1.8.1 PROTECTION OF MINORS

Last updated on: 05/25/2017

Authority:
This Guide Memo is approved by the Vice President for Human Resources.

Applicability:
This policy applies to all university departments and organizations. Athletic camps, academic camps, licensed childcare facilities, instructional programs, and other organized programs and activities intended for Minors are within the scope of this policy, whether they are limited to daily activities, involve the housing of minors in residence halls, or take place off campus as part of a program directed or sponsored by Stanford (“Covered Programs”).

1. Definitions

“Minor”: Any person under the age of 18.

“Covered Program”: Any activity directed or sponsored by Stanford and intended for Minors. Covered Programs also include programs and activities intended for Minors that are operated by a third party organization on Stanford’s campus. Covered Programs do not include: single performances or events open to the general public not targeted toward Minors, events or social functions that may be attended by Minors who are accompanied by their parents/guardians, or organized school field trips or tours where Minors are under the supervision of an authorized adult or adults.

“Program Staff”: Administrators, faculty, staff, students, and volunteers who work directly with, supervise, chaperone or otherwise oversee Minors in Covered Programs.

“Live Scan”: The required method of criminal background check for Program Staff working with Minors. This method uses a fingerprinting device. For information on conducting a Live Scan check, contact University Human Resources.

2. Purpose and Scope of Policy

a. Stanford University is dedicated to the welfare and safety of all persons who participate in university-sponsored events. However, because Minors are a particularly vulnerable population, Stanford takes extra precautions to protect Minors who participate in activities and programs on Stanford’s campus or under the authority and direction of the university at other locations. Stanford expects all members of the university community to adhere to and act in accordance with this policy.
b. This policy describes the responsibilities of Program Staff and informs all members of the university community of their obligation to report any instances of known or suspected abuse or neglect of Minors. Failure to comply with the requirements set forth in this policy may lead to disciplinary action (up to and including termination) and/or revocation of the opportunity to use Stanford facilities and land.

c. Although Stanford is committed to the welfare and appropriate treatment of all Minors, the administrative requirements of this policy do not apply to programs or activities involving:
   - Matriculated Stanford students who are Minors.
   - Minors who are employed at Stanford. However, if a minor employee will be working in a Covered Program, they will be required to complete a background check and training as required by this policy.
   - Minors participating in Institutional Review Board approved research.
   - Patient care-related activities pertaining to Minors at Stanford Hospital or Lucile Packard Children’s Hospital. These activities are addressed in relevant health care policies.

d. The Program Staff background check and training requirements of this policy do not apply for individual events lasting one day or less. However, these events must still be registered with Stanford Conferences and have adequate adult supervision, and Program Staff must abide by Stanford’s Guidelines for Appropriate Behavior with Minors. In addition, Program Staff for these events must include at least one identified adult staff person present at all times who has a current background check on file.

e. In the event an exception to this policy appears to be necessary, the unique facts of the situation and business necessity should be discussed in advance with University Human Resources. When necessary, cognizant Vice Presidents, Vice Provosts, or university officers will be included in the decision making of proposed exceptions. Exceptions to this policy must be approved by the Vice President for Human Resources.

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3. Minors Not Participating in University-Sponsored Activities

a. Stanford, as a research university, is generally not a proper environment for Minors unless they are participating in an authorized program or activity and adequately supervised by adults who have the appropriate training and credentials. Accordingly:

1. Stanford students who have a Minor relative, friend or other guest stay with them on campus must comply with the Guest Policy in their Residence Agreement. Minor guests must be accompanied in the residence by their host, and must be registered with the Housing Front Desk when required under the Guest Policy.

2. Daycare or babysitting services are not permitted except if provided by one of Stanford’s NAEYC-accredited Early Education and Childcare centers, or by a licensed vendor who complies with all state licensing requirements and is authorized by Stanford to offer the services. In-home childcare arrangements in private residences located on Stanford lands are permitted.

3. Pursuant to other university policies and/or Federal and/or State laws and regulations, Minors should not be present in certain facilities and environments. If a parent or guardian brings their minor child to work, the parent or guardian is responsible for the Minor’s welfare and must ensure that the Minor child does not visit such restricted locations.

b. In general, Minors should not be left unsupervised on Stanford’s campus. It is the responsibility of those who bring Minors to campus (including Program Sponsors or Third Party Program Directors) to ensure appropriate supervision. Certain Covered Programs for high school age students do allow limited
unsupervised time on campus, with parental authorization and subject to any program rules and restrictions.

4. Requirements for Sponsoring Covered Programs

a. Register the Program

Each Covered Program, whether operated by the university or a third party, must have an identified Stanford department or other organization serving as the Program Sponsor, represented by a faculty or staff member from the sponsoring organization.

1. The Program Sponsor must register the program with Stanford Conferences and complete and sign a registration form. The registration form will require Program Sponsors to provide a description of the program, the expected age range and estimated number of attendees, and, for programs operated by a third party, the name and contact information for the director of that program (“Third Party Program Director”).

2. After the program is registered, the Program Sponsor or Third Party Program Director will be required to provide the names and contact information for planned Program Staff sufficiently in advance of the Covered Program start date to allow time for Program Staff to complete background checks and training as required by this policy.

3. The Program Sponsor or Third Party Program Director is also responsible for obtaining required medical and emergency contact information and liability waivers from the parent/guardian of each participating Minor before they may participate in a Covered Program. Assistance with the registration process is available at http://protectminors.stanford.edu [1].

b. Background Check Requirements for Program Staff Working with Minors

1. Unless specifically excluded under this policy, all Program Staff must undergo a criminal background check before working with Minors in a COVERED Program. For COVERED Programs operated by a third party, the Third Party Program Director must ensure that a current criminal background check has been completed for all individuals who will be assisting with the COVERED Program, and inform Stanford of any criminal history that was identified for any of these individuals. In the event that prior criminal history is revealed for any proposed Program Staff, a review committee comprised of University Human Resources, the local Human Resources office, Office of the General Counsel and/or Risk Management will assess background check results and, in consultation with the Program Sponsor as necessary, make a determination as to whether the individual should be allowed to work in the COVERED Program.

2. Volunteers who work directly with minors in COVERED Programs but do not supervise, chaperone, or otherwise oversee minors, and who have not undergone a Live Scan background check may be allowed to work in a COVERED Program under the direct supervision of Program Staff who have current background checks on file. Such volunteers may not have unsupervised contact with any Minor.

c. Required Training

1.
In recognition of the imperative of protecting minors, unless specifically excluded under this policy, all Program Staff should receive training regarding the following prior to the program start date:

- Recognizing sexual abuse, child abuse and neglect and obligation and avenues to report suspected incidents
- Appropriate ratio of adults to Minors
- Appropriate behavior with Minors

2. Training materials may be obtained from University Human Resources, or at http://protectminors.stanford.edu [1]. If a sponsoring department or organization chooses to design and conduct its own training, the training at a minimum must cover the topics listed above and incorporate the materials provided by University Human Resources. Confirmation of attendance and completion of in-person training must be submitted to University Human Resources.

3. For Covered Programs operated by third parties, the Third Party Program Director is required to ensure that all adults who will interact with Minors undergo training on these topics, understand their obligations, and agree to comply.

5. Minimum Appropriate Staffing Ratio of Adults to Minors

Staffing needs for Covered Programs may vary depending on the type of program, the activities involved, and requirements imposed by the Program Sponsor. However, all Covered Programs must meet the following minimum staffing ratios:

<table>
<thead>
<tr>
<th>PARTICIPANT AGE</th>
<th>NUMBER OF STAFF</th>
<th>NUMBER OF OVERNIGHT PARTICIPANTS</th>
<th>NUMBER OF DAY-ONLY PARTICIPANTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-8 years</td>
<td>1</td>
<td>6</td>
<td>8</td>
</tr>
<tr>
<td>9-13 years</td>
<td>1</td>
<td>8</td>
<td>10</td>
</tr>
<tr>
<td>14-17 years</td>
<td>1</td>
<td>10</td>
<td>12</td>
</tr>
</tbody>
</table>

6. Appropriate Behavior with Minors

Adults should be positive role models for Minors, and act in a caring, honest, respectful and responsible manner that is consistent with the mission and guiding principles of the university. The behavior of all members of the Stanford community is expected to align at all times with Guide Memo 1.1.1: University Code of Conduct.
7. Report Allegations of Inappropriate Behavior

"If you see something, say something." Every member of the university community has an obligation to report immediately instances or suspected instances of the abuse of or inappropriate interactions with Minors. This includes information about suspected abuse, neglect, or inadequate care provided by any Program Staff. Reports should be made to the Program Sponsor and University Human Resources/Employee & Labor Relations at (650) 721-4272.

Individuals identified as Mandated Reporters are legally obligated to immediately report known or reasonably suspected child abuse or neglect to authorities. A written report must be made to the same authorities within 10 hours. Mandated Reports making a report in good faith will be protected from criminal and civil liability for making the report. Further, it is the policy of the university that no person making a good faith report of suspected abuse or neglect will be retaliated against in the terms and conditions of employment or educational program. More information about Mandated Reporters may be found at https://hr.stanford.edu/processes/mandated-reporter [5].