

## UA Protection of Minors Regulations

### 1.0 Purpose

The University of Alaska system (UA), as part of its mission, promotes and engages in many programs, events and activities that involve minors throughout its separately accredited institutions and campus locations. Protection and safety of minors is of the highest priority for the University of Alaska. To protect minors engaged in its programs, the University of Alaska shall enact minimum standards which apply at a system-wide level. The purpose of these systemwide regulations is to provide protection of minors engaged in programs, events, and activities provided or endorsed by UA or any of its separately accredited institutions or campus locations.

### 2.0 Scope

These regulations include UA faculty, staff, students, volunteers, and other UA individuals that participate in or provide programs, events, and activities for minors, both on and off UA facilities, as well as those with access to minors at all UA campuses and sites utilized by UA. These regulations include any contractors that engage with minors at UA campuses as required by their contracts, as well as outside parties that use UA facilities.

### 3.0 Definitions

**3.1 Authorized Adults** are individuals who may have direct and unsupervised contact with a minor. Authorized Adults are individuals (whether full-time, part-time, temporary, paid, or unpaid), who in their official capacity interact with, supervise, chaperone, act as a caregiver for, or oversee and have responsibility for minors in UA programs. Authorized Adults include but are not limited to UA faculty, staff, other employees, volunteers, graduate and undergraduate students, and interns. Authorized Adult status does not apply to UA individuals at public events where there is a reasonable expectation of parental supervision.

**3.2 Supervised Adults** are individuals who work with minors under the direction of an Authorized Adult. Supervised Adults do not have unsupervised contact with a minor.

**3.3 Child abuse or neglect** is the negligent treatment or maltreatment, injury, sexual abuse, or sexual exploitation of a minor by any person under circumstances which indicate that the child's health, welfare and safety is harmed or threatened (AS 47.17.290). Abuse may be inflicted by any person and may include minor-to-minor abuse or Authorized Adult-to-minor abuse. For purposes of this policy, abuse may include, but is not limited to, the following types and descriptions:

- *Physical Abuse*: hitting, spanking, shaking, slapping, unnecessary restraints
- *Verbal Abuse*: degrade, threaten, curse
- *Sexual Abuse*: inappropriate touching, exposing oneself, sexually oriented conversations
- *Mental Abuse*: shaming, humiliation, cruelty
- *Neglect*: unreasonable withholding of food, water, shelter, and reasonable medical attention.

**3.4 Minor** is a person under the age of 18 years (AS 47.17.290(1); AS 25.20.10).

**3.5 Program** includes any registered or unregistered:

- UA Sponsored Activity, which is a program, event or activity staffed by Authorized

Adults and offered by various academic, departmental or administrative units of UA, including student organizations, or in cooperation with outside entities on behalf of UA. This includes research activities.

- University Scheduled Classes are classes that are part of the UA class schedule that support college students' goals for a degree.

All UA programs serving minors shall be staffed by at least one Authorized Adult, who supervises all other UA individuals in the program (whether faculty, staff, other employees, volunteers, graduate or undergraduate students, or interns).

**3.6** **UA Approved Training** is training submitted by university committees to Chief Risk Officer and approved for use for Protection of Minor training.

**3.7** **Behavior of concern** is a violation of the code of behavior, or behavior with minors that is suspicious and inappropriate but may not rise to the level of abuse.

## **4.0 Implementation**

### **4.1 UA System-Wide Protection of Minors Committee**

The systemwide UA Committee shall meet, at a minimum, on a quarterly basis. The Committee shall provide oversight for the system-wide protection of minors programs, including but not limited to maintaining senior leadership support, oversight of periodic program surveys, annual review of policy and regulation, support for training programs, support for program participants, and review of effective response and reporting practices. The Committee shall support the development of a safe environment for events, activities, research and programs that involve minors throughout UA's separately accredited institutions and campus locations.

### **4.2 University Protection of Minors Committees**

Each university shall maintain a Protection of Minors Committee that shall meet, at a minimum, on a quarterly basis. The Committees shall oversee the implementation of system-wide and any university-specific regulations for the protection of minors, including support for and distribution of the policy and regulations, periodic surveys and analysis of programs, development and review of policy and regulations with the system-wide committee, implementation of training, opportunities for program participants to communicate with management, and support for supervisors engaged in response and reporting practices.

### **4.3 Registration of Programs**

Statewide Administration, the University of Alaska Anchorage, the University of Alaska Fairbanks, and the University of Alaska Southeast shall develop a system to register programs, research and events involving minors at their respective institutions and campuses. Registration information, as determined by the UA System-Wide Protection of Minors Committee, shall be provided to the UA Chief Risk Officer on an annual basis.

## **5.0 Screening and Selection**

All UA programs must adhere to screening and selection criteria required by UA as follows. These steps must be completed before an applicant is released to work with minors in a paid or unpaid position.

### **5.1 Authorized Adults**

Screening and selection of a new Authorized Adult must be documented in an individual's file and include:

1. A standard application.
2. Signed UA Protection of Minors Regulation.
3. Signed UA Code of Conduct.
4. A county criminal background check in all counties where the applicant has lived the last 7 years; a multi-state criminal background check with Social Security Number Trace and Alias Search; and a national sex offender registry check.
5. Face-to-face interviews using behaviorally-based standardized questions designed to assess for potential risk to abuse.
6. A minimum of three reference checks that include professional and personal references using behaviorally-based questions that assess abuse risk. A family member may be included as a possible personal reference.

UA individuals classified as Authorized Adults who exist as part of UA at the time of implementation of this regulation, or are not otherwise considered *new* to UA, should at a minimum complete the first three items listed above and document the individual's file accordingly.

UA programs shall repeat items 5.1.2-3 annually and item 5.1.4 every three years.

## 5.2 Supervised Adults

Screening and selection of all other UA individuals working with minors in a program who may not be an Authorized Adult must include:

1. A standard application.
2. Signed UA Protection of Minors Regulation.
3. Signed UA Code of Conduct.
4. A national sex offender registry check.

UA programs shall repeat items 5.2.2-3 annually and item 5.2.4 every three years.

## 6.0 Training

Completion of all training requirements is required annually.

### 6.1 UA Employees

All UA employees, regardless of whether they have access to minors in programs, must complete UA-Approved Protection of Minor training and mandated reporter training courses.

### 6.2 Authorized Adults and Supervised Adults

All Authorized Adults and other UA individuals who work with minors must also complete UA-Approved Protection of Minor and mandated reporter training courses prior to having contact with or access to minors. Additional program-specific training may be required for certain programs.

## 7.0 Code of Behavior

University of Alaska programs serving minors are required to include a signed code of behavior that includes the following minimum statement about behaviors:

"Our program provides the highest quality services available to minors. Our commitment is to create an

environment for minors that is safe, nurturing, empowering, and that promotes growth and success for the minors who participate in our program. Any type of abuse will not be tolerated and will result in immediate dismissal from the program and/or University of Alaska (UA). UA will fully cooperate with authorities if allegations of abuse are made and investigated.

To accomplish this mission together, employees, volunteers, and other adults participating in programs, events, research and activities involving minors:

1. Will treat minors with respect at all times.
2. Will treat minors fairly regardless of race, sex, age, religion, sexual orientation or gender expression.
3. Will adhere to uniform standards of affection as outlined in any applicable university or program specific procedures.
4. Shall not use or be under the influence of alcohol or drugs in the presence of minors or during activities or events involving minors.
5. Shall not discuss their sexual encounters with or around minors or in any way involve minors in their personal problems or issues.
6. Shall not date or become romantically involved with minors.
7. Shall not make pornography in any form available to minors or assist them in any way in gaining access to pornography.
8. Shall not have secrets with minors.
9. Shall not have private displays of affection with minors.
10. Shall not swear or tell off-color jokes.
11. Shall not stare or comment on the minors' bodies.
12. Shall not engage in inappropriate electronic communication with minors, as may be further defined by specific program policies.
13. Shall avoid outside contact with minors, which may be further defined by specific program procedures.
14. Shall not shower, bathe, or undress with or in the presence of minors.
15. Will not take any photographs or videos of minors or posting photographs or videos on a digital, electronic, hosted media, web-based service or any other medium without first obtaining a release from the minor's parent or legal guardian.
16. Shall not abuse minors in anyway including the following:
  - Physical abuse:* hitting, corporal punishment, spanking, shaking, slapping, unnecessary restraints
  - Verbal abuse:* degrade, threaten, cursing
  - Sexual abuse:* inappropriate touch, exposing oneself, sexually oriented conversations
  - Mental abuse:* shaming, humiliation, cruelty
  - Neglect:* withholding food, water, shelter
17. Shall not allow minors to engage in hazing, bullying, derogatory name-calling, games of "Truth or Dare," ridicule, or humiliation.
18. Will report concerns or complaints about other adults or minors in accordance with all reporting policies, which include the anonymous **UA Confidential Hotline at toll free (855) 251-5719.**"

## 8.0 Reporting and Response

### 8.1 General Information

Because UA is dedicated to maintaining zero tolerance for all forms of child maltreatment, the obligation to report and respond to child abuse, and to behaviors that violate the code of behavior, is shared among:

- Individuals
- Supervisors / Administrators
- The University of Alaska (UA)

Individuals who work with minors may find themselves in a range of situations, including a need to report and respond to:

- Suspicious or inappropriate behavior, including behaviors that violate code of behavior
- Behaviors that violate program-specific procedures
- Suspected abuse or neglect
- Mandated reported
- Minor to minor abuse

This reporting and response section describes reporting channels and response obligations.

## 8.2 Reporting Channels

***If at any time individuals believe a minor is in imminent physical danger, call 911 immediately.***

### 8.2.1 Individuals

Report to UA by notifying any of the following contacts:

- Supervisor or University Administrator
- UA Confidential Hotline, available [online](#) or toll free at (855) 251-5719

### 8.2.2. Supervisors and UA Administrators

Supervisors and UA Administrators will follow University of Alaska and university internal protocols for response and reporting. The University of Alaska internal protocols for response and reporting are on file with university Risk Management, university Protection of Minor Committees, Chief Risk Officer, and the Office of General Counsel. Contact one of these offices for additional assistance.

### 8.2.3. Mandated Reporters

UA encourages everyone (even those who are not considered mandated reporters) to report any suspected abuse or neglect of a minor to OCS. If the individual has questions about being a mandated reporter, consult the appropriate supervisor or the Office of General Counsel (907) 450-8080 for guidance.

**Mandated Reporters must submit a report to the Office of Child Services OCS (1-800-353-2650) within 24 hours of reasonable cause to suspect** that a child has suffered harm as a result of abuse or neglect. The mandated reporter has no responsibility to complete any type of investigation or determine if their suspicions are correct, but only must have a reasonable amount of information to say that they believe abuse or neglect may have occurred. Alaska Statute 47.17.290(14) defines “reasonable cause to suspect” as “cause, based on all the facts and circumstances known to the person, that would lead a reasonable person to believe that something might be the case.” Alaska law grants immunity from civil or criminal liability to persons who make reports in good faith and in a timely manner.

**Mandated Reporters** are persons that are required to report child abuse and neglect. They are health practitioners or administrative officers of institutions; teachers and school administrators; child care providers; paid employees of domestic violence and sexual assault programs, crisis intervention and

prevention programs, or organizations that provide counseling or treatment to individuals seeking to control their use of drugs or alcohol; peace officers or officers of the Department of Corrections; persons who process or produce visual or printed matter, either privately or commercially; members of a child fatality review team or the multidisciplinary child protection team (AS 47.17.020)

[Alaska Code § 47.17.020](#)

### 8.3 Reporting Suspicious or Inappropriate Behavior, including Behavior of Concern

If in relation to UA's programs, activities, events or the rental or use of UA facilities or property by other organizations or individuals, anyone suspects or observes any suspicious or inappropriate behaviors with a minor whether or not it rises to the level of abuse, immediately report these observations and concerns. See Section 8.2 for reporting instructions. Behaviors which are prohibited by the minimum Code of Behavior listed in 7.0 would be included as inappropriate behaviors.

#### **Individual response to behavior of concern:**

- Interrupt the behavior.
- Ensure the safety of the minor.
- Document your report but do not conduct an investigation.
- Keep reporting until the appropriate action is taken.

#### **Supervisor / Administrator and UA response to Behavior of Concern:**

Consult and follow internal protocols regarding behavior of concern. The University of Alaska internal protocols for response and reporting are on file with university Risk Management, university Protection of Minor Committees, Chief Risk Officer, and the Office of General Counsel. Contact one of these offices for additional assistance.

### 8.4 Reporting Suspected Abuse or Neglect

*If at any time individuals believe a minor is in imminent physical danger, call 911 immediately.*

If in relation to UA's programs, activities, events or the rental or use of UA facilities or property by other organizations or individuals, individuals suspect:

- any child maltreatment, including child abuse or neglect;
- a physical danger or hazard, an inappropriate relationship between a minor and any individual, including an employee, volunteer, student, intern, or Authorized Adult;
- a minor is in danger of exploitation; or
- a minor has made a disclosure of abuse

make the proper internal reports and notifications to UA officials. Mandatory reporters must follow all local, state, and federal regulations relating to reports of child abuse. See Section 8.2 for reporting instructions.

**As stated in 8.2.3, mandated reporters must submit a report to the Office of Child Services OCS (1-800-353-2650) within 24 hours of reasonable cause to suspect that a child has suffered harm as a result of abuse or neglect.**

### **Individual response to suspected abuse or neglect**

- Interrupt the behavior immediately.
- If abuse is disclosed, assure the individual disclosing that he or she was correct to tell to you.
- Protect the alleged victim from intimidation, retribution, or further abuse.
- Be sure to document the incident, disclosure, or circumstances causing suspicion of abuse.
- Doubt regarding whether to report should be resolved in favor of making the report. It is not the individual's responsibility to determine whether suspicions are correct, or to investigate those suspicions. Do not conduct an interview or investigate to try to determine if the suspicion or disclosure is credible or if a report should be made. Simply make a report.

### **Supervisor / Administrator and UA response to suspected abuse or neglect:**

Consult and follow internal protocols regarding suspected abuse or neglect. The University of Alaska internal protocols for response and reporting are on file with university Risk Management, university Protection of Minor Committees, Chief Risk Officer, and the Office of General Counsel. Contact one of these offices for additional assistance.

### **8.3 Reporting Minor-to-Minor Sexual Abuse and Sexualized Behaviors**

If in relation to UA's programs, activities, events or the rental or use of UA facilities or property by other organizations or individuals, individuals suspect or observe minor-to-minor abuse or sexualized behaviors, it is their responsibility to immediately report their observations and concerns. Mandatory reporters must follow all local, state, and federal regulations relating to reports of child abuse. See Section 8.2 for reporting instructions.

Examples of conduct between minors to report include:

- Hazing
- Bullying
- Derogatory name-calling, taunting, or roughhousing
- Games of "Truth or Dare"
- Singling out one minor for different treatment
- Ridicule or humiliation

### **Individual response to minor to minor abuse:**

- Interrupt the behavior and separate the minors.
- Ensure the safety of the minors.
- Do not investigate.
- Document your report with factual information.
- Report to supervisor.

### **Supervisor / Administrator and UA response to minor to minor abuse:**

Consult and follow internal protocols regarding minor to minor abuse. The University of Alaska internal protocols for response and reporting are on file with university Risk Management, university Protection of Minor Committees, Chief Risk Officer, and the Office of General Counsel. Contact one of these offices for additional assistance.



## 9.0 Contractors, Facilities Use Agreements, and Non-UA Events

Contractual agreements concerning personnel or facilities related to programs, activities, research and events including minors must comply with this policy. Contractors shall be held to the same standard as employees and volunteers of UA and shall be provided a copy of this policy.

The following shall be included as a term of the contract where contractors have responsibility for or interaction with minors on UA's separately accredited institutions or campus locations as part of their contract.

If this contract involves contact with minors, the following provisions shall be in effect:

A. Contractor shall defend, indemnify and hold harmless the University, its Board of Regents, officers and employees, from and against any and all claims, causes of action, losses liabilities, damage or judgments directly or indirectly related to any mental or physical injury or death arising out of its contact or its conduct or the contact or conduct of its directors, employees, subcontractors, agents or volunteers with minors including sexual abuse of minors as defined by Alaska statute.

B. Contractor shall purchase an insurance rider that names the University as an additional insured and covers and protects the University from claims and losses for the abuse defined in A. above and provide the University with a copy of that rider prior to the to the commencement of work under this contract

C. Contractor shall present the University with certification prior to the commencement of work under this contract that all employees, directors, subcontractors, agents or volunteers that may have Contact with minors shall:

1. Be trained and certified in the identification, prevention and reporting of the sexual abuse of minors;
2. Undergo a local, state, and nationwide criminal background check and national sex offender registry check;
3. Be prohibited from working under this contract involving minors if they:
  - i. have been convicted of a crime of violence, neglect, or abuse against a minor,
  - ii. are a registered sex offender,
  - iii. have been convicted of an assault, reckless endangerment, neglect, or
  - iv. have been convicted of possession of child pornography.
4. Adhere to the contractor's written policies related to the supervision of minors. At a minimum the contractors supervision procedures should include:
  - i. Minimum adult to minor ratios;
  - ii. How to supervise minors during overnight activities;
  - iii. How to supervise minors during bathroom and showering activities;
  - iv. How to supervise minors during activities that are associated with water use, including, but not limited to, pools, showers, bathing areas, swimming, etc.;
  - v. How to supervise minors during transition times, including drop-off and pick-up.

D. Failure to satisfy A, B, C above may result, at the University's sole discretion, with immediate termination of this contract, without regard to any other termination provision.