

## UAF Policy 05.09.41

Original Adoption: May 28, 2013

Revised May 14, 2020

Responsible Chancellor's Cabinet Member: VC Admin Services

Responsible Department/Office: Environmental, Health, Safety and Risk Management



# PROTECTION OF MINORS POLICY

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## 1.0 POLICY STATEMENT

UA R09.12.010

The University of Alaska Fairbanks (UAF), as part of its mission, promotes and engages in many programs, events and activities that involve Minors throughout all of its campuses. Protection and safety of Minors is of the highest priority for UAF and its departments. The purpose of this policy is to provide protection of Minors engaged in programs, events and activities provided or endorsed by UAF or any program conducted at its facilities. The Board of Regent's regulation is cited in bold in each section where it is applicable.

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## 2.0 BACKGROUND & JUSTIFICATION

This policy has been updated to meet the requirements of Board of Regent regulation R09.12 Protection of Minors and covers UAF employees and volunteers at all UAF campuses and sites, including community campuses, field and research sites, and sites utilized by UAF that participate in or provide programs, events and activities for Minors. The policy also covers any contractors that engage with Minors at UAF campuses as required by their contracts, as well as outside parties that use UAF facilities. While this Policy cross-references applicable Board of Regents Policy citations, this UAF Policy is in some respects more stringent than the corresponding Board of Regents Policies. Any changes to the Board of Regents Protection of Minors regulation that is more stringent than is contained in this policy, supersedes this policy.

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## 3.0 DEFINITIONS

UA R09.12.030

**A. Authorized Adults** are individuals (whether full-time, part-time, temporary, paid, or unpaid), who in their official capacity have any direct and unsupervised contact with a minor. Individuals must meet the requirements in paragraph 8.3.1 to become Authorized Adults. Authorized Adults include but are not limited to UAF faculty, staff, other employees, volunteers, matriculated graduate and undergraduate students, interns, contractors, and consultants. Minors who are UAF employees (1) will be required to meet Authorized Adult requirements if their UAF positions (e.g., summer camp counselor) involve some measure of supervisory authority over other minors with whom they are working; and (2) need to be supervised by an Authorized Adult 18 years of age or older.

**B. Behavior of Concern** is any behavior with Minors that is suspicious or inappropriate, whether or not it rises to the level of child abuse or neglect. Behaviors of concern include violations of the Code of Behavior in Section 8.6.

- C. Caregiver** is someone who is responsible or intends to care for and actively controls a Minor when parents or legal guardians do not stay with the Minor during a UAF Sponsored Activity; Caregiver status does not apply to adults at public events where the expectations are for parental supervision.
- D. 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. Child Abuse or neglect may be inflicted by any person and may include Minor-to-Minor abuse or Authorized Adult-to-Minor abuses:
1. Mental Abuse includes shaming, bullying, humiliation, manipulation, and cruelty;
  2. Neglect means unreasonable withholding of food, water, adequate clothing for conditions, shelter, and reasonable medical attention;
  3. Physical Abuse means hitting or kicking, spanking or other corporal punishment, shaking, slapping, twisting or bending appendages beyond normal range of motion, pinching, scratching, hair pulling, unnecessary restraints, forcible contact with objects or substances;
  4. Sexual Abuse means any form of sexual conduct, engaging in inappropriate touching, exposing oneself, engaging in sex themed conversations;
  5. Sexual Exploitation includes allowing, permitting or encouraging a child to engage in prostitution and, producing a live performance, film, audio, video, electronic or electromagnetic recording, photograph, negative, slide book, newspaper, magazines or other material that visually or aurally depicts a child engaging in the following actual or simulated conduct: sexual penetration, lewd touching a child of another person's genital, anus or breast, or lewd touching by another person of a child's genital, anus or breast, masturbation, bestiality; lewd exhibition of a child's genitals or sexual masochism or sadism.
  6. Verbal Abuse means using degrading, or threatening language, including using foul language and cursing.
- E. Cis-gender:** a term used to describe people whose gender identity matches the sex they were assigned at birth.
- F. Contact** is the care, supervision, guidance or control of Minors or routine interaction with Minors. See definition of "direct contact" and "incidental contact."
- G. Contractor** means a person or company that undertakes a contract to provide materials or labor to perform a service or do a job for the university; a paying or non-paying party using UAF facilities; parties that have a contract or agreement that serves Minors; or structured recognized teams with coaches. This definition does not include formal or informal activities with parents/guardians.
- H. Direct contact** with Minors means any care, supervision, guidance or control of Minors, or routine interaction with Minors at a UAF sponsored event. Any contact that is in a private setting, where there is significant opportunity for privacy with Minors, where other adults will not be present, or where there is one-on-one contact or physical contact is direct contact.
- I. High risk areas/activities** include, but are not limited to, locker room use (showering, changing clothes), interaction with animals, one-on-one contact with youth, overnight stays, transporting Minors in vehicles, moving Minors from point to point, sport and outdoor camps, machine shops containing power tools or machinery; use of motorized equipment including UAF boats, aircraft, snow machines, and grounds, heavy-duty or farm equipment, laboratories, and kitchen areas where professional kitchen equipment and knives are utilized. Minors shall be supervised by an Authorized Adult in these areas unless they are registered in a University scheduled class.

**J. Incidental contact** means contact that is not part of the essential nature of the contract or duties associated with Minor activities (e.g. delivering luggage to a site; setting up a classroom or site for an activity prior to Minors attending). Incidental contact with Minors is limited to contact that is always in a public setting, where there is little or no opportunity for privacy with Minors, where other adults will always be present, and where there is no one-on-one contact or physical contact. Incidental contact does not include contact with Minors by janitors, dining staff, maintenance workers, construction workers, or other workers in the following areas:

This definition does not include the following workers or areas: janitors; dining staff; maintenance, construction or other workers in pool areas, restrooms, locker rooms, the Student Recreation Center (SRC), Residence Life facilities, the Patty Center, Wood Center and Bunnell House.

**K. Legal Guardian** means one who legally has responsibility for the care and management of a child during its minority.

**L. Mandated Reporters** are defined in Alaska Statute 47.17.020<sup>1</sup> as persons who, in the performance of their occupational duties, their appointed duties under (8) of this subsection, or their volunteer duties under (9) of this subsection, have reasonable cause to suspect that a child has suffered harm as a result of child abuse or neglect:

- (1) practitioners of the healing arts;
- (2) school teachers and school administrative staff members, including athletic coaches, of public and private schools;
- (3) peace officers and officers of the Department of Corrections;
- (4) administrative officers of institutions;
- (5) child care providers;
- (6) paid employees of domestic violence and sexual assault programs, and crisis intervention and prevention programs as defined in AS 18.66.990;
- (7) paid employees of an organization that provides counseling or treatment to individuals seeking to control their use of drugs or alcohol;
- (8) members of a child fatality review team established under AS 12.65.015(e) or 12.65.120 or the multidisciplinary child protection team created under AS 47.14.300; and
- (9) volunteers who interact with children in a public or private school for more than four hours a week.

Alaska Statute 47.17.023 requires persons providing, either privately or commercially, film, photo, or visual or printed matter processing, production, or finishing services or computer installation, repair, or other services, or Internet or cellular telephone services, and who observe any kind of child pornography, to make a report to the nearest law enforcement agency.

**UAF Mandated Reporters** includes those persons in the above definition associated with the state of Alaska Statutes and the UA regulations that apply and the following:

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| ▪ UAF Chancellor                           | ▪ Authorized Adults  |
| ▪ Provost and Vice Provost                 | ▪ Protection of Minors Committee Members                         |
| ▪ UAF Vice and Associate Vice Chancellors, | ▪ Director of the Center for Student Rights and Responsibilities |
| ▪ Deans and Directors                      |  |
| ▪ Title IX Coordinator and Investigators   | ▪ UAF Human Resources Business Partner                           |

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<sup>1</sup> This can be accessed at: <http://www.legis.state.ak.us/basis/folio.asp>

**M. Minor** is a person under the age of 18 years of age. This definition excludes individuals with emancipation status (16 years of age and older) and individuals that are legally married.

**N. Minor Employees** are employees or volunteers under the age of 18 years of age. The supervisors of Minor employees must follow all of the requirements in this policy including but not limited to training, background checks, code of conduct requirements, and notifications to UAF's Office of Environmental, Health, Safety and Risk Management (EHSRM) regarding the hire.

**O. Non-UAF Sponsored Activity** is one where a third-party contractor, agency or individual hosts a program, event, or activity on UA property. Non-UAF sponsored programs do not have UAF oversight or supervision.

**P. Program Leader** is a UAF employee, volunteer, or student that is providing a program for Minors or where a Minor will attend without parental/guardian supervision.

**Q. Transgender Minor:** Umbrella term for a Minor whose gender identity and/or gender expression differs from their sex at birth. UAF to the extent practicable will be guided by the Fairbanks North Star Borough School District Administrative Regulation 130.2 regarding transgender minors. Transgender students have a right to privacy regarding their identity. Therefore, personnel should not disclose a student's gender identity to others, including parents, and/or other University personnel, unless there is a specific "need to know."

**R. UAF Sponsored Activity** is a program, event or activity designed to include Minors, staffed by Authorized Adults, and offered by various academic, research and administrative units of UAF, including student organizations, or in collaboration with outside entities.

**S. University Scheduled Classes/Courses** are numbered class offerings occurring within UA academic programs, non-credit, or continuing education programs. These education and training courses and programs primarily focus on adult learners and reflect that in their design, delivery, and content. This term does not include SRC Recreational Camps, Summer Sessions Summer Youth Programs, any class set up specifically for Minors or that has over 50 percent of Minors attending, and Departmental Summer Programs for Minors.

**T. Volunteers:** Requirements to meet the volunteer definition are found in the guidance document *SORS Guidelines for Departments Using Volunteer Services*, available at <https://www.uaf.edu/safety/files/risk-management/Guidelines-for-Departments-Using-Volunteer-Services.pdf>. Minor volunteers: Please see Minor employees.

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#### **4.0 REFERENCES RELIED UPON**

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This policy relies on the following references:

- [Alaska Statute 25.20.10](#)
- [Alaska Statute 09.55.590](#)
- [Alaska Statute 47.17.290](#)
- [Alaska Statute 47.17.023](#)
- Alaska Statute [14.20.370](#) to [14.20.510](#)
- [Alaska Administrative Code 7 AAC 57](#)
- Alaska Administrative Code 20 AAC 10.020 and 10.010(b)(4)
- [Board of Regents regulation R09.12](#)
- [Fairbanks North Star Borough School District Administrative Regulation 130.2](#)
- [UAF Policy 04.07.010 Required Training Policy](#)
- Black's Law Dictionary Abridged Sixth Edition

- A. Chancellor:** Establishes and communicates policy; is advised of any policy violation; ultimately responsible for incidents on campus; responsible for reporting incidents or concerns per established UAF reporting procedures. Is a mandated reporter.
- B. Vice Chancellor:** Communicates policy to subordinates, enforces policy requirements; accountable for policy compliance; identifies high risk activities and events within their units; receives reports from subordinates on policy compliance; receives reports of any incidents, communicates incidents to Chancellor and UAF Risk Management; responsible for reporting incidents or concerns per established UAF reporting procedures. Is a mandated reporter.
- C. Deans and Directors:** Communicates policy to subordinates; identifies programs, events, and employees that have the potential for risk; enforces policy requirements, accountable for policy compliance; communicates incidents to supervisor, UAF Risk Management; responsible for reporting incidents or concerns within 24 hours per established UAF reporting procedures. Are mandated reporters.
- D. Employees:** Responsible for reviewing the Protection of Minors on Campus Policy and adhering to its requirements, completing training as required, and reporting any suspected abuse, incidents or concerns per the UAF reporting requirements.
- E. Mandated Reporters:** Must report to the Office of Children’s Services according to the UAF reporting procedure within 24 hours at: <https://www.uaf.edu/safety/minors/reporting.php>. Must also take the Mandated Reporter Training provided by UAF/UA and repeat this training annually. Must complete a background check every 3 years.
- F. Environmental, Health, Safety and Risk Management (EHSRM):**

Responsible for coordinating campus programs, events, and activities that include Minors to ensure compliance with training, background checks and designation of volunteers. Provides guidance to supervising departments. The Risk Manager is notified of any protection of Minors incidents that occur and reports up to the statewide Risk Manager.

Registration information for both UAF Sponsored Activities and non-UAF Sponsored Programs occurring on UAF campuses shall be provided to the UA Chief Risk Officer annually per BOR regulation R09.12.040.
- G. Human Resources:** Responsible for policy enforcement, advising supervisors on discipline for employees who fail or refuse to comply with established policy; responsible for reporting incidents or concerns per established reporting procedures; responsible for establishing procedures for and monitoring criminal background checks and providing approval of background checks.
- H. Police:** Responsible for reporting incidents or concerns per established reporting procedures, receives reports or concerns from all University personnel and appropriately investigates criminal activity or delegates administrative issues to appropriate UAF administrators.
- I. Protection of Minors Committee:** Responsible for receiving and addressing reports or concerns of policy infractions. Along with the UAF Risk Manager, provides guidance to departments that are concerned with the implementation of the policy. Is provided information on alleged abuse on any UAF facility or site utilized by UAF for any events, programs or activities; delegates administrative issues to appropriate UAF administrators.

The Committee shall include the following UAF Department Deans, Directors, Vice Chancellors or their designees: Police Department, Human Resources, UAF Risk Management, Director and Title IX Coordinator, University and Student Affairs, Community and Technical College, CRCD, a member of the teaching faculty, a member of the research faculty or high-level administrative position, Nanook Recreation, and Residence Life.

The Committee shall meet, at a minimum, on a quarterly basis. The Committee shall oversee the development of procedures to support implementation of this policy as well as update the policy when necessary. The Committee shall support the development of a safe environment for events, activities, University Scheduled classes, and programs that include Minors. Committee members are mandated reporters.

- J. Program Leader:** Required to read and understand this policy, adhere to its requirements, and have a reporting process for incidents that may arise.
- K. Sponsoring Department/Unit:** Responsible for identification of Minor interaction within the activity, event or program and coordination with UAF Risk Management to identify the requirements as they pertain to Minors.
- L. Supervisors:** Responsible for identification of events and programs that have Minors; ensures that any events, activities, camps, and other programs that include Minors are properly registered with EHSRM; schedules and attends required training per policy; accountable for employee policy compliance and enforcement; responsible for reporting incidents or concerns per established reporting procedures; is knowledgeable regarding the reporting requirements of their staff, including if they are mandated reporters.
- M. Title IX Office** is responsible for overseeing, coordinating and monitoring the University's regulation prohibiting discrimination, sexual assault, sexual harassment, dating and domestic violence, stalking, and retaliation ensuring compliance with federal and state discrimination and sexual harassment laws. Is a mandated reporter.

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## **6.0**    [NON-COMPLIANCE](#)

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Failure to comply with this Policy is grounds for immediate removal from programs at the participant's expense, and for disciplinary action by the university. Any disciplinary action taken against employees by the university will follow the employment rules governing the individual's employment category. Participants who are not UAF employees or students are not subject to discipline, but may be excluded from UAF facilities or programs. As applicable, further action may include, but is not limited to, notification to regulatory or law enforcement agencies. Non-compliance with law may lead to arrest and fines by law enforcement agencies.

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## **7.0**    [EXEMPTIONS](#)

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[UA R09.12.030.L.1 and L.2](#)

- A.** This policy does not govern activities occurring within the context of a numbered UAF academic, non-credit, or continuing education courses that are part of the UAF class schedule, except as may be required by the EHSRM department on a case-by-case basis. Minors enrolled in such courses are subject to the University's Student Code of Conduct. This does not include SRC Recreational Camps, Summer Sessions Summer Youth Programs, any class set up specifically for Minors or that has over 50 percent of Minors attending, and Departmental Summer Programs for Minors.

- B.** EHSRM department may allow K-12 Schools or School Districts an exemption from some or all of the provisions of this policy. When UAF partners with K-12 schools for events involving Minors, the K-12 school is responsible for the care of the Minor students at all times. The K-12 school must provide enough Authorized Adults to meet the minimum adult-to-minor ratios established by their school or school district, without relying on UAF staff or volunteers.
- C.** Child care providers visiting UAF outside of a UAF Sponsored Program or UAF Sponsored Activity are exempt from this regulation, but must abide by their own supervisory requirements and certifications, including the ratio of authorized adult(s) to minors. The child care provider shall be responsible for the care of its minors at all times.
- D.** Middle College classes are exempt from the minimum ratios in Section 8.5.1 of this policy.
- E.** Contractors with UAF whose duties and activities entail only incidental contact with Minors (as defined in section 3.0 above) are exempt from the provisions of this policy
- F.** This policy does not apply to programs or activities at which Minors are accompanied by, or reasonably expected to be accompanied by, parents or legal guardians, with the exception of field research (see Section 8.5.1).
- G.** The policy does not cover employees that bring their children to work (see UA Risk Services Publication *Minors in the Workplace* at [http://www.alaska.edu/risksafety/h\\_procedure-guide-library/](http://www.alaska.edu/risksafety/h_procedure-guide-library/)).

## **8.0**     **PROCEDURES**

### **8.1**     **Program Registration**

**UA R09.12.040**

Departments shall notify EHSRM a minimum 30 days prior to the first scheduled date of participation of Minors in any activity, program, event or classes or as soon as the program leader or sponsoring department is aware of the activity. For all UAF Sponsored events including camps, programs and other activities, the UAF Events form shall be utilized to identify participation of Minors.

For University scheduled classes see Section 7.0 Exemptions in this policy.

### **8.2**     **Employee and Volunteer Screening and Selection**

**UA R09.12.050**

All UAF Sponsored Activities must adhere to the following employee and volunteer screening and selection criteria. These steps must be completed before an applicant is released to work with minors in a paid or unpaid position.

Human Resources is responsible for procedures for and approval of background checks of employees and volunteers. All employees and volunteers shall submit to a criminal history background check in advance of their participation in events, programs or activities where Minors will be present and are under their care or control. At a minimum, the background checks will include a borough/county criminal background check in all boroughs/counties where the applicant has lived the last seven years; a multi-state criminal background check with Social Security Number Trace and Alias Search; and a national sex offender registry check (every three years).

Volunteers who shall be in contact with Minors must be approved by Risk Management and may be subject to a criminal background check. A volunteer checklist must be submitted for review and approval.

### **8.3 Authorized Adults**

**UA R09.12.050 A & B**

Authorized Adults shall, at a minimum:

- a. Fill out a standard application
- b. Be interviewed, face-to-face if possible, using behaviorally based questions designed to assess for potential risk for abuse
- c. Provide a minimum of three references that include professional and personal references
- d. Sign a UAF Code of Behavior prior to approval and annually thereafter
- e. Be provided a copy of this policy
- f. Complete background check, as described above every three years thereafter
- g. Complete Protection of Minors training and Mandatory Reporter training, prior to initial approval and annually thereafter

Approvals to be an Authorized Adult are not required for UAF employees and volunteers managing and participating in UAF events and activities where there is a reasonable expectation that parents or guardians will be responsible for their Minors during the event or activity.

### **8.4 Employee and Volunteer Training**

**UA R09.12.060 and 030.K**

All Authorized Adults must complete approved protection of Minor and mandated reporter training, prior to initial approval and annually thereafter.

All UAF employees and volunteers, that are not Authorized Adults or mandated reporters, must take Protection of Minors awareness training within 30 days post hire, and repeat the training every 3 years thereafter.

Daycare workers shall complete all required UAF training under this section, as well as meeting the training requirements of the State of Alaska for daycare facilities.

All Protection of Minors training must be approved by the UA Chief Risk Officer.

### **8.5 Program Requirements**

#### **8.5.1 Minor Safety/Security Measures**

**UA R09.12.055**

Every department or unit conducting a program or activity for Minors, and every non-UAF entity seeking to use UAF facilities in order to conduct a program or activity for Minors, shall establish security and emergency measures for Minors, unless the Program Leader establishes and publicizes a rule that Minors attending the program or activity are expected to be accompanied by a parent or guardian. Measures should include, but not limited to:

- At least two Authorized Adults must provide appropriate supervision for Minors not under parent/guardian care and control. Additional authorized adults may be required by age range and size of the Minors group. Examples are below:
  - Minors ages 3-4 years: 1-20 Minors - 2 Authorized Adults  
21-30 Minors - 3 Authorized Adults  
> 30 Minors consult with EHSRM



- Minors ages 5-6 years: 1-28 Minors - 2 Authorized Adults  
28-41 Minors – 3 Authorized Adults  
> 42 Minors consult with EHSRM
- Minors Age 7 – 12 years: 1-18 Minors – 2 Authorized Adults  
19- 36 Minors – 3 Authorized Adults  
> 36 Minors consult with EHSRM
- Minors Age 12 years +: 1-18 Minors – 2 Authorized Adults  
19-36 Minors – 3 Authorized Adults  
> 36 Minors consult with EHSRM
- For groups of minors containing children of less than three years of age; groups of children containing children from more than one of the above age ranges; and other unusual situations; the Program Leader should consult with UAF EHSRM.
- These ratios are based on Alaska Administrative Code 7 AAC 57.505 and 57.510, and on UA Regulation 09.12.055. Should either of these set a more stringent standard, the more stringent standard will control.
- These ratios do not apply to events for which the Program Leader establishes and publicizes a rule that minor children are to be supervised by parents/guardians.
- Programs or activities for minors that are sponsored by a K-12 School or School District may have these ratios waived by UAF EHSRM where the School or School District demonstrates it uses and enforces its own Supervising Adult to Minor ratios.
- A drop-off and pick-up procedure for Minors must be established. Minors shall be released to only a parent/guardian unless prior arrangements have been made, including a note signed by the parent/guardian naming the individual picking up the child, and identification shown from the person named by the parent.
- Development of a procedure if a Minor becomes lost or separated from the group, parent, or guardian.
- A visiting child should be accompanied by a parent or guardian at all times.
- Alcohol consumption, tobacco products and illicit drug use by a Minor on campus is not allowed. If a Minor is found using or in possession of any of the above, the parents/ guardian of the Minor and the UAF police department will be notified. The Minor may be removed from the UAF activity.
- A Minor may accompany parent or guardian on a research trip. If the Minor is 10 years of age or younger, researchers must provide care for the Minor without reliance on the researchers themselves, other researchers, or graduate or undergraduate students working on the research. A release of liability form for family/friend accompaniment and a risk waiver form must be completed and submitted prior to travel arrangements being made.
- UAF Sponsored concerts, movies, and video game activities that are open to the public shall use the following rating scales for age and content when advertising:
  - Music Concerts: <https://www.common sense media.org>
  - Movies: Motion Picture Association of America <http://www.mpa a.org/ratings/what-each-rating-means>

- Video Games: Entertainment Software Rating Board [www.esrb.org](http://www.esrb.org)
- When a UAF activity or program permits one-on-one interaction between any adult and a Minor, a Risk Management Plan shall be developed and include a description of measures and safeguards to provide for the Minor’s safety. If a parent is present, this plan is not required.

### **8.5.2 Liability Waivers and Consent for UAF Sponsored Activities**

Liability waivers and consent forms for all Minor activities that are associated with UAF sponsored activities may be required, dependent upon the associated risk of the activity. Consultation with EHSRM Risk Manager shall determine the requirements after review of the submitted event.

### **8.5.3 Information Provided to Parents/Guardians of Minors**

This policy and specific UAF Sponsored activity guidance shall be provided to parents/guardians of Minors either electronically or as a hard copy. A link to the Protection of Minors policy shall also be available on the UAF activity’s website.

## **8.6 Conduct Requirements**

**UA R09.12.070**

Authorized Adults participating in programs, events and activities covered by this Policy shall annually sign a Code of Behavior. The Code of Behavior will, at a minimum, include the following:

1. Shall treat Minors with respect at all times.
2. Shall treat Minors fairly regardless of race, color, religion, national origin, age, sex, sexual orientation, gender identity, physical or mental disability, genetic information or pregnancy or parenthood status.
3. Shall adhere to uniform standards of affection as outlined in any applicable university or program specific procedures, and shall not engage in private displays of affection.
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 sexual encounters with or around Minors.
6. Shall not date or become romantically involved with Minors in the program.
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 or ask Minors to keep secrets, or in any way involve Minors in their personal issues.
9. Shall not swear or tell sexual, discriminatory, degrading or otherwise offensive jokes.
10. Shall not stare at or comment on the Minors’ bodies.
11. Shall not engage in inappropriate electronic communication, such as “friending” or “following” Minors, or allowing Minors to “friend” or “follow” them, as may be further defined by specific program policies.
12. Shall avoid outside-of-program contact or interaction with minors, which may be further defined by specific program procedures.
13. Shall not be naked, shower, bathe, “skinny-dip” or undress with or in the presence of Minors. If there is a need to bathe, shower or undress, facilities for cis-gender and transgender Minors should be used when available.
14. Shall not take any photographs or videos of Minors or post 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.
15. Shall not abuse Minors in any way including physical abuse, verbal abuse, mental abuse, sexual abuse or neglect.

16. Shall not allow Minors to engage in hazing, bullying, derogatory name-calling, games of “Truth or Dare,” ridicule, or humiliation.
17. Shall report concerns or complaints about other adults or Minors in accordance with all reporting policies.
18. Shall not have one-on-one contact with Minors outside the presence of others. Mentoring programs that involve private instruction shall be required to work with EHSRM to prepare a risk assessment and mitigation plan.
19. Shall not be alone with a Minor in the adult’s living quarters and vehicles.
20. Shall not allow Minors into high-risk areas without review and permission from UAF Risk Manager.

## **8.7 Reporting, Notification and Response**

**UA R09.12.080**

If at any time any individual has reason to believe that a Minor is in imminent physical danger, they shall contact law enforcement immediately. UAF expects all employees, including but not limited to Authorized Adults, who become aware of abuse and or neglect of a Minor to interrupt the behavior immediately, document it and report the incident, or circumstances causing suspicion of abuse to a supervisor, Dean, Director, Department Head, or UAF Risk Manager.

Reporting of any suspected or observed violations of UAF’s Protection of Minors policy or any specific program rules or procedures is mandatory. Reports should be made to the supervisor, Dean or Director, Department Head, or UAF Risk Manager.

Parents/Guardians will also be included in any peer to peer violations of policy or regulation.

### **8.7.1 Individual Reporting of Abuse and Neglect**

**UA R09.12.080.A.1**

All UAF employees, including but not limited to Authorized Adults, who suspect or become aware of any child abuse or neglect must report their suspicion, observation or knowledge to their supervisor, Dean or Director, Department Head, or UAF Risk Manager within 24 hours. Supervisors and administrators should immediately forward reports of abuse or neglect to their supervisor, as well as campus police, the Title IX coordinator, and external agencies as appropriate.

All UA employees, including but not limited to Authorized Adults, who become aware of discrimination against a child based on gender or sexual identity or sexual harassment of a child, which includes sexual assault, sexual misconduct, or any other behavior of a sexual nature, must also report that conduct to their campus Title IX coordinator or Title IX contact within 24 hours by phone or online.

Failure to report by any member of the University community to make the appropriate report shall result in disciplinary actions.

### **8.7.2 Mandated Reporters**

**UA R09.12.080.A.2**

UAF employees who are Mandated Reporters under Alaska law or are designated by this UAF Policy (see definitions). It is an employee’s and the employee’s supervisor’s responsibility to ensure they are aware of their Mandated Reporter status. Mandated Reporters must submit a report to the Office of Children’s Services within 24 hours of reasonable cause to suspect that a child has suffered harm as a

result of abuse or neglect. Mandated reporters must report to the Office of Children Services (OCS) for any suspected form of abuse or neglect of Minors and through the UAF reporting chain.

A 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 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.

Mandatory reporters who become aware of abuse or neglect that involves discrimination against a child based on gender or sexual identity or sexual harassment of a child, which includes sexual assault, sexual misconduct, or any other behavior of a sexual nature, must also report that conduct to their campus Title IX coordinator or Title IX contact within 24 hours.

If an employee is a Mandated Reporter, UA expects that employee to adhere to the requirements of that law in addition to the requirements described in this section. If an individual has questions about mandated reporting, consult a supervisor, and/or Campus Risk Management for guidance.

### **8.7.3 Employees Subject to the Alaska Professional Teaching Practices Act**

**UA R09.12.080.A.3**

All faculty are subject to the responsibilities established by the Alaska Professional Teaching Practices Act (Alaska Statutes 14.20.370 to 14.20.510; Alaska Administrative Code 20 AAC 10.020). In addition to the other duties established by that Act, employees subject to it may not engage in physical abuse of a student or sexual conduct with a student including but not limited to students who are Minors, and shall report to the Professional Teaching Practices Commission knowledge of such an act by an educator( 20 AAC 10.010(b)(4)).

### **8.7.4 Supervisor or Administrator Response to a Report of Abuse or Neglect**

**UA R09.12.080.A.4**

UAF expects supervisors or administrators who receive a report of abuse or neglect to act on that report. Supervisors and administrators should immediately forward reports of abuse or neglect to their supervisor, as well as campus police, the Title IX coordinator, and external agencies as appropriate. Supervisors and administrators should consult and follow campus protocols regarding reporting. The campus protocols for response and reporting are on file with Campus Risk Manager, Campus Protection of Minor Committee and Campus Risk Manager as well as the Chief Risk Officer and the Office of General Counsel. Contact any of these offices for additional assistance.

### **8.7.5 Reporting Minor-to-Minor Sexual Contact, Sexualized Behaviors, Suspicious or Inappropriate Behavior, Including Behaviors of Concern**

**UA R09.12.080.A.5**

While the behaviors described in this section may fall outside of illegal activity, their prevention is important to providing a safe learning environment free of harassment for Minors. As a result, UAF expects all employees, including but not limited to Authorized Adults, to report the behaviors described below. This section applies in addition to reporting requirements outlined above.

Employees and Authorized Adults who suspect, are told of, or observe Minor-to-Minor abuse or sexualized behaviors must immediately report their observations to their supervisor, dean or director,

department head or Campus Risk Manager. Examples of conduct between minors to report include, but are not limited to hazing, bullying, derogatory name-calling, taunting, roughhousing, games of “Truth or Dare,” singling out a Minor for disparate or negative treatment, ridicule or humiliation, or any behavior listed as Behaviors of Concern.

In addition to reporting the behavior described in this section, employees and Authorized Adults are expected to immediately interrupt the behavior and separate the Minors, ensure the safety of the Minors, refrain from conducting any investigation, document observations, allegations and suspicions, and report the incident to a supervisor, dean or director, department head or Campus Risk Manager. Parents/Guardians will also be included in any peer to peer violations of policy or regulation.

### **8.8 Investigation of Policy non-Adherence Potential Behavioral Issues**

If policy non-adherence or potential behavioral issues by a UAF employee are reported to UAF Risk Management or a member(s) of the Protection of Minors Committee, the committee member or UAF Risk Management shall inform the supervisor of the issue. The supervisor shall be responsible to address the issue with the employee.

### **8.9 Contractors, Facilities Use Agreements, and Non-UAF Events**

**UA R09.12.090**

Contractual agreements concerning personnel or facilities related to programs, activities, research and events including Minors must comply with this regulation. Contractors and their employees and volunteers who have direct contact with Minors shall be held to the same standard as employees and volunteers of UA and shall be provided a copy of this regulation. This is not required for contracts dealing with activities that involve only incidental contact with minors.

The following shall be included as a term of the contract where a third-party contract involves direct contact with Minors:

- 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, endorsement, or secondary policy 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 commencement of work under a contract. The Campus Risk Manager will have the authority to waive this requirement with written approval from the Chief Risk Officer and the UA General Counsel’s Office.
- C. Contractor shall present the University with certification, prior to the commencement of work under a contract, which all the Contractor’s 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:

- a. Have been convicted of a crime of violence, neglect, reckless endangerment, or abuse against a Minor or vulnerable adult;
  - b. Are a registered sex offender;
  - c. 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:
- a. Minimum adult to Minor ratios;
  - b. How to supervise Minors during overnight activities;
  - c. Signed Code of Conduct;
  - d. Mandatory reporting of incidents or allegations of sexual misconduct;
  - e. How to supervise Minors during bathroom and showering activities;
  - f. How to supervise Minors during activities that are associated with water use, including, but not limited to, pools, showers, bathing areas, swimming;
  - g. 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 a contract, without regard to any other termination provision.

E. Authorized Adult status is not required of persons at public events, or in facilities regularly used by the general public, where there is a reasonable expectation of parental supervision over minors.

**8.10 Policy Reviews**

At a minimum, the Protection of Minors Committee shall review this policy annually. Updates shall be presented to the Chancellor for review and approval. If no updates are necessary, this shall be noted in the document footer with a date that the review was completed.

**8.11 Procedures Review and Update**

Procedures that support this policy shall be updated as needed.

THIS POLICY IS EFFECTIVE AS OF MAY 14, 2020. THE POLICY IS APPROVED:

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Daniel M. White, Chancellor  
University of Alaska Fairbanks

May 14, 2020

Date: \_\_\_\_\_

