contributing to the sexual delinquency of a minor, as defined in ORS chapter 163, and any other conduct which allows, employs, authorizes, permits, induces or encourages a Child to engage in the performing for people to observe or the photographing, filming, tape recording or other exhibition which, in whole or in part, depicts sexual conduct or contact, as defined in ORS 167.002 or described in ORS 163.665 and 163.670, sexual abuse involving a Child or rape of a Child, but not including any conduct which is part of any investigation conducted pursuant to ORS 419B.020 or which is designed to serve educational or other legitimate purposes; and
 - (ii) Allowing, permitting, encouraging or hiring a Child to engage in prostitution or to patronize a prostitute, as defined in ORS chapter 167.
- (F) Negligent treatment or maltreatment of a Child, including but not limited to the failure to provide adequate food, clothing, shelter or medical care that is likely to endanger the health or welfare of the Child.
- (G) Threatened harm to a Child, which means subjecting a Child to a substantial risk of harm to the Child's health or welfare.
- (H) Buying or selling a person under 18 years of age as described in ORS 163.537.
- (I) Permitting a person under 18 years of age to enter or remain in or upon premises where methamphetamines are being manufactured.
- (J) Unlawful exposure to a controlled substance, as defined in ORS 475.005, that subjects a Child to a substantial risk of harm to the Child's health or safety.
 - (b) "Abuse" does not include reasonable discipline unless the discipline results in one of the conditions described in paragraph (a) of this subsection.

Supervision or Supervise – Managing, overseeing, or monitoring.

University Activity – An activity conducted under the authority of the University. An activity does not become a University Activity solely by its presence on property owned or controlled by the University, the use of a facility or personal property owned or controlled by the University, or the involvement of a University employee, student, or volunteer.

Policy Statement:

The University is committed to meeting its legal and moral obligations to take reasonable steps to protect a Child who participates in a University Activity from Abuse. The University acts through University Officials. Examples of University Activities that may be covered by this Policy Statement include but are not limited to:

- Regular University classes;
- University housing;
- Admission and recruitment events;
- Child care provided by the University;
- Athletic camps; Camps and clinics;
- Academic enrichment programs; and
- Research studies.

Required Reporting

A University Official who has reasonable cause to believe that a Child with whom the University Official comes in contact has suffered Abuse must immediately report the Abuse to the University of Oregon Police Department.

Criminal Background Checks

- (a) The University will cause criminal background checks to be conducted for any University Official who has direct access to a Child in accordance with University policy 03.09.01.
- (b) The University need not conduct such a criminal background check with respect to a University Official who has met the requirements mandated by the relevant licensing authority, (e.g., State of Oregon Department of Education and/or State of Oregon Department of Employment, Child Care Division), which include criminal background checks.

Conduct Requirements

- (a) University Officials must conduct themselves appropriately in the presence of a Child.
- (b) Abuse of a Child is prohibited.
- (c) A University Official may not:
 - Strike or shake a Child.
 - Administer corporal punishment or use physical restraints. The use of physical restraints includes placing or locking a Child in a room or other confined space without Supervision.
 - Use alcohol or illegal drugs, or be under the influence of alcohol or illegal drugs, while engaged in the Supervision of a Child.
 - Provide alcohol or illegal drugs to a Child.
- (c) A University Official must take care to ensure that a Child uses safety and protective equipment to the situation (e.g., goggles in a laboratory and a batting helmet in baseball).
- (d) A University Official must take care to ensure the safety of pick-up and drop-off arrangements for University Activities involving a Child.
- (e) A University Official must remove a Child from a dangerous situation immediately.
- (f) A University Official should refrain from:
 - Making comments of a sexual nature in the presence of a Child.
 - Making sexually explicit materials available to a Child or assisting a Child in gaining access to such materials.

The foregoing is not intended to be a complete list of all requirements, prohibitions, and admonitions.

Access to and Use of Property Owned or Controlled by the University

This Policy does not address access to and use of property owned or controlled by the University by Children. The University does not become responsible for the safety of a person because of that person's access to and use of property owned or controlled by the University. The University reserves the right to determine the extent to which anyone may have access to or use of property owned or controlled by the University.

Exclusions and Special Situations:

- (a) A psychiatrist, psychologist, member of the clergy, attorney or guardian ad litem appointed under ORS 419B.231 is not required to report Abuse communicated by a person if the communication is privileged under ORS 40.225 to 40.295 or 419B.234(6). An attorney is not required to make a report of Abuse by reason of information communicated to the attorney in the course of representing a client if disclosure of the information would be detrimental to the client.

(b) A report of Abuse need not be made under this section if the University Official acquires information relating to Abuse by reason of a report made under this Policy, or by reason of a proceeding arising out of a report made under this Policy, and the University Official reasonably believes that the information is already known by the University of Oregon Police Department.

Procedures:

Forms/Instructions/Regulations:

Who is Governed by this Policy:

(Please mark all that apply by double clicking on box)

- Faculty
- Officers of Administration
- Staff
- Other: Authorized Volunteers
Student Workers

Who Should Know this Policy:

On an annual basis, the Office of Human Resources shall provide each University Official with this Policy.

On an annual basis, the Office of Human Resources shall provide each employee with personnel appointment authority with a memorandum stating that the employee is responsible for compliance with this Policy by each unit that is in a reporting line to the employee.

The Office of Human Resources shall assist employees who have personnel appointment authority with ensuring compliance with this Policy. In addition, this office shall provide information and training to University employees regarding obligations under this policy as necessary or if requested.

Cross Reference to Related Policies:

Related Documents:

Frequently Asked Questions:

Revision/Development History:

Organizational Category:

(Please mark **only** one by double clicking on box)

- Administration and Governance
- Academic and Curricular
- X Human Resources
- Facilities
- Students

- Finance and Business Affairs
- University Relations
- X Health and Safety
- Research
- Information Technology
- General

POLICY CONSULTATION AND REVIEW

Consultation and review by the following individuals or groups:

_____ Date:
Vice President or Sr. Vice Provost of:

_____ Date:
General Counsel

_____ Date:
Senior Vice President and Provost

_____ Date:
University of Oregon Senate President

_____ Date:
Click here to add Name or Group

APPROVED BY:

President or Designee _____
Signature Date

POLICY EFFECTIVE DATE: _____

ASSIGNED POLICY NUMBER: _____