

**University of California, Berkeley**  
**Policy Issued: October 1, 2014**  
**Effective Date: October 1, 2014**  
**Supersedes: None, New Policy**  
**Next Review Date: October 1, 2019**



## **Activities Involving Minors**

Responsible Executive: Chief Ethics, Risk and Compliance Officer

Responsible Office: Ethics, Risk and Compliance Services

Contact: Risk Manager Laila DeBerry [risk@berkeley.edu](mailto:risk@berkeley.edu), 510-643-9317

## **Policy Statement**

The University of California, Berkeley is committed to providing a safe environment for minors. Campus units that supervise activities involving minors will abide by the principles and procedures described below. Minors will be treated respectfully at all times, regardless of their actions or behavior. No adult associated with a campus activity involving minors may use physical punishment to manage a minor's behavior. **Physical or sexual abuse of minors will not be tolerated.**

Employees accused of engaging in physical or sexual abuse of minors may be placed on administrative leave pending completion of an investigation. Employees will be entitled to a fair investigation under applicable University policy. If the investigation concludes that the employees engaged in physical or sexual abuse, the employees will be subject to disciplinary action up to and including dismissal in accordance with governing University policy and/or collective bargaining agreements. In addition, the campus will report allegations of physical or sexual abuse of minors to authorities as required by law. **Employees should be aware that physical or sexual abuse of minors falls outside the course and scope of University employment, meaning the employees will not be entitled to defense and indemnification by the University in the event they are sued or criminally prosecuted.**

Volunteers accused of engaging in physical or sexual abuse of minors will be removed immediately from the activity involving minors, and their alleged behavior will be referred to appropriate agencies for investigation. **Volunteers who engage in physical or sexual abuse of minors will not be entitled to defense and indemnification by the University in the event they are sued or criminally prosecuted.**

## Scope of Policy

Although most of this policy applies specifically to those who work with or around minors in campus-run activities, all employees have certain reporting responsibilities.

Sexual abuse is widely perceived as the chief risk to minors, but it is not the only one. Minors can be physically injured, bullied, or given opportunities to cause trouble for themselves and others. To emphasize the importance of safety in campus activities involving minors – and by extension, to protect the University – this policy addresses risks involving minors in a comprehensive fashion.

**This policy does not apply to minors enrolled in regularly scheduled classes.**

**Programs involving minors are encouraged to exceed the practices described in this policy whenever possible, and to create internal policies and practices for their activities not specifically addressed here.**

## Why We Have This Policy

UC Berkeley is committed to the safety of minors. The campus interacts with thousands of minors annually through a multitude of diverse programs. This policy is an attempt to increase the safety of minors by introducing consistent, high-level risk management practices for all campus programs.

## Procedures

### SUPERVISION OF ACTIVITIES INVOLVING MINORS

At a minimum, activities involving minors will follow the “rule of three,” i.e. at least three people will be involved in all aspects of the activity. Although two minors and one adult is an acceptable combination, the campus prefers that at least two adults be involved, with one of the adults being a campus employee.

**No private or secluded face-to-face interactions between one adult and one minor are permitted.** The campus permits one-on-one, face-to-face interactions between an adult and a minor only when the interaction is conducted:

- In plain sight of passersby or witnesses, such as at a dining hall or café, or
- In an office or other unlocked space with (1) doors and windows open and (2) in a building open to the public at the time of the interaction.

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

In addition, adults involved in one-on-one, face-to-face interactions with a minor should:

- Inform in advance at least one other adult connected with the activity (preferably the adult's supervisor) that the adult will be alone with a minor.
- Ask another adult to randomly drop in on the interaction.
- Limit physical contact with the minor to handshakes, high-fives, or pats on the shoulder.
- Immediately document any unusual incident, including but not limited to behavioral problems, injuries, or any interactions that might be misinterpreted.

Each unit that has activities covered by this policy should document its procedures for ensuring the safety of the minors, including but not limited to the following:

- Behavioral Expectations for Adults Supervising Minors
- Supervision of Bathroom Use
- Supervision of Locker Room Use
- Release of Minors at the Conclusion of the Activity
- Minors Related to Employees or to Supervisors of Activities Involving Minors
- Physical Contact with Minors
- Disciplining Minors
- Non-Program Contact with Minors
  - In-Person Meetings
  - Telephonic and Electronic Communication
  - Gifts
- Transportation
  - Walking
  - Automobiles
  - Vans, Buses, and Other Commercial Transportation
  - Public Transportation

Recommended best practices in these areas can be found on the Risk Services web site at <http://riskservices.berkeley.edu/best-practices-activities-involving-minors>.

## **VOLUNTEERS**

Before a volunteer is allowed to participate in a campus activity involving minors, the department in charge of the event will check the [National Sex Offender Public Web Site](#) to see whether the potential volunteer is a registered sex offender. If the proposed volunteer is listed as a sex offender, the volunteer may **not** participate in the activity involving minors.

Within the limits of their resources, departments in charge of activities involving minors are encouraged to conduct criminal background checks on proposed volunteers.

Prior to participating in a campus activity involving minors, volunteers must read and sign the Volunteer's Code of Conduct attached to this policy as [Appendix A](#).

Volunteers in regular contact with minors will take relevant training as determined by their local human resources professionals and campus Risk Services.

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

Failure to sign the Volunteer's Code of Conduct or to take any training required by the campus department will result in immediate dismissal from the activity involving minors.

In accordance with [California Penal Code §11165.7\(b\)](#), volunteers whose duties would qualify them as mandated reporters under CANRA are strongly encouraged to take CANRA training and to report any suspected child abuse or neglect as if they were mandated reporters. Volunteers who suspect child abuse or neglect are strongly encouraged to report their suspicions to any of the following:

- Their supervisor
- The UCPD at [police@berkeley.edu](mailto:police@berkeley.edu) or 510-642-6760
- The Office of Legal Affairs at [ola@berkeley.edu](mailto:ola@berkeley.edu) or 510-642-7122
- The Office of Ethics, Risk and Compliance Services at [risk@berkeley.edu](mailto:risk@berkeley.edu) or 510-642-5141
- The University's Whistleblower Hotline at 800-403-4744

## **HEALTH ISSUES**

### For Minors Involved in the Activity

Departments supervising activities involving minors will distribute both a [Waiver of Liability](#) and an [Authorization to Consent to Treatment of Minor](#) form to parents/guardians prior to the minor's participation in the activity. Minors may not participate in the activity until the parent/guardian completes and signs the forms. Departments will encourage parents/guardians to disclose (on the Authorization to Consent to Treatment of Minor form or by other written means) any allergies, dietary restrictions, or other conditions the minor may have that the department should be aware of. Departments will also encourage parents/guardians to disclose any medications the minor may need to take while attending the campus activity. If an adult's assistance is needed in administering the medication, departments will ask parents/guardians to grant written permission for said assistance and, upon request, to demonstrate for departmental personnel the proper administration of the medication.

In addition, departments will require parents/guardians to show proof that their minor's immunizations are up to date and, for programs with an outdoor or physical component, indicate the date of their minor's last tetanus shot. A physician or school immunization record is acceptable documentation.

Adults in charge of activities that involve travel or overnight stays will take a copy of the Authorization to Consent to Treatment of Minor forms with them in case of injury.

If a completed Authorization to Consent to Treatment of Minor form is never needed to obtain medical treatment for a minor, the campus department will destroy it at the conclusion of the activity or program involving the minor. If the completed Authorization to Consent to Treatment of Minor form is needed to obtain medical treatment for a minor, it will be retained for six years or until the minor's twentieth birthday, whichever is longer.

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

Regardless of whether the activity had to rely on them, Waiver of Liability forms will be retained for three years beyond the last date of the activity or until the minor's twentieth birthday, whichever is longer.

Authorization to Consent to Treatment of Minor forms and waiver forms may both be preserved electronically after the activity ends, although if the department had to rely on the form, it must retain the original.

Emergency Response

If emergency response (such as the UCPD) is expected to be more than ten minutes away, the campus activity should include at least one adult certified by a nationally recognized provider of training in first aid and CPR/AED (cardiopulmonary resuscitation and the use of an automated external defibrillator) appropriate to the age group (infant, child, and/or adult).

In addition, the campus strongly recommends that indoor facilities regularly used for activities involving minors be equipped with a survival kit for natural disasters and other sudden emergencies.

**MINORS INVOLVED IN CAMPUS RESEARCH ACTIVITIES**

Campus research activities involving minors are subject to institutional review by the Committee for Protection of Human Subjects. Applicable policies include:

[Children as a Vulnerable Population](#)  
[Assent and Parental/Guardian Permission](#)  
[Guidelines on Children in Research](#)

Minors volunteering or otherwise present in campus laboratories are subject to the systemwide [Policy on Minors in Laboratories and Shops](#) and the campus [Policy on Access to Laboratories Containing Hazards](#), which states that "Minors are not allowed in laboratories that contain hazards unless they are registered University of California students or are registered participants in a University-sanctioned project, program, or tour. In all cases, minors must be properly supervised while in laboratories."

**ON-CAMPUS INTERNSHIPS FOR MINORS**

Campus departments that bring minors to campus for internships will abide by this policy. Prior to beginning on-campus internships for minors, campus departments in charge of the internship will consult with the Office of Human Resources (<http://hrweb.berkeley.edu/>) to make sure that, among other things, the internship does not violate the terms of University Personnel Policies or any collective bargaining agreements.

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

**REGISTERED STUDENT ORGANIZATION ACTIVITIES INVOLVING MINORS**

Registered Student Organizations (RSOs) are self-governing entities independent of the University, and therefore are not subject to this policy. However, the campus strongly recommends that whenever RSOs engage in activities involving minors, they follow this policy.

**NON-UNIVERSITY OF CALIFORNIA ORGANIZATIONS BRINGING MINORS TO CAMPUS FOR EXTENDED VISITS**

Contracts with non-University organizations bringing minors onto campus for an overnight stay or for consecutive-day (or longer) visits must include the following provisions:

- Confirmation from the non-University organization that at least one employee (or, if there are no employees, the lead contractor or supervisor) providing direct, on-site supervision of the activity qualifies as a mandated reporter under CANRA and has signed a Statement Acknowledging Requirement to Report Child Abuse.
- A link to (or copy of) this policy and a strong recommendation that the non-University organization abide by the requirements contained herein, along with a notification that failure to abide by this policy may constitute grounds for termination of the activity.
- An indemnification clause in which the non-University organization agrees to indemnify The Regents of the University of California for claims, lawsuits, or other actions that arise as a result of the non-University organization's use of campus facilities. Standard language reads as follows:  
[NON-UNIVERSITY ORGANIZATION] shall defend, indemnify and hold THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, its officers, employees and agents harmless from and against any and all liability, loss, expense, including reasonable attorneys' fees, or claims for injury or damages arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of [NON-UNIVERSITY ORGANIZATION], its officers, agents or employees.
- General Liability insurance with limits of at least \$1 million per occurrence and \$2 million aggregate.
- Sexual Misconduct (also known as Abuse and Molestation) liability insurance with limits of at least \$1 million per occurrence and \$2 million aggregate. Non-University organizations that do not have Sexual Misconduct coverage may apply for it through the University's insurance broker by going to <https://ucberk.campusconnexionsuc.com/other-constituents/third-party-camps-clinics/third-party-camps-clinics.html>

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

**DAYCARE OR BABYSITTING SERVICES**

Many campus units wish to provide daycare or babysitting services to make it easier for students with children to participate in campus events. The campus supports providing assistance to parents, but few campus facilities are equipped to provide daycare or babysitting. In addition, individuals providing daycare or babysitting must have the skills necessary to deal with emergencies, or even the daily contingencies presented by a variety of age groups. Few ad hoc daycare or babysitting operations are capable of dealing with minors of all ages and providing activities to keep minors of all ages engaged and safe.

For these reasons, the campus will not permit daycare or babysitting services except those provided by the Early Childhood Education Program as part of its mission, and by vendors who comply with state licensing requirements and can demonstrate a record of safety. Any such babysitting or daycare service must also meet the requirements in the above section entitled [Contracts with Non-University of California Organizations Bringing Minors to Campus for Extended Visits](#).

**COMMUNICATING WITH PARENTS/GUARDIANS**

Prior to enrollment, activities involving minors will provide parents/guardians with a written document explaining the activity's policies, including a code of conduct for minors.

Prior to making any public use of a minor's image, campus departments will obtain a signed [Photo and Video Release Form](#) from the minors' parent/guardian.

**REPORTING CHILD ABUSE, NEGLECT, AND PROBLEM BEHAVIORS**

Abuse and Neglect

**Everyone in the campus community is encouraged to immediately report suspected child abuse or neglect.**

The campus will fully comply with [California Penal Code §152.3](#), the State of California's [Child Abuse and Neglect Reporting Act](#) (CANRA), and the University of California policy on [Reporting Child Abuse and Neglect](#).

In most cases, under California Penal Code §152.3 any person who reasonably believes that he or she has observe the murder, rape, abuse, or sexual assault of a child under 14 years old must notify a law enforcement official. Failure to notify is punishable by fines, imprisonment, or both.

Under CANRA, any employee or administrator whose duties bring him or her in contact with minors on a regular basis is considered a mandated reporter and must report suspected abuse or

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

neglect of a minor occurring either on campus premises, at an official campus activity, or at a program conducted by the campus. Abuse and neglect include, but are not limited to:

- *Physical injury* or death inflicted by other than accidental means
- *Sexual abuse or exploitation*
- *Willful endangerment*
- *Unlawful corporal punishment*
- *Neglect*

The italicized terms are defined in the [Glossary](#) below.

Mandated reporters include, but are not limited to, the following:

- Police officers
- Daycare center workers
- Medical professionals
- Athletic coaches, including assistant coaches and graduate assistants
- Teachers
- All employees working in programs specifically for youth
- The supervisor of anyone in the above-listed categories

The campus broadly interprets the phrase “*any employee or administrator whose duties bring him or her in contact with children on a regular basis*” and strongly recommends that employees who interact with minors on anything more than an unplanned, exceptional basis consider themselves mandated reporters. The determination as to whether an employee is a mandated reporter rests with the employee’s supervisor. Supervisors are encouraged to collaborate with their departmental human resources manager and, if necessary, central Human Resources when uncertain whether a particular employee or position should be classified as a mandated reporter.

Faculty members are not necessarily considered teachers under CANRA. However, some are nonetheless mandated reporters. These include, but are not limited to:

- Physicians, nurses, and other health professionals who hold an academic appointment
- Academic personnel who have responsibility for instruction at the pre-school, elementary, or high school level
- Academic personnel whose duties require direct contact and supervision of minors, such as those who have children under 18 assist with scholarly, research, or other activities as volunteers or interns

**Mandated reporters must immediately report by telephone** observed or suspected child abuse or neglect to at least one agency designated to receive such reports:

- UCPD: 510-642-6760
- The University of California Whistleblower Hotline: 800-403-4744
- Alameda County Child Abuse Hotline: 510-259-1800
- The local police department, if the suspected abuse or neglect takes place off-campus

**The campus strongly prefers that mandated reporters contact the UCPD.**



**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

The telephone report must be followed by a written report as soon as reasonably practical but in any event within 36 hours. Failure to make a mandated report may result in criminal penalties. The form for written reports may be found at [https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss\\_8572.pdf](https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf). Failure to make a mandated external report may result in criminal penalties.

With the exception of:

- Clinicians or staff of the Tang Center who identify abuse or neglect in connection with the provision of mental health services, and
- Victim advocates employed by or volunteering in campus resource or advocacy centers who identify abuse or neglect in connection with their confidential work as advocates,

**campus mandated reporters are also required to make an internal report.** The internal report must be made promptly to either to the mandated reporter's supervisor or to the University Compliance Hotline (by phone at 800-403-4744 or via the internet at <http://www.universityofcalifornia.edu/hotline/>). Supervisors who receive reports must promptly forward those reports to the hotline. These internal reports may be made anonymously. Please see the University of California policy on [Reporting Child Abuse and Neglect](#) for more information. Employees are also encouraged to visit campus Human Resources' web page on [Reporting Abuse Against Children or Dependent Adults and Elders](#).

All mandated reporters under CANRA will sign a [Statement Acknowledging Requirement to Report Child Abuse](#). Mandated reporters are strongly encouraged to take CANRA training either through a campus-wide on-line course or through a locally-developed program.

Problem Behaviors

Adults in charge of activities involving minors will document the following behaviors by minors:

- Bullying
- Hazing
- Derogatory name-calling
- Ridicule or humiliation
- Truth or Dare or similar games
- Sexual contact with other minors
- Sexual touching of themselves
- Self-mutilation
- Persistent disruptive behavior
- Drastic mood changes, especially those that may suggest anger, fear, or depression

All incident reports written by adults participating in an activity involving minors will be sent to one supervisor, who will examine them for emerging patterns. Supervisors will also forward a copy of all incident reports to Risk Services by scanning and emailing them to [risk@berkeley.edu](mailto:risk@berkeley.edu) or faxing them to 510-643-0281.

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

**RESPONDING TO REPORTS OF CHILD ABUSE AND NEGLECT**

All reports of suspected child abuse or neglect will be taken seriously. The UCPD will respond to such reports immediately, and will take steps to prevent further harm to minors occurring either on campus premises, at an official campus activity, or at a program conducted by the campus.

The campus may also respond to reports of suspected child abuse or neglect through its Office of Prevention of Harassment and Discrimination and any other appropriate office, including but not limited to the Committee for Protection of Human Subjects, the Center for Student Conduct, and the Vice Provost for the Faculty.

**MONITORING COMPLIANCE WITH THIS POLICY**

Supervisors of activities involving minors have primary responsibility for monitoring compliance with this policy.

In conjunction with their local human resources manager, supervisors will make sure employees and volunteers in activities involving minors have the necessary training to carry out their responsibilities and have no history of child abuse, child neglect, or other behavior that might result in harm to minors in the activity.

Supervisors will periodically observe activities involving minors to ensure the activities are managed in accordance with this policy and with any additional local policies. Supervisors will take steps to observe activities at various times and locations to confirm the following:

- The area where the activity is occurring is safe for the minors using it
- Activities are organized and well-supervised
- Adults and minors are interacting appropriately
- Staff and volunteers are interacting appropriately
- Staff and volunteers are interacting appropriately with parents/guardians

Supervisors are encouraged to speak directly with minors and parents/guardians and to further investigate signs or expressions of unhappiness or dissatisfaction.

Supervisors will keep a written record of their field visits to activities involving minors and provide staff and volunteers with feedback as necessary. Records should be kept in the department for ten years or until the minors' twentieth birthday, whichever is longer. The records may be preserved electronically after the activity ends.

**EXCEPTION PROCESS**

The campus recognizes that activities involving minors vary greatly in their size, scope, and available resources, and that this policy may impose administrative burdens that are difficult for campus units to follow. If a department in charge of an activity involving minors feels it cannot

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

comply with an aspect of this policy, it may suggest an alternate safety plan to an Exceptions Committee composed of the following:

- Chief of Police or designee
- Chief Campus Counsel or designee
- Risk Manager or designee
- Member of the CERC Subcommittee on Minors whose office administers an activity involving minors
- Assistant Vice Chancellor-Human Resources or designee (for matters affecting staff or volunteers)

The committee may consult with additional University employees as appropriate to help it make a final determination about whether the alternate safety plan is acceptable. If the committee determines that the alternate safety plan is not acceptable, it will work with the department on formulating another solution. If no satisfactory solution is identified, the department is required to follow this policy as written.

## **Responsibilities**

Office of Ethics, Risk & Compliance Services:

- Takes administrative responsibility for this policy, interprets the policy for the campus, and revises the policy as necessary.
- Provides on-line Child Abuse and Neglect Reporting Act (CANRA) and other minor-related training to campus units.
- As part of the Exceptions Committee, reviews alternate safety plans for activities involving minors.
- Maintains a best practices web site for activities involving minors.
- Reviews allegations of sexual abuse as necessary through the Office of Prevention of Harassment and Discrimination.

Human Resources:

- In collaboration with campus departments, determines which campus employees qualify as mandated reporters under CANRA.
- Maintains a web site and other informational resources to inform departmental human resources managers, supervisors, employees, and volunteers about their obligations under CANRA.
- As part of the Exceptions Committee, reviews alternate safety plans for activities involving minors when those alternate safety plans affect the roles of employees or volunteers.

Legal Affairs:

- Accepts internal reports of suspected child abuse or neglect and follows up as appropriate.

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

- As part of the Exceptions Committee, reviews alternate safety plans for activities involving minors.
- Provides legal advice as necessary on activities involving minors.

**UCPD:**

- Conducts criminal background checks as appropriate.
- Investigates complaints of suspected abuse, neglect, or other criminal behavior affecting a minor and refers them for further handling (including prosecution) as necessary.
- Accepts reports submitted under both CANRA and the University policy on Reporting Child Abuse and Neglect and investigates or follows up as necessary.
- As part of the Exceptions Committee, reviews alternate safety plans for activities involving minors.

**Supervisors:**

- Take appropriate steps to assure that employees and volunteers in activities involving minors are qualified for the activity and have no known history of child abuse, child neglect, or other behavior that might result in harm to minors participating in the activity.
- Determine whether staff members reporting to them are mandated reporters under CANRA, and collaborate with their departmental human resources manager and, if necessary, the campus Human Resources office when unsure whether a particular staff member or position should be classified as a mandated reporter.
- Determine the training needs of staff members and volunteers working with minors in a program under their supervision and make sure the training is completed.
- Periodically observe activities involving minors to ensure the activities are managed in accordance with this policy.

**Compliance and Enterprise Risk Committee (CERC) Subcommittee on Minors:**

- Meets periodically to discuss emerging issues and best practices related to activities involving minors.
- Participates in discussions concerning contemplated changes to this policy.
- Elects a member from an office that administers an activity involving minors to a one-year term on the Exceptions Committee; only Subcommittee members from departments that administer an activity involving minors may vote for the Exceptions Committee member.

**Campus Faculty, Staff, Students, Volunteers, etc:**

- Follow this policy when supervising minors.
- Report suspected abuse, neglect, or other harm to minors as soon as possible.

**Web Site Address for This Policy**

<http://campuspol.berkeley.edu/policies/minors.pdf>

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

## **Glossary**

**Activity Involving Minors:** For purposes of this policy, a program, event, or performance that is supervised by a campus unit and puts adults and minors in direct, personal contact. Does not include regularly scheduled classes.

**Adult:** Any human being 18 years of age or older.

**Bullying:** Unwanted offensive and malicious behavior which undermines an individual or group through persistently negative attacks. There is typically an element of vindictiveness and the behavior is calculated to undermine, patronize, humiliate, intimidate, or demean the recipient.

**Child:** Any human being under the age of 18.

**Child Abuse:** Any conduct defined as “child abuse” under the California Child Abuse and Neglect Reporting Act.

**Mandated Reporter:** A person employed by the University and required under the Child Abuse and Neglect Reporting Act to report child abuse and neglect to specified authorities.

**Minor:** Any human being under the age of 18.

**Neglect:** The negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare. The term includes both acts and omissions on the part of the responsible person.

**Physical Abuse:** The willful harming or injuring of a child or the endangering of the person or health of a child. Physical abuse includes unlawful corporal punishment or injury and non-accidental physical injury.

**Physical Injury:** Bodily harm, such as cuts, bruises, scratches, or broken bones, suffered by an individual.

**Sexual Abuse or Exploitation:** For purposes of this policy, any type of sexual activity involving a child.

**Unlawful Corporal Punishment:** A situation where a person willfully inflicts upon a child any cruel or inhuman physical pain or injury resulting in a traumatic condition. It does not include force reasonable and necessary for a person to quell a disturbance threatening physical injury to a person or damage to property, for purposes of self-defense, or to obtain possession of weapons or other dangerous objects within the control of the child. It also does not include an injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment as a peace officer.

**Volunteer:** A person rendering services to the University where (1) the University has control and direct supervisory responsibility over the manner and result of the services rendered and (2) the University provides no remuneration for such services other than meals, transportation, lodging, or reimbursement for incidental expenses. Other conditions apply and can be found on the campus [volunteer form](#).

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

**Willful Endangerment:** A situation in which a person responsible for a child's welfare either (1) willfully inflicts unjustifiable physical pain or mental suffering on a child; (2) willfully causes or permits a child to suffer unjustifiable physical pain or mental suffering; (3) causes or permits a child in his or her care or custody to be injured; or (4) causes or permits a child in his or her custody to be placed in a dangerous situation.

## **Related Documents**

California Child Abuse Neglect and Reporting Act:

[https://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?lawCode=PEN&division=&title=1.&part=4.&chapter=2.&article=2.5](https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=PEN&division=&title=1.&part=4.&chapter=2.&article=2.5)

California Penal Code §152.3:

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=PEN&sectionNum=152.3](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=152.3).

California Suspected Child Abuse Report:

[https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss\\_8572.pdf](https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf)

University of California Policy on Minors in Laboratories and Shops:

<http://policy.ucop.edu/doc/3500602/MinorsLabsShops>

University of California Policy on Reporting Child Abuse and Neglect:

<http://policy.ucop.edu/doc/4000603/CANRA>

University of California, Berkeley Authorization to Consent to Treatment of Minor Form:

[https://riskservices.berkeley.edu/sites/default/files/authorizationconsenttreatmentminor\\_0.pdf](https://riskservices.berkeley.edu/sites/default/files/authorizationconsenttreatmentminor_0.pdf)

University of California, Berkeley Guidance on Children in Research:

[http://cphs.berkeley.edu/children\\_research.pdf](http://cphs.berkeley.edu/children_research.pdf)

University of California, Berkeley Photo and Video Release Form:

<https://riskservices.berkeley.edu/sites/default/files/photo-video-release-form.pdf>

University of California, Berkeley Policy on Access to Laboratories Containing Hazards:

<https://campuspol.chance.berkeley.edu/policies/LabAccess.pdf>

University of California, Berkeley Policy on Assent and Parental/Guardian Permission in Research:

[https://cphs.berkeley.edu/policies\\_procedures/ic703.pdf](https://cphs.berkeley.edu/policies_procedures/ic703.pdf)

University of California, Berkeley Policy on Children as a Vulnerable Research Population:

[http://cphs.berkeley.edu/policies\\_procedures/sc503.pdf](http://cphs.berkeley.edu/policies_procedures/sc503.pdf)

University of California, Berkeley Policy on Criminal Background Checks:

<http://campuspol.chance.berkeley.edu/policies/BackgroundChecks.pdf>

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

University of California, Berkeley Policy on Nondiscrimination:

<https://ophd.berkeley.edu/policies-and-procedures/nondiscrimination-policy-statement>

University of California, Berkeley Statement Acknowledging Requirement to Report Child Abuse:

[https://riskservices.berkeley.edu/sites/default/files/canra\\_statement.pdf](https://riskservices.berkeley.edu/sites/default/files/canra_statement.pdf)

University of California, Berkeley Waiver of Liability Form:

[https://riskservices.berkeley.edu/sites/default/files/uc\\_general\\_waiver.pdf](https://riskservices.berkeley.edu/sites/default/files/uc_general_waiver.pdf)

**UNIVERSITY OF CALIFORNIA, BERKELEY**  
**Policy on Activities Involving Minors**

## **Appendix A: Volunteer's Code of Conduct**

The University of California, Berkeley is committed to providing a safe environment for minors. As a volunteer working with minors on the University's behalf, you will be held to the highest standards of conduct, including, but not limited, to the following:

1. You will abide by the Berkeley campus policy on Activities Involving Minors and your program's local policies concerning minors.
2. You will treat minors with respect at all times, regardless of their race, color, national origin, ancestry, religion, disability, medical condition, sex, gender identity, or sexual orientation.
3. You will not engage in:
  - Physical abuse: hitting, spanking, shaking, slapping, unnecessary restraints
  - Verbal abuse: degrading, threatening, cursing
  - Sexual abuse: inappropriate touching, exposing yourself, etc.
  - Mental abuse: shaming, humiliation, cruelty
  - Neglect: withholding food, water, shelter, bathroom privileges
4. You will immediately report suspected child abuse or neglect to your program supervisor or to the UCPD at 510-642-6760.
5. You will not work one-on-one with minors in a private or secluded setting.
6. You will not stare at or comment on minors' bodies.
7. You will not use profanity or tell off-color jokes around minors.
8. You will not discuss your sex life around minors or involve minors in your personal affairs.
9. You will not have sexually-oriented materials, including pornography, around minors.
10. You will follow your program's policies regarding off-hours contact with minors.
11. You will not use or be under the influence of alcohol or illegal drugs around minors.
12. You will stop as soon as safely possible the following behaviors between minors:
  - Hazing
  - Bullying
  - Derogatory name-calling
  - Games of Truth or Dare
  - Ridicule or humiliation
  - Sexual activity

Failure to follow these or any other standards set forth by your program will subject you to immediate dismissal from the program and, if warranted, criminal prosecution. *You will not be entitled to defense and indemnification by the University in the event you are sued or criminally prosecuted.*

Please sign below to indicate that you understand this Volunteer's Code of Conduct and agree to abide by it. **You may not participate in the activity involving minors unless you sign this form as is.**

Name (Print): \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_