



Administration and Finance  
Operations Detail: Risk Management- #04

## Youth Protection Program (YPP)

October 2023

### 1.0 PURPOSE

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California Polytechnic University, Pomona (CPP) interacts with a multitude of persons under the age of 18 through a wide range of diverse programs including camps, clinics, workshops, and conferences on and off campus. CPP has implemented the Youth Protection Program (YPP) which establishes standards, protocol, and guidance for maintaining the safety and protection of youth who participate in University-sponsored and co-sponsored programs, as well as third-party sponsored programs that are held on campus. YPP policies and procedures improve the University's management of activities and events involving minors, reduce and/or eliminate risks to minors, and reduce the University's exposure to liability.

### 2.0 BACKGROUND

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California State University (CSU) has issued a system-wide policy for maintaining the safety and protection of youth who participate in CSU-affiliated programs. In accordance with the *CSU Managing Risk in Youth Programs Resource Guide*, this document establishes standards and protocol for the safety and protection of youth.

To the extent there is a conflict between this operations detail and a state or federal law or to the extent that state or federal law already regulate an activity (e.g., licensed childcare facilities, institutional review board (IRB)-approved research), the state or federal law will supersede this operations detail.

### 3.0 AUTHORITY

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[Child Abuse and Neglect Reporting Act \(CANRA\), Penal Code Section 11164-11174.3](#)

[Education Code Section 10911.5](#)

[Assembly Bill 506](#)

[Executive Order 1083, Mandatory Reporting of Child Abuse and Neglect](#)

[Executive Order 1095, Article 7\(B\), Section 6 & 12](#)

[CSU Technical Letter HR 2017-17 Background Check Policy](#)

[CSU Managing Risk in Youth Programs Resource Guide](#)

### 4.0 OVERVIEW

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CPP recognizes the distinct, inherent risks associated with activities and events involving minors. The University has zero tolerance for the abuse or mistreatment of youth. Any form of abuse or neglect, sexual or otherwise, of a minor by anyone affiliated with the University is prohibited, regardless of their employment status, role, tenure status, volunteerism, or contract. The YPP intends to guide staff and

volunteer conduct and facilitate the identification of high-risk interactions and program characteristics including program registration, waivers and/or release of liability forms, background check information, as well as staff and volunteer training. The YPP also outlines abuse reporting protocols for mandated reporters under Executive Order 1083 and the Child Abuse Neglect and Reporting Act (CANRA). YPP policies and procedures are vital for maintaining safe learning environments for all program participants, staff, and volunteers, as well as ensuring that CPP is following applicable law and CSU policy.

Procedures and directives outlined in this operations detail apply to all youth programs, all Youth Program Personnel, and all Youth Program Participants as specified.

## 5.0 PROCEDURES

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All youth programs must comply with the Youth Protection Program requirements. This operations detail provides the University's minimum standards and expectations of Youth Program Personnel when interacting with minors through University-run or -affiliated youth programs, including those hosted on campus by third party sponsors.

It is the responsibility of Youth Program Sponsors to mandate, document, track, and otherwise ensure policy compliance for their youth programs and Youth Program Personnel. Youth programs vary in size and scope and the University encourages Program Sponsors to adapt their own specific policies and procedures, and, in consultation with the Office Risk Management, tailor them to their individual program(s) in addition to adhering to the minimum requirements outlined below.

### Youth Protection Program Requirements

1. [Position Screening & Selection](#)
2. [Background Checks](#)
3. [Training](#)
4. [Program Registration](#)
5. [CPP Code of Conduct Agreements](#)
6. [Program Participant Forms](#)
7. [Program Document Retention](#)
8. [Hold Harmless Agreements & Insurance](#)
9. [Program-Specific Handbook](#)
10. [Supervision Ratios](#)
11. [Mandatory Reporting](#)

The Office of Risk Management will conduct periodic reviews of registered youth programs to verify policy compliance. Non-compliance of the *CSU Managing Risk in Youth Programs Resource Guide* or this policy may result in the immediate termination and/or discontinuation of the youth program and may also result in discipline, up to and including termination of employment or volunteer duties.

### 1. Position Screening & Selection

It is the responsibility of all University divisions, departments, and colleges, as well as auxiliaries and third-party Youth Program Sponsors, to hire employees and volunteers who demonstrate a propensity for protecting youth. CSU Executive Order 1083 and the *CSU Managing Risk in Youth Programs Resource Guide* require the University to adhere to the following hiring procedures for administrators, faculty, staff, and volunteers who have access to youth or oversee programs where youth are present.

### 1.1 Position Announcements

University position/vacancy announcements and descriptions for all positions designated as mandated reporters must clearly state mandated reporter responsibilities in language similar to the following: “The person holding this position is considered a 'mandated reporter' under the California Child Abuse and Neglect Reporting Act and is required to comply with the requirements set forth in CSU Executive Order 1083 as a condition of employment.”

As noted in EO 1083, “Existing position announcements and position descriptions for all CSU positions shall be revised to include this language either at the time a recruitment to fill the position is open or at the time the position description is next scheduled for a periodic review by campus Human Resources, whichever is earlier.”

### 1.2 Position Applications

All position applications for University administrators, faculty, staff, and volunteers who have access to youth or oversee programs where youth are present must be designed to screen for potential risk of misconduct or abuse and must require the applicant to provide a minimum of three references, at least of one of which is personal.

### 1.3 Interviews

All interviews for prospective University administrators, faculty, staff, and volunteers who have access to youth or oversee programs where youth are present must be face-to-face interviews that use behaviorally based, standardized questions designed to screen for potential risk of misconduct or abuse.

### 1.4 Mandated Reporter Acknowledgement Forms

All Youth Program Personnel, including CPP employees and volunteers who have regular and/or direct contact with youth, must sign a [Limited](#) or [General Mandated Reporter Acknowledgement](#) form.

#### University Employees and Volunteers

University employees and volunteers who are identified as mandated reporters (including Management Personnel Plan employees) will be notified by the Department of Employee and Organizational Development and Advancement (EODA/HR) and required to sign a statement that acknowledges their status as a mandated reporter and their agreement to comply with the reporting obligations under CANRA. The statement will specify whether the employee is a Limited Reporter or a General Reporter.

New employees who refuse to sign the statement presented to them cannot be hired, without exception. Existing employees who refuse to sign the statement within a reasonable period of time, despite being reminded by EODA/HR, may be subject to disciplinary action up to and including dismissal.

New and existing volunteers are required to sign a statement that acknowledges their status as a Limited Reporter. All CPP volunteers must be registered using Risk Management’s [Volunteer Registration form](#). This form requires Youth Program Sponsors to affirm that all volunteers have received and signed the mandated reporter acknowledgment. Volunteers who refuse to sign the statement prior to the start of their service as a volunteer, or within a reasonable period of time, may not serve or continue to serve as volunteers, without exception.

#### Auxiliary and Third-Party Youth Program Personnel

Youth Program Sponsors of auxiliary and third-party programs are required to have their Youth Program Personnel sign statements that acknowledge their status as mandated reporters and may be required to provide copies of these statements to the Office of Risk Management as part of program compliance reviews.

## 2. Background Checks and Fingerprinting

In accordance with Assembly Bill 506, CSU Technical Letter HR 2017-17, and the *CSU Managing Risk in Youth Programs Resource Guide*, all CPP administrators, faculty, staff, and volunteers who have regular and/or direct contact with minors, or oversee programs where youth are present, are required to undergo an annual multi-state criminal background check and fingerprinting. All Youth Program Personnel are also required to undergo a multi-state criminal background check and fingerprinting.

The Department of Employee and Organizational Development and Advancement (EODA/HR) administers background checks for CPP employees. Background checks for CPP volunteers must be mandated by the Youth Program Sponsor. The University Police Department (UPD) conducts livescans (fingerprinting) for University administrators, faculty, staff, and volunteers. UPD will notify EODA of any background checks or livescan results that may be cause for concern.

Auxiliary and third-party Youth Program Sponsors are responsible for providing their Youth Program Personnel with annual background checks and livescans/fingerprinting services. The University does not provide background checks or livescan services to auxiliaries or third parties. A list of livescan locations can be accessed on the [State of California Department of Justice website](#).

Youth Program Sponsors are responsible for ensuring that all Youth Program Personnel have passed a background check and been fingerprinted prior to commencement of a youth program. No individual shall be permitted to be 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.

As part of the youth program registration approval process, the Office of Risk Management will confer with Human Resources, the University Police Department, auxiliaries, and Program Sponsors to verify that individuals who have direct contact with youth participants have a verified, clean criminal background check prior to granting program approval.

### 2.1 Background Checks

All CPP administrators, faculty, staff, and volunteers who have regular and/or direct contact with minors, or oversee programs where youth are present, and all Youth Program Personnel, are required to undergo a multi-state criminal background check that includes the following:

- 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)
- National sex offender registry check
- FBI database check

As per the *CSU Managing Risk in Youth Programs Resource Guide*, the University reserves the right to repeatedly conduct background screening on CPP staff, faculty, and volunteers with regular contact to youth any time after employment or volunteer services have begun. The University also reserves the right to periodically check the national sex offender registry for staff, faculty, and volunteers with regular contact to youth.

### 2.2 Fingerprinting

In accordance with Education Code §10911.5, all CPP administrators, faculty, staff, and volunteers who have direct and/or regular contact with youth are required to immediately submit, through UPD, one set of fingerprints to the Department of Justice. In the case of new CPP employees and volunteers who have direct and/or regular contact with youth, one set of fingerprints must be submitted, through UPD,

to the Department of Justice and cleared before the first day of their employment or volunteer service. This requirement is a condition of employment/volunteer service.

All Youth Program Personnel are required to submit a set of fingerprints via livescan to the Department of Justice. Youth Program Sponsors are responsible for ensuring that this requirement has been met prior to the commencement of the youth program.

### 3. Training

In accordance with Assembly Bill 506, CSU Executive Order 1083, and the *CSU Managing Risk in Youth Programs Resource Guide*, all University administrators, faculty, staff, and volunteers who have regular and/or direct contact with youth, oversee programs where youth are present, or are designated to accept any complaints of unlawful discrimination, must complete training courses on identifying and reporting child abuse and neglect.

Youth Program Personnel, including Program Sponsors and Administrators/Directors, must also complete training courses on identifying and reporting child abuse and neglect. All Youth Program Personnel must complete a minimum of three (3) mandated reporter and youth protection training modules before they will be allowed to operate or participate in any youth programs.

#### 3.1 Training for CPP and Auxiliary Employees and Youth Program Personnel

All CPP administrators, faculty, and staff who are designated as mandated reporters must complete mandated reporter training in the CSU Learning Management System annually. HEERA Managers are responsible for identifying employees who are mandated reporters and EODA/HR is responsible for tracking the assignment and completion of training by employees who are mandated reporters (Penal Code § 11165.7c2).

Employees and volunteers who wish to work at a University sponsored youth program are required to take the specific trainings listed in the [CPP Youth Protection Training Matrix](#) on Risk Management's [Youth Protection website](#) before they begin working in a youth program. Program Sponsors for CPP youth programs are responsible for ensuring the completion of these trainings for all Youth Program Personnel.

As part of the registration process for youth programs, Program Sponsors must affirm that all Youth Program Personnel have completed the required trainings in the CPP Youth Protection Training Matrix in order to be permitted to operate a youth program.

#### CPP Training Resources

Two of the trainings listed in the CPP Youth Protection Training Matrix, "Keeping Your Higher Education Program Safe" and "A Day at Camp," can be accessed through the CSU Learning Management System.

The training on "Social Media Safety" can be accessed through the Praesidium Academy. Praesidium is a risk management firm that specializes in sexual abuse prevention. Their online training academy features a multitude of abuse prevention and mandated reporter trainings that are utilized by across the CSU system.

In order to access the trainings in Praesidium, Program Sponsors must create an account with Praesidium Academy using their CSU email address (to be taken to the account creation form, click [here](#)). Account verification takes 5-7 days. Once an account is verified, Program Sponsors can add staff and volunteers to the account, giving them access to the necessary training modules.

### 3.3 Training for Third-Party Sponsored Programs

Third-party Sponsors of youth programs are responsible for mandating, conducting, documenting, and tracking the completion of the required training by Youth Program Personnel before they begin working with youth.

CPP campus does not provide online training for outside third-party vendors, but vendors may access online mandated reporter training provided by the Office of Child Abuse Prevention in the State Department of Social Services or utilize other training platforms as they see fit.

Third-party Program Sponsors should provide Youth Program Personnel with training that is consistent with State law and CSU Youth Protection Program requirements. Training modules should, at minimum, address the following topics:

- Mandated reporter protocols for suspected child abuse, sexual assault, or child pornography
- Appropriate interactions with and supervision of youth
- What to do in the event of a crisis or emergency
- Prohibition of retaliation against those who report allegations of misconduct or inappropriate conduct

As part of the registration process for youth programs, third-party Program Sponsors must affirm that all Youth Program Personnel have completed the required training in order to be permitted to operate the program.

## 4. Program Registration

In accordance with the *CSU Managing Risk in Youth Programs Resource Guide*, all CPP-affiliated youth programs, including programs sponsored by an auxiliary or third-party, must be registered by their Program Sponsor via the [Youth Program Registration form](#) at least sixty (60) days before each program event or activity starts.

Program registration requires indicating whether the University, Auxiliary, or a Third-Party will assume responsibility for the care, custody, and control of youth participants during the program. The *CSU Managing Risk in Youth Programs Resource Guide* also establishes that Youth Program Sponsor must provide the following information for program registration:

- Anticipated number of participants
- Anticipated age of participants
- Anticipated number of youth program staff/volunteers
- Program Sponsor contact information
- Description of youth program/activity
- Dates and times of youth program operation
- Number of overnight stays (if applicable)
- Physical location of the Youth Program/activity/event

In addition, Youth Program Sponsors must affirm that the Program Sponsor has collected and retained copies of the following documents and information:

- Name/address/contact information for all program staff/volunteers
- Emergency contact information for all participants and program staff/volunteers
- Background check verification for all program staff/volunteers
- Signed mandated reporter acknowledgements from all program staff/volunteers
- Signed liability waivers for all program participants and staff/volunteers
- Signed code of conduct agreements for all program participants and staff/volunteers
- Program orientation materials and program-specific handbooks for participants and their parents/guardians
- Signed Medical Authorization and Treatment Forms for all participants

- Signed media waivers for all participants (if applicable)
- Confirmation of employee/volunteer completion of mandated reporter trainings

Auxiliaries or Third parties that request licenses for CPP facility-use are required to indicate whether or not their event will include minors under the age of 18. All events that include minors must complete the Youth Program Registration form and receive clearance/approval from the Office of Risk Management prior to the start of the event.

**All youth programs must receive approval from the Office of Risk Management prior to the program start date. Youth programs that do not register will not be allowed to operate. Risk Management will maintain an inventory of youth programs that have registered and received approval.**

## 5. Code of Conduct Agreements

In alignment with the *CSU Managing Risk in Youth Programs Resource Guide*, Youth Program Sponsors must obtain signed copies of the CPP Youth Program Code of Conduct for all Youth Program Personnel, Youth Program Participants, and approved parents/guardians who wish to accompany their child to a youth program event/activity.

Youth Program Code of Conduct agreements can be downloaded from [Risk Management's website](#). Program Sponsors must confirm with the Office of Risk Management that they have collected signed copies of these agreements as part of the registration process for youth programs.

### 5.1 Code of Conduct Agreement for Youth Program Personnel

Program Sponsors must obtain signed copies of the [Youth Program Personnel Code of Conduct](#) for all youth program staff and volunteers. Program Sponsors must also sign and retain a copy of the Youth Program Personnel Code of Conduct. By signing this document, Youth Program Personnel are agreeing to abide by the University's minimum standards for interacting with youth while operating a CPP-sponsored or -affiliated youth program.

### 5.2 Code of Conduct Agreement for Youth Program Participants

Program Sponsors must obtain signed copies of the [Youth Program Participant Code of Conduct](#) from the parents/guardians of all Youth Program Participants. By signing this document, parents/guardians are agreeing to inform their child of the code of conduct guidelines in a developmentally and age-appropriate way.

### 5.3 Code of Conduct Agreement for Parents/Guardians

Parents/guardians are typically prohibited from attending youth program events/activities that are otherwise closed to the public. In order to permit parents/guardians to accompany their child to a youth program activity/event, Program Sponsors must first request and receive approval from the Office of Risk Management.

Once approval has been received, Program Sponsors must obtain signed copies of the [Youth Program Parent/Guardian Code of Conduct](#) for all parents/guardians who wish to accompany their children to youth program activities/events. By signing this document, parents/guardians are agreeing to abide by the University's minimum standards for interacting with youth while attending a CPP-sponsored or -affiliated youth program.

## 6. Participant Forms

In alignment with the *CSU Managing Risk in Youth Programs Resource Guide*, Youth Program Sponsors must obtain the following written agreements for all program participants:

- Waivers and/or Release of Liability Forms
- Medical Authorization and Treatment Form

- Media Release Forms (if applicable)
- Participant Personal Information (including emergency contact information)

Program Directors/Sponsors must confirm with the Office of Risk Management that they have collected signed copies of all required agreements as part of the registration process for youth programs.

#### 6.1 Release of Liability, Promise Not to Sue, Assumption of Risk & Agreement to Pay Claims

Program Sponsors must obtain signed CSU Release of Liability, Promise Not to Sue, Assumption of Risk & Agreement to Pay Claims documents for all Youth Program participants. Parents/guardians shall receive, review, and sign release of liability documents before their child is permitted to participate in any CPP-affiliated Youth Program. Signed release of liability documents must also be collected for adults who are participating in a youth program.

Documents must be collected for all youth program volunteers, hosts, chaperones, third-party staff/volunteers, and parents/guardians accompanying children, with the exception of CSU employees acting in the course and scope of their employment. Individuals who do not sign the waiver may not participate in the youth program.

A template of the [CSU Release of Liability, Promise Not to Sue, Assumption of Risk & Agreement to Pay Claims](#) document can be downloaded from Risk Management's website. To the extent possible, Youth Program Sponsors should identify the specific activities in which the minors will engage in the release of liability document so that parents/guardians can have complete information to decide whether they want their children to participate, and whether they wish to assume the risk of that participation. To better inform participants as to the scope and nature of the planned activities, an itinerary should also be attached to, and referenced in, release of liability documents.

#### 6.2 Medical Authorization and Treatment Form

Youth Program Sponsors must collect signed Authorization to Consent to Medical Treatment forms for all minors participating in a youth program. Minors may not participate in a youth program until a parent/guardian completes and signs the form. [Authorization to Consent to Medical Treatment forms](#) can be downloaded from Risk Management's website.

#### 6.3 Media (Visual/Audio Image) Release Form

Prior to making any public use of a minor's image, CPP Program Sponsors must obtain a Cal Poly Pomona Visual/Audio Image Release Form that has been signed by the minors' parents/guardians. For third-party Program Sponsors, a media release form for the third-party organization must be signed by the minors' parents/guardians prior to making any public use of a minor's image. Pictures or images of, or information about, youth participants may not be posted on any online platform, website, or social media site without permission from a parent/guardian. [Visual/Audio Image Release Forms](#) can be downloaded from Risk Management's website.

### 7. Program Document Retention

In alignment with the *CSU Managing Risk in Youth Programs Resource Guide* and CSU best practices, Youth Program Sponsors must retain the following program documents for 6 years after the conclusion of the youth program, or until youth participants turn 21-years old, whichever is longer:

- Signed Video/Audio Image Release Forms for Program Participants
- Signed Code of Conduct Agreements for Program Participants and Parents/Guardians
- Signed Medical Authorization and Treatment Forms for Program Participants

Release of liability documents must be retained for 3 years following the conclusion of the program for parents/guardians; and, for minors, for 3 years after they turn 18 years old. Release of liability



documents may be preserved electronically after the activity ends. If the waiver has been used to respond to a claim, the Program Sponsor must retain the original waiver.

In alignment with [CSU Personnel Retention Schedules](#), Youth Program Sponsors must retain the following documents for 10 years after an employee or volunteer separates from the University:

- Youth program Personnel contact information
- Youth program Personnel background check results
- Signed Mandated Reporter acknowledgements for all Youth Program Personnel
- Signed Code of Conduct Agreements for all Youth Program Personnel

## 8. Hold Harmless Agreements & Insurance

Working with third parties and facility rentals can present unique risk management challenges. In alignment with the *CSU Managing Risk in Youth Programs Resource Guide*, third-party organizations and facility rentals must submit a standardized written document that hold the University harmless. These expectations are outlined in the [CSURMA Contracts Involving Minors Resource Guide](#) located on the CSURMA website.

Third-party contracts should also include language to ensure that visiting programs and guests who engage with minors in partnership with CPP follow established guidelines, processes, and legal mandates to protect youth.

In addition, auxiliaries and third parties must carry the University Required Insurance Coverage, including Abuse and Molestation Liability Insurance written on an "occurrence" basis.

## 9. Program-Specific Handbook

In alignment with the *CSU Managing Risk in Youth Programs Resource Guide*, all Youth Program Sponsors are required to develop and administer program-specific handbooks/manuals to all Youth Program Participants and their parents/guardians.

Program handbooks must include the following components:

- Procedures for notifying a youth's parent/legal guardian in case of emergency, including medical or behavioral situations
- Information for parents/legal guardians on how to contact the participant during the program
- 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 program rules, including the process for dismissal and removal from the program and the process for how a participant who has been dismissed or removed from the program early is picked up by a parent, legal guardian, or other responsible adult.
- 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 (visitations should be restricted to public spaces in the building and only during approved hours specified by the program)
  - Requirement that separate accommodations are to be provided for Youth Program Personnel and youth, except when youth are housed with their parents or guardians
  - Requirement that program participants, staff, and volunteers must comply with all security measures and procedures specified by CSU Police and Housing Services

Program handbooks must also include the following Program rules and expectations:

- Prohibition against possession or use of alcohol, tobacco, drugs, fireworks, guns, 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 violations 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
- Prohibition against the inappropriate use of cameras, imaging, and other digital recording devices, including smart phones, tablets, and mobile devices, in showers, restrooms, locker rooms and any other areas where privacy is expected by participants
- Clear protocol for areas of drop off/pick up and release of minors
- Rules that identify areas of the program facilities that participants are restricted from entering and/or equipment that participants are restricted from using

A [Program-Specific Handbook Template](#) that can be customized to meet the specifics of different youth programs can be downloaded from the Risk Management website.

## 10. Supervision Ratios

In alignment with the *CSU Managing Risk in Youth Programs Resource Guide*, youth programs are required to maintain [American Camp Association \(ACA\) recommended staff/volunteer-to-participant supervision ratios](#). A minimum of two Chaperones must be present throughout the program, regardless of total participant count and activity.

For youth programs that do not include overnight stays, the ratios range from the following:

- One staff member for every six youth participants ages 4 and 5
- One staff member for every eight youth participants ages 6 to 8
- One staff member for every ten youth participants ages 9 to 14
- One staff member for every twelve youth participants ages 15 to 17

For youth programs that include overnight stays, the ratios range from the following:

- One staff member for every five youth participants ages 4 and 5
- One staff member for every six youth participants ages 6 to 8
- One staff member for every eight youth participants ages 9 to 14
- One staff member for every ten youth participants ages 15 to 17

Youth Program Sponsors must make reasonable efforts to limit one-on-one contact between staff/volunteers and youth participating in youth programs. These efforts include, but are not limited to, the following:

- Staff training that works to minimize 1:1 camper/staff interactions
- Procedures that require two Chaperones to be present throughout the program, regardless of total participant count and activity
- Procedures that require more than one adult to be involved in any communications with youth in private areas (e.g.: restrooms, bedrooms, study lounges, and similar areas)
- Procedures that require more than one adult to be involved in any electronic contact with an individual or single youth

Youth programs that allow parents/guardians to accompany their child throughout the duration of the program can potentially increase risks to youth, particularly if there are unaccompanied minors attending the same program. Youth programs that include both accompanied and unaccompanied minors must follow ACA supervision ratios, focusing staff and volunteer attention on youth who are unaccompanied by a parent/guardian. Supervision ratios are not required when a program requires or

reasonably anticipates that ALL youth participants will be accompanied by a legal guardian or a legal guardian's authorized appointee.

## 11. Mandatory Reporting Requirements

It is imperative that all University faculty, staff, and volunteers actively participate in the protection of youth both on and off campus. The California Child Abuse and Neglect Reporting Act (CANRA), Assembly Bill 506, CSU Executive Order 1083, and the *CSU Managing Risk in Youth Programs Resource Guide*, require California State Universities to develop and implement child abuse prevention policies that ensure the reporting of known or suspected incidents of child abuse to the proper external authorities. These policies and procedures include identifying and training mandated reporters, as well as developing an abuse reporting procedure.

### 11.1 Identifying Mandated Reporters

Under CANRA and EO 1083, certain CSU employees and volunteers are designated as "mandated reporters" of child abuse. There are two categories of mandated reporters, general reporters, and limited reporters.

- A **general reporter** is defined by CSU as those who are legally required to report child abuse or neglect *no matter where it occurs*.
- A **limited reporter** is defined by CSU as those who are legally required to report child abuse or neglect *only if it occurs on CSU premises or at an official activity of, or program conducted by, the CSU*.

Campus Human Resources has established a list of classifications (or in some cases, positions within classifications) that distinguish between General and Limited Reporters. Any employee who satisfies the criteria for both Limited Reporters and General Reporters will be designated as a General Reporter.

All administrators, faculty, staff, students, volunteers, and third-party organizations who work with youth on campus and/or administer Youth programs are mandated reporters.

As a matter of CSU policy, all Management Personnel Plan employees and volunteers who work with youth are considered limited reporters, with the exception of Management Personnel Plan employees who meet the definition of "general reporter." Non-Management Personnel Plan employees hired prior to January 1, 1985, are not required to be designated as mandated reporters but are strongly encouraged to report suspected child abuse or neglect.

All mandated reporters will be notified of their status, reporting obligation, and requirement to complete training on the identification and reporting of child abuse and neglect.

#### *Non-Mandated Reporters:*

It is the policy of the California State University to strongly encourage all members of the CSU community who are not designated as mandated reporters, to report child abuse and neglect occurring on CSU premises or at an official activity/program conducted by the CSU.

### 11.2 CPP Reporting Procedure

Mandated reporters are required to report child abuse and neglect. All Youth Program Personnel are mandated reporters and must follow CPP's reporting requirements and procedure.

Mandated reporters are required to report the following types of child abuse or neglect (EO 1083):

- Physical abuse, meaning physical injury other than by accidental means
- Sexual assault, including sex acts with a child, intentional masturbation in the presence of a child, child molestation, and lewd or lascivious acts with a child
- Sexual exploitation, including acts relating to child pornography, child prostitution, or performances involving obscene sexual conduct by a child

- Neglect meaning the negligent treatment or maltreatment of a child by a parent, guardian or caretaker under circumstances indicating harm or threatened harm to the child's health or welfare
- Willful harming or injuring or endangering a child, meaning a situation in which any person inflicts, or willfully causes or permits a child to suffer, unjustifiable physical pain or mental suffering, or causes or permits a child to be placed in a situation in which the child or child's health is endangered
- Unlawful corporal punishment, meaning a situation in which any person willfully inflicts upon a child cruel or inhuman corporal punishment or a physical injury

As per EO 1083, mandated reporters are personally and legally responsible for determining when reporting is required and following the reporting procedure summarized in this operations detail. A mandated reporter should suspect child abuse or neglect whenever it is objectively reasonable to do so. Facts upon which a reasonable suspicion may arise do not have to have been witnessed by the mandated reporter but can be learned from other sources.

Once abuse has been observed or reasonably suspected, mandated reporters must take the following steps to report the abuse (EO 1083):

**Step 1: Immediately contact one of the following authorities:**

- The University Police Department
- The County Sheriffs' Department
- The County Probation Department (if designated to receive mandated reports)
- The County Welfare Department (Child Protected Services)

**Step 2: Provide the contacted authority with the following information, if known:**

- Their name, business address, and telephone number as the mandated reporter
- The child's name, address, and present location
- The name(s), address(es), and telephone number(s) of the child's parent(s), guardian(s), or caretaker(s)
- The source of information that led to the suspicion of child abuse
- The name(s), address(es), telephone number(s), and other personal information of person(s) who might have abused the child

**Step 3: Within 36 hours of receiving information concerning the incident:**

Complete Form SS 8572 and send, fax, or electronically transmit it to the agency that was contacted by phone

For observed or suspected abuse or neglect occurring on CSU premises, at an official activity of, or at a program conducted by or affiliated with the CSU, mandated reporters are encouraged, but not required, to also notify their supervisors or other appropriate administrators. However, reporting to a supervisor, a coworker, or any other person is not a substitute for making a mandated report to one of the agencies listed above.

Campus Human Resources is responsible for assisting mandated reporters in carrying out their reporting responsibilities including taking measures, if necessary, to ensure that mandated reporters are not impeded in performing their duties. Suspected violations of law must be reported to the University Police Department or other appropriate agency.

### 11.3 Confidentiality & Immunity

As per CANRA and EO 1083, mandated reporters cannot be held civilly or criminally liable for their reports. They enjoy immunity from prosecution for their reporting of suspected child abuse. Both the identity of the person who reports and the report itself are confidential and disclosed only among appropriate agencies

#### 11.4 Failure to Report

As per CANRA and EO 1083, a mandated reporter who fails to make a required report, or any administrator or supervisor who impedes or inhibits a report, is guilty of a misdemeanor punishable by up to six months in jail, a fine of \$1,000, or both. Where the abuse results in death or great bodily injury, the mandated reporter who fails to make a required report or administrator or supervisor who impeded or inhibited the report is subject to punishment of up to one year in jail, a fine of \$5,000, or both. Any administrator, employee, or volunteer who has knowledge of a staff member who was designated to report an incident, but failed to do so shall thereafter make a report of the incident.

#### Addressing Allegations of Abuse and Code of Conduct Violations

Youth Program Sponsors are responsible for ensuring that Youth Program Personnel follow mandated child abuse reporting procedures. They are also responsible for reporting all known incidents or allegations of child abuse to the Title IX Coordinator. Per [CSU Executive Order 1095, Article VII \(B\), Sections 6 & 12](#), the Title IX Coordinator (or designee) is responsible for investigating complaints of sexual harassment and sexual misconduct.

If an allegation of misconduct/inappropriate conduct, abuse, or violation of the University's anti-discrimination policy is made against a University administrator, staff member, or volunteer, they must be immediately removed from any and all further participation in any programs and activities until the allegation has been satisfactorily resolved. CPP takes these matters seriously. In the case of suspected abuse or neglect of a youth or violations of youth program codes of conduct, CPP will adhere to existing policies and procedures for corrective action (see [CSU Nondiscrimination Policy, Procedures for Complaints](#)). Actions taken will first and foremost consider the need to ensure the safety of youth participating in the program.

University administrators, staff, and volunteers are prohibited from retaliating against youth, families, parents, guardians, and staff/volunteers who report allegations of abuse, misconduct, inappropriate conduct, or violations of the University's anti-discrimination policy.

### 6.0 DEFINITIONS

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#### **Youth**

For the purpose of this operations detail, "youth" are defined as individuals under the age of 18-years-old, who are not matriculated University students and participating in not-for-credit youth activities and programs. This operations detail is not intended for use with respect to matriculated students, minors attending campus events under the supervision of a guardian or chaperone (e.g., K-12 schoolteacher, parent), or those attending off-campus academic internships and service-learning opportunities.

#### **Youth Program**

A youth program is defined as any 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.

This definition does not include the following activities or events:

- Activities or events where parents, guardians, or affiliated program leaders (e.g. school teacher, counselor) are responsible for the care, custody and control of youth participants
- Private, personal events (e.g., birthday parties, weddings) that occur at University facilities
- Events open to the general public (e.g., intercollegiate athletic events, concerts, class tours)
- Activities/events that fulfill credit requirements for a degree program
- Academic programming where students interact with youth as part of their coursework

**Program Sponsor**

The Program Sponsor is the appropriate University administrator. e.g., Dean, Associate Vice President, Assistant Vice President or Third Party responsible for authorizing or approving 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 Administrator/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.

**Program Administrator/Director/Manager**

The Program Administrator/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.

**Youth Program Personnel**

Youth Program Personnel refers to all administrators, employees, and volunteers who have regular and/or direct contact with youth during youth programs and are responsible for complying with YPP policy and procedures, including program sponsors. Youth Program Personnel does not include University faculty, staff, and others who only interact with matriculated CPP students who are under the age of 18 in academic classes or other traditional academic settings.

**Program Participant**

A program participant refers to any person who participates in/attends a youth program, including parents/guardians who are not employed by or volunteering with the youth program.

**Mandated Reporter**

Mandated Reporters are any persons, including CSU employees and volunteers who have regular contact with or access to youth, or who supervise employees or volunteers who have regular contact or access to youth. Mandated reporters are required to report known or reasonably suspected instances of abuse. There are two categories of Mandated Reporters: General and Limited.

"General Reporter" is a category of Mandated Reporter, defined as those who are legally required to report child abuse or neglect no matter where it occurs. For the purposes of this policy, any employee who satisfies the criteria for both Limited Reporters and General Reporters will be designated as a General Reporter.

"Limited Reporter" is a category of Mandated Reporter, in accordance with California Penal Code § 11165.7(a)(41) and defined by the CSU as those who are legally required to report child abuse or neglect only if it occurs on CSU premises or at an official activity of, or program conducted by the CSU.

**On Campus**

On campus events/activities refer to those that take place at facilities and spaces owned by, or under direct control and supervision of the University or any of its Auxiliaries.

**Auxiliary**

Auxiliaries are California nonprofit corporations that are organized and operated solely for the benefit of the campus but are legally separate entities from the University.

**Third Party**

A Third Party is an off-campus entity who is utilizing resources/facilities on campus to operate a youth program.

**Co-Sponsored Program**

A Co-sponsored program is an activity or program undertaken, engaged in, or conducted jointly by the University and a Third Party.

**Reasonable Suspicion**

Defined under Penal Code § 11166(a), "reasonable suspicion" means that "it is objectively reasonable... [for a mandated reporter] to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect." Facts upon which a reasonable suspicion may arise do not have to have been witnessed by the mandated reporter but can be learned from other sources.

**7.0 CONTACTS**

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This operations detail is owned, administered, interpreted, and revised as necessary by the [Office of Risk Management](#) in the Division of Administrative Affairs.

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**8.0 REVISION TRACKING**

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**Revision History**

Revision Date	Revised by	Summary of Revision	Section(s) Revised
10/13/2023	Natalie Schroeder	Initial Draft	All

**Review/Approval History**

Revision Date	Approved by	Summary of Approval	Section(s) Approved
10/23/2023	Mike Yu		All