

## **POM Guidelines for Activities Involving Minors**

CSU East Bay is committed to provide a healthy and safe environment for all members of the campus community and visiting members of the public including minors on campus. This guideline is meant to assist the campus community in protecting the safety of minors on campus.

### **Background check/Live Scan/National Registry:**

1. Background check – All CSU East Bay employees. Contact Human Resources to verify or arrange a background check.
2. LiveScan – Student Assistances and Students or Volunteers who have one on one contact with minors. Contact UPD to arrange.
3. National Registry – Students; volunteers who do not have one on one contact with minors. Contact Risk Management to arrange a National Registry check.

### **One-on-one interaction with minors:**

One-on-one, face-to-face interactions between an adult and a minor is permitted when the interaction is conducted:

1. In a clinical setting. It is recommended that you record the session if possible.
2. In plain sight of passersby or witnesses.
3. In an office or other unlocked space with doors and windows open.
4. If door needs to be closed the door must have a window which allows visibility to see into the office.
5. In a building open to the public at the time of the interaction
6. For any situation not explicitly covered, please contact your Program supervisor and Risk Management
7. In addition, adults involved in one-on-one, face-to-face interactions with a minor should:
  - Inform in advance at least one other adult connected with the activity (preferably the adult's supervisor) that the adult will be alone with a minor.
  - Ask another adult to randomly drop in on the interaction.
  - Limit physical contact with the minor to handshakes, high-fives, or pats on the shoulder.
  - Immediately document any unusual incident, including but not limited to behavioral problems, injuries, or any interactions that might be misinterpreted.

### **TRAINING :**

All program supervisors, program staff, and volunteers, unless specifically excluded , require the appropriate training prior to the program start date:

1. Appropriate ratio of adults to minors
2. Appropriate behavior with minors
3. Review of the POM code of conduct.
  - a. Program Supervisor keeps signed forms
4. Recognizing Sexual Abuse, child abuse and neglect and obligation and avenues to report suspected incidents
5. Obligation to report certain criminal activity as required by Executive Order (EO) 1083

**Note:** Training materials may be obtained from Risk Management

### **Third Party / Non-University organizations bringing minors to campus**

1. Provide a link to (or copy of) this policy and a strong recommendation that the non-University organization abide by the requirements contained herein, along with a notification that failure to abide by this policy may constitute grounds for termination of the activity.
2. An indemnification clause in which the non-University organization agrees to indemnify CSU East Bay for claims, lawsuits, or other actions that arise as a result of the non-University organization's use of campus facilities.
3. General Liability insurance with limits of at least \$1 million per occurrence and \$2 million aggregate
4. Contact Risk Management for additional information.

### **Reporting Incidents:**

It is your responsibility to report any situations of concern or complaints to the program supervisor, UPD, and or appropriate departments including Risk Management.

1. Complete an incident/accident report form and forward a copy to Risk Management.
2. Contact Program Supervisor – Provide detailed information regarding the incident.

### **Addressing Problem Behaviors:**

Most serious incidents of minor-to-minor abuse are preceded by more subtle incidents such as name-calling, taunting or roughhousing. Interrupting these interactions early and establishing and communicating standards of conduct can keep the university environment safe. CSU East Bay recognizes that the following interactions are high risk and should be prohibited:

1. Hazing
2. Bullying
3. Derogatory name-calling
4. Games of Truth or Dare
5. Ridicule or humiliation
6. Persistent disruptive behavior
7. Sexual activity of any kind

### **Disciplining Minors:**

Never use physical punishment to manage a minor's behavior. This includes but is not limited to: spanking, slapping, pinching or hitting. Address discipline issued by:

1. Interrupt the behavior and separate the minors, if safe to do so. Contact UPD for assistance if needed.
2. Report the behavior to the Program Director and or supervisor
3. Notify the parents/guardians of all minors involved
4. Document your report with factual information. Provide copies to Program Director and Risk Management.
5. Program Director and or supervisor will determine appropriate administrator to conduct an internal review of the incident

### **Behavioral Expectations for Adults Supervising Minors**

1. Minors will be treated respectfully at all times, regardless of their actions or behavior.
2. Minors will be treated fairly regardless of race, color, national origin, religion, sex, sexual orientation, or any other basis covered by the University's Nondiscrimination Policy.
3. Activities involving minors should follow the "rule of three" whenever possible, i.e. at least three people will be involved in all aspects of the activity. Although two minors and one adult is an acceptable combination, if possible have at least two adults be involved with one of the adults being a campus employee.
4. Adults participating in a campus activity involving minors will not do any of the following in the presence of minors:

- Use profanity
  - Tell off-color jokes or banter suggestively
  - Discuss personal problems or sexual experiences
  - View sexually suggestive materials or make those materials available to minors
  - Comment on other peoples' bodies
  - Use alcohol or narcotics or offer alcohol or narcotics to minors
5. Adults participating in a campus activity involving minors will not permit any of the following interactions between minors:
- Bullying
  - Hazing
  - Derogatory name-calling
  - Ridicule or humiliation
  - Truth or Dare or similar games
  - Sexual touching
6. Adults should review the POM code of conduct, sign date and return to the Program Supervisor.
7. If you witness any of the above behaviors , stop the behavior as soon as safely possible. If needed contact UPD for assistance.

### **Physical Contact with Minors**

1. The campus understands that physical contact between non-related adults and minors can be essential to the minor's well-being and self-esteem. The following types of contact may be permitted:
- Handshakes
  - High-fives and hand slapping
  - Pats on the shoulder or back
  - Side hugs
  - Feeding and grooming of babies and toddlers (including diaper changes)
  - Holding hands while escorting children below the age of 8
  - Other brief contact intended to comfort distressed children so long as another adult is witnessing it
  - Teaching a physical technique that literally requires hands-on instruction, such as fingering on a musical instrument or positioning for an athletic activity, so long as it is conducted either in the open or in an interior space (1) with doors and windows open and (2) in a building open to the public at the time of the touching
  - Assisting disabled minors who need assistance with a major life function, so long as at least one other person is present and observing
  - Any contact to aid an injured minor or a minor in imminent danger of physical harm (such as a struggling swimmer)
  - Separating minors involved in an altercation
2. The following are types of contact that should *not* be permitted:
- Frontal hugs
  - Kisses
  - Lap sitting
  - Massages or rubs
  - Piggyback rides
  - Tickling
  - Touches on the buttocks, chest, or groin (except when changing diapers)
  - Wrestling

- Any intended affection unwanted by the minor
- Any touching conducted in private (i.e. no other adults or children present)
- Physical or sexual abuse of minors will not be tolerated.

### **Supervision of Bathroom Use**

1. For minors age twelve and under, adults should escort two or more minors to the bathroom for group bathroom breaks. The adult should not send in more than the number of stalls and/or urinals in the bathroom. As one student exits the bathroom, another may enter. The supervising adult should stand by the doorway and ensure students are leaving the bathroom in a timely manner. If a minor under age twelve must use a bathroom alone, the minor should use a single-stall bathroom. If the only bathroom available has multiple stalls, the adult should assign a classmate to stand outside the bathroom and wait for the minor to finish. If the minor needing the bathroom, the classmate, or both do not return in a timely manner, the adult in charge of the activity should promptly check on them.
2. For minors thirteen or older, an adult supervising the activity should give permission for the minor to leave the activity to use the bathroom. The adult should note when the minor left for the bathroom and when the minor returned. If the minor does not return in a timely manner, the adult in charge of the activity should promptly check on the minor. During periods of transition from one activity to another, minors do not need permission to use bathrooms, but adults should randomly monitor bathrooms to ensure minors are not lingering or acting inappropriately in them.

### **Supervision of Locker Room Use**

1. At least one adult in charge of the activity should stand within earshot of the minors at all times to ensure the safety of the minors.

### **Release of Minors at the Conclusion of an Activity**

1. Program Supervisors should develop written protocols for the release of minors at the end of the activity.
2. Minors should be supervised until they are picked up by an adult authorized in advance to take custody of the minor. Minors may be released to the custody of others or may release minors to their own custody with advance written consent of parents/guardians.

### **Non-Program Contact with Minors**

1. Do not meet in person (one on one) outside the activity with any individual minor unless the activity has been approved by Risk Management in advance of the meeting.
2. Group activities outside of the program may be approved with the following information:
  - Written permission from the parents/guardians of each minor participating in the outside activity has been obtained prior to the activity.
  - The outside activity is held in a public place such as a restaurant, museum, or stadium.

### **Communication with Minors**

1. Communication to *groups* of program participants are permitted as follows :
  - Emails: Use University assigned email accounts. Exp: Team email address, personal University email address.
    - The Program supervisor must be copied on all correspondence.
    - Parents/guardians should be copied, if possible.
  - Texts and phone calls: Use University-owned devices to the greatest extent possible.
    - Send texts to parent/guardians account.
    - Copy Program supervisor on all texts.

- Phone contact should be done through the parents/guardians.
- Social Media – Use only University sponsored social networking sites.

2. Do not use individual personal accounts or:

- Send text messages to or respond to text messages from an individual minor involved in the program
- Send emails to or respond to emails from an individual minor involved in the program
- Communicate via the personal page of an individual minor on social networking sites like Facebook or Twitter
- Call an individual minor involved in the program on the telephone