

Youth Activity Safety

POLICY CONTENTS

Scope
Policy Statement
Reason for Policy
Procedures
Definitions
Additional Contacts
Forms
Related Information
History

Scope

All University of Nebraska Omaha (UNO) employees or volunteers working with any person under the age of 19, excluding full- and part-time UNO students.

Policy Statement

Requirements for Holding Youth Activities at UNO

All Youth Activity Directors and Sponsoring Organizations are responsible for the safety of the workers and participants for the duration of the Youth Activity. They are responsible for the behavior of the Activity Workers and Non UNO Activity Support Staff and adherence by those involved to this policy and all other applicable university policies. Youth Activity Directors and Sponsoring Organizations using UNO facilities or property for Youth Activities must meet the following requirements:

1. All Youth Activities held at UNO must comply with this Youth Activity Safety Policy or receive a waiver from the policy. All Sponsoring Organizations must comply with this policy or seek a waiver from the policy by providing alternative guidelines to UNO that are approved in writing by the UNO Vice Chancellor for Business and Finance.

2. All Youth Activities must comply with University policies, including weapons, drug and alcohol policies. These policies can be found in the [University Policies library](#).
3. All Activity Contracts must be approved by UNO's Vice Chancellor for Business and Finance.
4. It is the responsibility of the Activity Director to ensure all Activity Workers have received a copy (electronic or paper) of the Activity Worker Guidelines. **Revisions to this form are not allowed.** In addition, the Activity Director must ensure that all Parents/Guardians receive a Parent/Guardian Information Form.
5. Activity Directors, Workers and Activity Support Staff must successfully pass a Sex Offender Registry Check. No Activity Worker or Activity Support Staff can be listed on any Sex Offender Registry. Sex Offender Registry Checks must be conducted at least annually. The Sponsoring Organization is responsible for ensuring the checks are completed. Activity Directors must maintain an updated list of Activity Workers and Activity Support Staff noting the date that the Sex Offender Registry Checks were completed. The Sex Offender Registry Checks are free at the following sites:

-
[Nebraska Sex Offender Registry](#)
[National Sex Offender Public](#)
-

6. All Youth Activities must have or arrange for access to individuals that are certified in Adult & Youth CPR and First Aid within reasonable proximity to the Youth Activity in case of an emergency. Individuals may be on staff such as trainers, nurses, or trained staff or Youth Activities may arrange for pre-determined access to medical facilities such as UNO's Health Center, or other area clinics, or hospitals. In the case of an emergency or accident involving youth, parents/guardians will be notified, following notification of the appropriate emergency personnel.
7. Non-UNO Sponsoring Organizations will be required to have general liability coverage in the amount of \$1,000,000 per occurrence and \$3,000,000 aggregate that names the Board of Regents of the University of Nebraska as an additional insured. If a Youth Activity is an athletic activity, the general liability coverage must include participant liability in the amount of \$1,000,000. Certificates of insurance must be sent to 209 EAB for review at least 30 days prior to the start of the Youth Activity. A non-UNO Sponsoring Organization's Youth Activity may not begin without certificate of insurance approval by the UNO Risk Management Director.
8. All Youth Activity materials and publications must prominently note the name, address, and phone number of the Sponsoring Organization. The Youth Activity address may be a UNO address for purposes of receiving activity registrations and materials.

Activity Worker and Activity Support Staff Eligibility¹

As this policy makes clear, UNO is committed to providing a safe and secure environment for youth on the UNO campus. Accordingly, every Sponsoring Organization hosting a Youth Activity is responsible for ensuring that an Activity Director, Worker or Activity Support Staff does not have a criminal background that would disqualify the individual from participating in the Youth Activity. Options may include a question on an activity application or a criminal history background check.

It is expected that all Sponsoring Organizations will comply with the guidance from the U.S. Equal Employment Opportunity Commission regarding consideration of conviction records in hiring² and that all UNO Sponsoring Organizations will comply with Neb. Rev. Stat. §48-202.³ The following convictions generally will render an Activity Worker or Activity Support Staff ineligible to participate in Youth Activities:

- Any sexual offense;
- Felony Assault, including domestic violence related incidents;
- Child abuse, molestation or other crimes involving endangerment of a minor;

- Murder; or
- Kidnapping

Other convictions, such as misdemeanor assault, drug distribution activity, felony drug possession and any other felony or crime involving moral turpitude may also render an Activity Worker or Activity Support Staff ineligible to participate in Youth Activities. UNO Administration reserves the right to deny any Activity Director, Worker, or Activity Support Staff participation in the Youth Activity should the Administration, in its sole discretion, determine that the Activity Director, Worker or Activity Support Staff has engaged in behavior that disqualifies the individual from participating in the Youth Activity.

¹UNO units must follow these guidelines related to Activity Workers and Activity Support Staff eligibility and may not create their own guidelines.

²Under EEOC guidance, in making hiring decisions, employers must consider the nature and gravity of the offense or conduct, the time that has passed since the offense or conduct and/or completion of the sentence, and the nature or the job held or sought. If a determination is made that an individual should not be hired due to a conviction, the individual must be given an opportunity to provide additional information. Sponsoring Organizations must also comply with the Fair Credit reporting Act (FCRA), if applicable.

³Section 48-202 states that a public employer generally must determine whether an applicant meets minimum employment qualifications before asking the applicant to disclose information concerning the applicant's criminal history.

Vehicle Travel

1. Any Activity Worker employed by UNO who will be responsible for transporting youth by vehicle must undergo and pass a Driving Record Check as required by the UNO Transportation Safety Policy. Non-UNO Activity Workers who transport youth must have a valid driver's license and be approved by the Activity Director to transport youth.
2. Activity Workers should avoid any one-on-one transportation of youth.
3. If one-on-one travel must occur, the Activity Worker is encouraged to contact his/her supervisor or designee immediately before departure and immediately upon arrival at the destination.

Activity Worker/Youth Interaction

1. A ratio of at least one (1) adult supervisor to every 15 youth is required, with a minimum of two (2) adult supervisors regardless of the size of the activity. At least one adult supervisor of the same sex as the youth is required.
2. When in bathrooms or locker rooms, Activity Workers must be the same gender as the youth. Activity Workers showering or bathing with youths is strictly prohibited under all circumstances. Activity Workers and Activity Support Staff will not be in the shower or bath areas with youth except during extreme medical emergencies.
3. Youths will not be unsupervised in the residence halls at night.
4. Taking pictures of youth or posting pictures or information about youth to social media sites without parent/guardian permission is prohibited.
5. Use of an Activity Worker's personal room, office or home for interacting/meeting alone with youth that are affiliated with the Youth Activity is prohibited. Activity Workers are prohibited from meeting youth off-site or off hours. Exceptions require parent/guardian written approval and the Activity Director's approval in advance.

6. All youths must have adult supervision until released to a parent or guardian, unless specific written parent/permission is received.

Reporting Requirements for Child Abuse and Neglect, Including Sexual Assault

Nebraska statutes require any person who suspects or is aware of any child abuse or neglect, including sexual assault, to report such abuse, neglect, or assault to law enforcement of the Department of Health and Human Services (DHHS). Law enforcement is likewise required to notify DHHS of any such incidents reported to them. All Activity Directors, Activity Workers, and Activity Support Staff are required to notify the Public Safety Department at [402.554.2648](tel:402.554.2648) immediately when these situations are suspected.

NOTICE TO ALL ACTIVITY DIRECTORS, ACTIVITY WORKERS, AND ACTIVITY SUPPORT STAFF:

If you suspect any child abuse or neglect, including sexual assault,

1. You must report it.
2. You should give as much information about the circumstances as possible.
3. You are immune from liability from any civil or criminal liability if you have reported the information in good faith.
4. If you know of child abuse, neglect, or sexual assault but are not reporting it, you are breaking the law.

Reference: Nebraska Revised Statutes 28-710; 28-711; 28-716; 28-717

Nebraska Revised Statute 28-710 – (b): Child abuse or neglect means knowingly, intentionally, or negligently causing or permitting a minor child to be:

1. Placed in a situation that endangers his or her life or physical or mental health;
2. Cruelly confined or cruelly punished;
3. Deprived of necessary food, clothing, shelter, or care;
4. Left unattended in a motor vehicle if such minor child is six years of age or younger;
5. Sexually abused; or
6. Sexually exploited by allowing, encouraging, or forcing such person to solicit for or engage in prostitution, debauchery, public indecency, or obscene or pornographic photography, films, or depictions.

Nebraska Revised Statute 28-711 – (Summary): (1) When any physician, medical institution, nurse, school employee, social workers, or any other person has reasonable cause to believe that a youth has been subjected to abuse or neglect or observes such youth being subjected to conditions or circumstances which reasonably would result in abuse or neglect, he or she shall report such incident or cause a report to be made to the proper local law enforcement agency, the local Department of Health and Human Services or by calling the statewide hotline number at [1.800.652.1999](tel:1.800.652.1999).

Nebraska Revised Statute 28-716 – (Summary): Persons participating in an investigation or making a report of youth abuse or neglect shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed, except for maliciously false statements.

Nebraska Revised Statute 28-717 – (Summary): Any person who willfully fails to make any report required by the law shall be guilty of a Class III misdemeanor.

Reason for Policy

UNO has a strong interest in protecting the safety of youth on our campus; therefore, the campus is implementing a Youth Activity Safety Policy in order to provide a safe, education and enjoyable activity/program experience for all participants. This policy provides minimum specific guidelines for activities sponsored by UNO and for activities sponsored by other organizations, but held on UNO's campus. Except as noted herein, UNO units may, on their own adopt procedures that are stricter than those listed in this document. If youth activities cannot meet these guidelines, prior written approval from the UNO Vice Chancellor for Business and Finance is needed before such activities may be held on the UNO campus. UNO reserves the right to discontinue an activity if found to be in violation of this policy.

Procedures

[Background and Sex Offender Check Protocol](#)

[Incident Reporting Protocol](#)

[Mandatory Reporter Protocol](#)

[Missing Child Protocol](#)

Definitions

Youth Activity: Any learning environment, camp, activity, clinic, or conference sponsored by or held on property owned or controlled by UNO that includes close interactions with youths, with or without parental supervision/oversight. This includes visits by youths staying overnight for campus activities.

Activity Contract: A legal document required for any non-UNO Sponsoring Organization using UNO facilities for a Youth Activity.

Activity Director: A person who plans, directs and supervises all Youth Activity programs and staff.

Activity Support Staff: Any person who provides support services for Youth Activities such as food service, custodial, maintenance, etc.

Activity Worker: Includes directors, coaches, assistant coaches, trainers, student assistance, staff, faculty, counselors, chaperones, officials, referees and teachers and any other adult and student acting as a supervisors/mentors/workers in a paid, unpaid or volunteer status, as part of a Youth Activity.

Sponsoring Organization: Any person, business or organization supporting a Youth Activity by providing financial support to the Youth Activity and accepting liability for such Youth Activity. Sponsoring Organizations may already be part of UNO (UNO Sponsoring Organizations) or they may be outside organizations coming to UNO for the Youth Activity (non-UNO Sponsoring Organization).

Youth: Any person under the age of 19 excluding full- and part-time UNO students.

Forms

[Youth Incident Report Form](#)

[Activity Worker Guidelines](#)

Electronic or paper copy is required for all Activity Workers

[Parent/Guardian Information Form](#)

Activities may elect to use their own form, but must, at minimum, include the information included on the form provided

Parent/Guardian must receive and sign copies of the form

[Youth Safety Checklist](#)

Related Information

[UNO Large Passenger Van Policy](#)

Additional Contacts

General Information	Rachael Jensen, Director of Youth Safety	402.554.3453	rachaeljensen@unomaha.edu
	Racheal Ceraso, Youth Safety Coordinator	402.554.3721	rceraso@unomaha.edu
Background/Sex Offender Checks	Rachel Radel	402.554.3668	rradel@unomaha.edu
Contracts	Business and Finance Office	402.554.2621	
Van Training	Patrick Wheeler	402.554.3921	pwheeler@unomaha.edu

History

Created universitywide policy - 2012

Updated - May 2016

Transferred to current Policy Template – May 2016

The University of Nebraska does not discriminate based on race, color, ethnicity, national origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status, and/or political affiliation in its programs, activities, or employment.