

YOUTH SAFETY

Basis of Policy

Nebraska Statute 28-711 (<http://www.nebraskalegislature.gov/laws/statutes.php?statute=28-711>): 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.

Nebraska Statute 28-716 (<http://www.nebraskalegislature.gov/laws/statutes.php?statute=28-716>): 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 Statute 28-717 (<http://www.nebraskalegislature.gov/laws/statutes.php?statute=28-717>): Any person who willfully fails to make any report required by the law shall be guilty of a Class III misdemeanor.

Policy

The University of Nebraska Medical Center (UNMC) has a strong interest in protecting the safety of youth on our campus; therefore, the campus is implementing a Youth Safety Policy in order to provide a safe, educational and enjoyable activity/program experience for all participants. This policy provides minimum specific guidelines for activities conducted or sponsored by the University of Nebraska Medical Center. It also addresses requirements for employees and staff who work with youth. UNMC departments may adopt their own policies that are stricter than the policies listed in this document. If activities cannot meet these guidelines, prior written approval from the UNMC Vice Chancellor for Business and Finance or their designee is needed. UNMC reserves the right to discontinue an activity if found to be in violation of these policies. Only youth activities or events sponsored by UNMC may be held on property or in buildings owned, operated or controlled by, the University of Nebraska Medical Center.

Definitions

Youth Activity – any learning environment, activity, clinic, or conference sponsored by, or held on property owned or controlled by, the University of Nebraska Medical Center that includes close interactions with youths with or without parental supervision/oversight

Activity Director – a person who plans, directs and supervises all youth activity programs and staff

Activity Support Staff – any person who provides support services such as food service, custodial, maintenance, etc. for the youth activity

Activity Worker – includes directors, presenters, coaches, assistant coaches, trainers, student assistants, staff, faculty, counselors, chaperones, officials, referees or teachers or any other adult or student acting as a supervisor/mentor/worker in a paid, unpaid or volunteer status

Sponsor – UNMC staff or department that is supporting an event, activity or organization by providing financial support to the activity

Youth – Any person under the age of 19 excluding full- and part-time UNMC students

Exceptions

The following programs/areas have established procedures and are exempted from the requirements of this policy:

1. MMI Evening respite and habilitation program
2. MMI Recreational Therapy
3. UNMC Child Care Center - The Child Care facility must comply with the applicable requirements of Nebraska Administrative Code Title 391 -- Child Care Licensing (<http://dhhs.ne.gov/licensure/Pages/Child-Care-Licensing.aspx>)
4. UNMC Clinical Operations (such as, but not limited to, Dental Day, Mobile Nursing, etc.)
5. Youth Learning Center

Youth Activity Director and Sponsor Requirements

Youth Activity Directors and Sponsors 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 adherence to this and all applicable University policies. The programs must meet the following requirements:

1. All activities will comply with UNMC's Youth Activity Safety Policy. Activity Directors may request modifications to the policy, but modifications must be approved by UNMC's Vice Chancellor for Business and Finance or their designee.
2. All Activities must comply with UNMC Policies & Procedures (https://wiki.unmc.edu/index.php/Policies_and_Procedures/) including weapons, drug and alcohol policies.
3. All Activity Contracts must be approved by UNMC's Vice Chancellor for Business and Finance or their designee.
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 (https://info.unmc.edu/safety/procedures/safety/Activity_Worker_Guidelines.pdf). Revisions to this form are not allowed. Parents/Guardians must receive the Parent/Guardian Information form (https://info.unmc.edu/safety/procedures/Parent_Guardian_Info.pdf) approved by the UNMC Vice Chancellor for Business and Finance or their designee.
5. Activity Workers and Activity Support Staff must successfully pass a Sex Offender Registry Check for the state(s) in which they currently reside. 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 sponsor 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. These checks are free.

- Nebraska Sex Offender Registry (<https://sor.nebraska.gov/>)
 - National Sex Offender Public website (<https://www.nsopw.gov/Home/>)
6. All Activities must have or arrange for access to individuals that are certified in Adult & Youth CPR and First Aid within reasonable proximity to the Activity in case of an emergency. Individuals may be on staff such as trainers, nurses, or trained staff or activities may arrange for pre-determined access to medical facilities. In the case of an emergency or accident involving youth, parents/guardians will be notified, following notification of the appropriate emergency personnel.

Activity Worker and Activity Support Staff Eligibility

The sponsor hosting the activity is responsible for checking that an Activity Worker or Activity Support Staff does not have a relevant criminal background. Options may include a question on an activity application or a criminal history background check. The following convictions, regardless of when the conviction occurred, will render the Activity Worker or Activity Support Staff ineligible for participation:

1. Any drug distribution activity or felony drug possession
2. Any sexual offense
3. Assault, including domestic violence related incidents
4. Child abuse, molestation or other crime involving endangerment of a minor
5. Murder
6. Kidnapping
7. Or any other felony or crime involving moral turpitude.

UNMC Administration reserves the right to deny any Activity Worker or Activity Support Staff participation in the Activity should the Administration, in its sole discretion, determine that the Activity Worker or Activity Support Staff has engaged in behavior not conducive to the activities environment.

Vehicle Travel

1. Any participating Activity Worker who will be responsible for transporting youth by vehicle must have a valid driver's license. Activity Workers who transport youth must be approved by the Activity Director to transport youth.
2. One-on-one transportation of youth is prohibited.
3. The use of 15 passenger vans is prohibited for use involving the transportation of youth.

Activity Worker/Youth Interaction

1. A ratio of at least one adult supervisor to every 15 youth is required, with a minimum of two adult supervisors regardless of size of activity.
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 will not be in the shower or bath areas with youth except during extreme medical emergencies.

3. Youths will not be unsupervised while on campus.
4. Taking pictures of youth or posting to social media sites by Activity Workers without written parental 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 activity is prohibited. Activity Workers are prohibited from meeting youth off-site or off hours. Exceptions require parental 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 parental permission is received.

Child Abuse and Neglect Including Sexual Assault Reporting Requirements

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 or the Department of Health and Human Services (DHHS). Law enforcement is likewise required to notify DHHS of any such incidents reported to them. Activity Workers are required to notify the Omaha Police Department (OPD) at 402-444-5600 immediately when these situations are suspected. After notifying the OPD or DHHS contact Campus Security 402-559-5111.

This means that 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, and
4. If you know of child abuse, neglect, or sexual assault but are not reporting it, you are breaking the law.

Employees and Volunteer Responsibilities

All UNMC employees and volunteers undergo a criminal background check which includes a check of the National Sexual Offenders Registry and the Nebraska Adult and Child Abuse Registry. Everyone is required to report child abuse and neglect per Nebraska statutes as listed in this policy.

Additional Information

UNMC Youth Safety Policy Frequently Asked Questions (https://info.unmc.edu/safety/procedures/unmc_youth_safety_policy_FAQ.pdf)
 UNMC Youth Safety Competency Material (https://info.unmc.edu/safety/procedures/unmc_youth_safety_competency_material.pdf)
 For additional information, contact UNMC Safety (jhauser@unmc.edu).

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