



Channel Islands

CALIFORNIA STATE UNIVERSITY



# Managing Risk in Youth Programs Resource Guide

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# Background

## Introduction

California State University Channel Islands (CSUCI) has a wide range of activities including camps, clinics, workshops, and conferences, all of which have persons under the age of 18 as the majority of participants or attendees. CSUCI strives to offer safe and enjoyable educational environments for youth. In support of that goal, CSUCI is committed to protecting youth who participate in CSUCI organized programs. CSUCI has zero tolerance for the abuse or mistreatment of youth.

## Purpose and Scope

The purpose of these guidelines is to establish standards and protocol for the safety and protection of youth, to guide staff and volunteer conduct, and to facilitate the identification of high risk interactions and program characteristics. These guidelines apply to University and Auxiliary sponsored activities which may take place on campus as well as to activities sponsored by third party activities and events that take place on campus.

## Definitions

**Authorized Person:** an individual who interacts with, supervises, chaperones or oversees youth in an activity or program.

- An authorized person is considered to have high contact with youth if they:
  - are involved with the care, supervision, guidance or control of youth; or
  - have routine interaction with youth; or
  - work with or around youth on more than one program; or
  - work with or around youth on a program that meets regularly or involves multiple interactions; or
  - have the potential for unsupervised access with one youth; or
  - are responsible for supervising youth; or
  - are a consistent and regular volunteer for programs involving youth; or
  - interact with youth on a frequent basis.
  
- An authorized person is considered to have low access with youth if they:
  - work with or around youth for a one-time program (but not programs that meet regularly or involve multiple interactions);
  - are always supervised by another adult when interacting with youth; or
  - are not responsible for supervising youth.

**Background check:** Background checks are to be conducted in accordance with CSU Technical Letter HR 2017-17.

**Care, Custody and Control:** when an individual has primary responsibility for supervision of a youth at any given point throughout the activity or youth program.

**One-on-one interaction:** any intentional interaction where an Authorized Person is alone with a youth.

**Program Sponsor:** The Program Sponsor is the appropriate University administrator or Third Party responsible for authorizing the Program and ensuring the Program follows the criteria set forth in these guidelines. The Program Sponsor will be identified as a central contact for Program information.

A Program Sponsor should be pre-designated for any program.

A Program Sponsor can delegate the management of certain components of a Youth Activity to a Program Director. The delegation is limited to the general oversight, day-to-day planning, coordination, and implementation of the Program and its essential components and does not alleviate the Program Sponsor from ultimate responsibility for applying these guidelines to their program.

**Third Party or Co-sponsored Programs:** A third party is an off-campus entity who is utilizing resources/facilities on campuses to operate a youth program. A Co-sponsored activity is a partnership between University and a Third Party.

**Program Director:** The Program Director, e.g., Faculty, Director, provides general oversight of the program and manages day-to-day planning, coordination, and implementation of the program and its essential components, if so delegated by the Program Sponsor.

**Risk Manager** – The University employee responsible for reviewing risk associated with youth programming in University or Auxiliary sponsored programs and activities.

**University Facilities:** Facilities owned by, leased to, or under the direct control and supervision of the University or any of its Auxiliaries.

**Youth/Minor:** The term “youth”, utilized throughout these guidelines, represents any person under 18 years of age who is not a matriculated student.

**Youth Program/Youth Activity:** an activity or event conducted or organized by the University, Auxiliary or Third Party that includes youth during which the University, Auxiliary or Third Party assumes the responsibility for the care, custody and control of youth participants. "Youth Program or Youth Activity" does not include (1) activities or events which parents, guardians, affiliated program leaders (e.g. school teacher, counselor) are responsible for the care, custody, and control of youth participants, or (2) private, personal events (e.g., birthday parties, weddings) that occur at University facilities, or (3) events open to the general public (e.g., intercollegiate athletic events, concerts, class tours).

## Operational Guidelines

### Program Registration

Registration for Youth Programs and Youth Activities should be submitted to the University Risk Manager (or designee) at least 60 days prior to the start of each event or activity.

Program registration should include the following information:

1. Pre-approval by Program Sponsor/appropriate administrator(s)
  - a. Program Director’s name and contact information (phone and email)
  - b. Program Supervisor’s name and contact information (phone and email)

- c. Department name
- d. Youth Program/Activity
  - i. Description
  - ii. Date/Time
  - iii. Number of overnights (if applicable)
  - iv. Anticipated number of participants
  - v. Anticipated age of participants
- e. Chaperones/supervisor ratios

## Program Elements

Program Directors should adhere to the following criteria when conducting youth programs:

1. Youth program directors/coordinators should register each youth program at least 60 days prior to the start of the program.
2. Third Parties using University facilities for programs involving youth must follow University procedures for use of facilities, which should include the use of a Facilities License Agreement. The Facilities License agreement should include language that requires the third party to confirm all individuals responsible for youth have undergone screening consistent with these guidelines the agreement should also include a requirement for the third party to provide evidence of sexual molestation and abuse insurance.
3. Obtain all media, medical, and liability releases as a part of the program registration process. All data gathered shall be confidential, is subject to retention guidelines, and shall not be disclosed, except as provided by law.
4. Utilize a medical treatment authorization form for all youth participants. Consult with the Office of General Counsel for guidance as necessary.
5. Utilize a photo, media/image release form. Consult with the Office of General Counsel for guidance as necessary.
6. Utilize the Release of Liability, Promise not to Sue, assumption of Risk and Agreement to Pay Claims form. Consult with the Office of General Counsel for guidance as necessary.
7. Provide adequate supervision for youth during the program. In determining the appropriate level of supervision, the program will consider the number, age, and gender of participants, the activities involved, the age and experience of Authorized Persons, and the supervision standards for residential and non-residential programs provided by the American Camp Association (ACA).
8. Documentation that the Program Sponsor or designee has conducted a program review and approval 30 days in advance which should include the following:
  - a. List of staff and volunteers
  - b. Confirmation of interview screening for staff and volunteers
  - c. Confirmation completed and reviewed background checks
  - d. Confirmed completed training for staff and volunteers
    - i. Mandated reporter
    - ii. Expected behavior for working with children

- e. Confirmed completed orientation for participants
  - f. Confirmed provided participants code of conduct
  - g. Confirmed provided Participant handbook
  - h. List of participants
  - i. Confirmation of collection and repository of appropriate forms/documents
9. In the event of a medical emergency, contact local emergency medical services.
10. When the program involves overnight stays, youth must be assigned housing separately from Authorized Persons.
- a. Exception: a youth may be housed in the same room as the youth's parent/guardian.

## Screening and Selection

All programs must adhere to the screening and selection criteria required by the University. All steps must be completed before an Authorized Adult is released to work with youth in a paid or unpaid position. The University reserves the right to repeatedly conduct background screening any time after employment or volunteer services have begun.

### Authorized Person with High Access to Youth

Screening and selection of individuals who have high access to youth will include the following:

1. A standard application designed to screen for abuse
2. A multi-state criminal background check that includes county-level information
3. A national sex offender registry check
4. Face-to-face interviews using behaviorally-based, standardized questions designed to assess for potential risk to abuse
5. A minimum of three references, at least of one of which is personal, to be asked behaviorally-based questions that assess abuse risk.

### Authorized Person with Low Access to Youth

Screening and selection of individuals who have low access to youth will include:

1. A standard application designed to screen applicants for the potential to abuse;
2. A national sex offender registry check
3. When possible, a multi-state criminal background check that includes county-level information.

## Background Checks

Background checks will be conducted as required in CSU Technical Letter HR 2017-17. All program sponsors, program directors and volunteers with regular or direct contact with youth participants will submit to a mandatory background check prior to commencement of the Program. The background check shall include: social security number trace to verify past places of residence, alias check (for past names used), local criminal record check, states of residence for criminal record check (prior three year minimum), and FBI criminal.

No individual shall be permitted to participate in direct contact with youth participants or have a defined role or responsibility where youth participants' personal identification information is conveyed, if said individual does not have a verified, clean criminal background check.

All Program employees (or Program Sponsors or Directors who are considered employees) will comply with CSU policies regarding background checks.

## **Program Handbook for Parents and Participants**

Departments sponsoring a youth program will develop and distribute a program handbook to participants and their parents/legal guardians. The program handbook should include the following information:

1. Procedures for notifying a youth's parent/legal guardian in case of emergency, including medical or behavioral situations.
2. Information for parents/legal guardians on how to contact the participant during the program.
3. Program rules and conduct expectations for participants in the program, including the fact that participants must abide by all CSU regulations and may be removed from the program for failure to do so. Program rules and expectations must include the following:
  - Prohibition against the possession or use of alcohol, tobacco, drugs, fireworks, guns, and other weapons.
  - Rules about when participants may leave campus during the program.
  - Clear statement that no violence of any kind will be tolerated.
  - Clear statement that no theft of property, regardless of owner will be tolerated.
  - Clear statement that sexual harassment, sexual abuse, and other sexually inappropriate conduct will not be tolerated.
  - Clear statement that any violation of the University Anti-Discrimination Policy will not be tolerated.
  - Clear statement that hazing and bullying (physical, verbal, or cyber-bullying) will not be tolerated.
  - Clear statement that misuse or damage of University property is prohibited and participants may be financially responsible for damage or misuse of University property.
  - Clear statement that prohibits the inappropriate use of cameras, imaging and other digital recording devices, including camera, imaging, and other digital recording applications on smart phones and mobile devices, in showers, restrooms, locker rooms, and other areas where privacy is expected by participants.
  - Established protocol for areas of drop off/pick up and release of minor.

- Rules that identify areas of the program facilities where participants may be restricted from entering (e.g. storage rooms, equipment rooms, athletic training rooms, staff/faculty/administrator offices) and/or equipment that participants may be restricted from using.
4. A description of the process to be followed if a participant, group leader, or other individual associated with a youth program is alleged to have violated University policies or conduct rules of the program, including the process for dismissal and removal from the program.
  5. A description of the process to be utilized for the parent, legal guardian, or other responsible adult to pick up the participant if he/she is dismissed from the program early.
  6. Housing specific policies, if applicable, addressing:
    - Curfew time that is age-appropriate for participants;
    - In-room visitation by participants of the opposite gender;
    - Visitation by non-participant guests restricted to public spaces in the building and only during approved hours specified by the program;
    - Requirement that separate accommodations are provided for Authorized Persons and youth, except when housing youth with their parents or guardians; and
    - Requirement that program participants, staff, and volunteers must comply with all security measures and procedures specified by CSU Police and Housing Services.

## **Participant Orientation**

Program Directors are expected to provide an age appropriate orientation to participants that addresses the following topics:

1. Program safety and security procedures
2. University rules, program rules, and behavioral expectations
3. University reporting protocols for suspected child abuse and sexual assault
4. University Anti-Discrimination expectations

## **Chaperone/Supervisor Ratios**

Ratios for various age groups should be calculated to create a safe and effective learning environment. Two Chaperones must be present throughout the program, regardless of total count and, accepted ratios may include:

- 5 years and younger: One chaperone for every 6 youth participants with a minimum of two Chaperones. No overnight youth participants permitted.
- 6-8 years: Minimum of two chaperones with 1:6 ratio for “overnight youth participants” and 1:8 ratio for “day youth participants.”



- 9-14 years: Minimum of two chaperones with 1:8 ratio for “overnight youth participants” and 1:10 ratio for “day youth participants.”
- 15-18 years: Minimum of two chaperones with 1:10 ratio for “overnight youth participants” and 1:12 ratio for “day youth participants.”

NOTE: Chaperone ratios are not required when a program requires or reasonably anticipates that youth participants will be accompanied by a legal guardian or a legal guardian’s authorized appointee.

# Training

## Staff and Volunteer Training

Program directors are expected to provide training to program staff and volunteers that addresses the following topics:

1. Program responsibilities and expectations
2. Conduct rules for staff and volunteers
3. Appropriate interactions with and supervision of youth
4. Program policies and procedures
5. What to do in the event of a crises or emergency
6. Safety and security precautions
7. Prohibited harassment and reporting obligations
8. Mandated reporter and University reporting protocols for suspected child abuse, sexual assault, or child pornography
9. University Anti-Discrimination expectations
10. Prohibition of retaliation against youth, families, parents, guardians, and staff/volunteers who report allegations of inappropriate conduct, including but not limited to abuse, neglect, assault, harassment, sexual assault, sexual abuse, sexual harassment, child pornography, furnishing alcohol, drugs, and/or sexual materials to a youth, and violations of Anti-Discrimination expectations, per current CSU policies and requirements.
11. Conduct rules for staff and volunteers

## Rules for Youth Program and Staff Volunteers

Program directors are expected to notify program staff and volunteers of applicable program rules, including conduct expectations. Program staff and volunteers must abide by all University regulations and may be removed from the program for violation of such rules. Program rules for program staff and volunteers must include the following:

1. The supervision ratio expectations addressing the number of Authorized Persons who must be present during activities where youth are present.
2. Youth program directors and coordinators must make reasonable efforts to limit one-on-one contact between Authorized Persons and youth participating in youth programs.
  - a. Reasonable efforts must be made to have two or more Authorized Persons present during activities where a single youth is present.
  - b. Reasonable efforts must be made to involve more than one adult in any electronic contact with youth.
  - c. Staff/volunteers should ensure another adult staff/volunteer is present when addressing youth in private areas (e.g.: restrooms, bedrooms, study lounges, and similar areas).
  - d. If handling an emergency when only one youth is present, the adult responding should make reasonable efforts to contact another adult to come and assist as immediately as possible.
  - e. Staff expected to contact a single youth for official academic or programmatic recruitment may do so as directed by their supervisor by E-mail or phone call during standard business hours.
3. Authorized Persons may have no personal, non-programmatic related electronic communications with youth participants (email, phone, text, Facebook, etc.) during the program.
4. Authorized Persons may not take pictures of youth or post information about youth to social media sites without permission from a parent/guardian.
5. Authorized Persons may not meet youth participants off-site or off-hours.
6. Authorized Persons may not give personal gifts to youth participants.
7. Authorized Persons may not possess, consume, or be under the influence of alcohol, medical marijuana, or illegal drugs at any time the adult has responsibility for youth participants.
8. Authorized Persons may not violate the University's Anti-Discrimination Policy.
9. Authorized Persons may not engage in abusive conduct of any kind toward, or in the presence of, a youth. This includes inappropriate physical contact and inappropriate verbal interactions, such as cursing, derogatory remarks, off color or sexual jokes, etc. in person or electronically.
10. Authorized Persons may not strike, hit, administer corporal punishment of any kind to, or touch youth in an inappropriate or illegal manner.
11. Authorized Persons may not pick up youth from or drop off youth at their homes, other than the driver's child/children, or except as specifically authorized in writing by the youth's parent/legal guardian.

12. Authorized Persons may not provide alcohol or illegal drugs to any youth.
13. Authorized Persons may not provide prescription drugs or any medication to any youth, unless the adult is a medical professional who has been specifically authorized in writing by the parent or legal guardian to administer the medication as required for the youth's care or emergency treatment.
14. Authorized Persons may not make sexual materials in any form available to youth or assist them in any way in gaining access to such materials.
15. Authorized Persons may not retaliate against youth, families, parents, guardians, and staff/volunteers who report allegations of inappropriate conduct including but not limited to abuse, neglect, assault, harassment, sexual assault, sexual abuse, sexual harassment, child pornography, furnishing alcohol, drugs, and/or sexual materials to a youth, or violations of the University's anti-discrimination policy.
16. If an allegation of inappropriate conduct including but not limited to abuse, neglect, assault, harassment, sexual assault, sexual abuse, sexual harassment, child pornography, furnishing alcohol, drugs, and/or sexual materials to a youth, and violations of the University's anti-discrimination policy is made against an Authorized Person participating in a program, including program staff/volunteers, the accused Authorized Person must be removed from any further participation in programs and activities covered by this policy until such allegation has been satisfactorily resolved.

## **Transportation of Youth**

Units operating a youth program that involves transportation of youth as part of the program activity should comply with the following requirements:

1. Authorized Persons that transport youth must have completed the Defensive Driving Program and should be enrolled in the California DMV driver pull notice program.
2. The use of private vehicles for transporting youth should be avoided, however, when private vehicles must be used, drivers must follow all CSU guidelines for use of personal vehicles related to University business.
3. More than one Authorized Person must be present in the vehicle except when there are multiple youth for the duration of the transportation.
4. University youth programs utilizing commercial transportation services must follow CSU guidelines related to commercial transportation.

## **Concussion Awareness**

Units operating a youth athletic activity must comply with the requirements of the University concussion practices and follow return to play/return to work guidelines.

# Abuse Reporting Protocols

## California Law and CSU Policy related to Suspected Child Abuse or Neglect

The university is dedicated to maintaining zero tolerance for abuse. As such, it is imperative that everyone actively participate in the protection of youth and be alert to safeguard the safety of youth on and off campus. For purposes of this document, the terms child abuse and neglect include, but are not limited to, the following: physical abuse, verbal abuse, sexual abuse, emotional abuse, neglect, and economic exploitation.

All employees and volunteers involved in youth activities must abide by California State law and University Policy, Mandated Reporting of Child Abuse and Neglect (EO 1083), for reporting requirements as they pertain to Suspected Child Abuse or Neglect. Whenever in your professional capacity or within the scope of your employment you have knowledge of or observe a person under the age of 18 years whom you know or reasonably suspect has been the victim of child abuse or neglect, you must report the suspected incident. Failure to report may result in criminal penalties. See Penal Code Section 11164-11174.3. Suspected violations of law must be referred to University Police.

### Reporting for Non-mandated reporters:

Establish a mechanism for Non-mandated reporters to report suspected abuse of youth participating in your youth program.

## Third Party and Co-sponsored Programs

Working with third-parties and facility rentals can present unique abuse risk management challenges. Facility rentals and non-university/third party and Cosponsored programs occurring on campus should include standardized written documents that hold the university harmless and requirement for screening and working with youth.

## Forms, Tools and Resources

### Model Forms

Units operating a youth program that involves transportation of minors should comply with the following requirements:

- Registration Form
- General Release of Liability
- Media Release
- Medical Treatment Authorization
- Pick-up/Drop Off/Commuter Form

### Resources

[Praesidium](#): Know your Score and Training Resources

CSU Policy: Background Check Policy (HR 2017-17)

**CSU Policy: Discrimination, Harassment, Retaliation Sexual Misconduct, Dating and Domestic violence, and Stalking against Employees and Third Parties (EO 1096):**

<https://calstate.policystat.com/policy/6743499/latest/>

**CSU Policy: Mandated Reporting of Child Abuse and Neglect (EO 1083):**

<https://calstate.policystat.com/policy/6596436/latest/>

**Student Conduct Procedures (EO 1098):** <https://calstate.policystat.com/policy/6742449/latest/>