

# The University of Wisconsin System Administrative Policy 625

**Title:** Youth Protection and Compliance



**Original Issuance Date:** March 10, 2022

**Effective Date:** March 1, 2023

*Implementation of the reference check requirement for designated individuals who are not employees in Section 6.D.II is deferred until an adequate tool is in place to meet this requirement.*

## 1. Policy Purpose

The purpose of this policy is to establish minimum standards for the protection of minors engaged in covered activities throughout the University of Wisconsin System (UW System). This policy does not supersede any stricter standards set by the institution and state or federal law.

## 2. Responsible UW System Officer

Director of Compliance and Integrity

## 3. Scope and Institutional Responsibilities

This policy applies to all University of Wisconsin institutions. Institutions must adopt this policy or their own policies by March 1, 2023, using this policy as the minimum level of restriction standard. Each institution may also elect to develop their own procedures and/or guidance to support compliance with this policy.

The scope is limited to youth participants in covered activities. The policy does not apply to events not targeted to minors that may nonetheless be attended by minors or any of the following:

- A. Events open to the general public,
- B. For-credit courses,
- C. Medical care provided to minors in in-patient or out-patient settings,
- D. Institutional Review Board-approved research,
- E. Daycare and preschool services operating under the direction of a licensed daycare or healthcare provider,
- F. Private Events, or
- G. Minors participating in pre-enrollment visitation or recruiting activities governed by the NCAA.

## 4. Background

Minors come into contact with University of Wisconsin System institutions through many programs and activities. UW System recognizes its fundamental responsibility for protecting the Minors placed in its care and the value of identifying a multifaceted framework for youth protection.

In alignment with [Wisconsin Executive Order 54](#), this policy expands on the UW System's efforts to provide safe and positive experiences for youth participants in covered activities. This policy also meets the requirements contained in [Regent Policy Document 23-3, Youth Protection, Compliance, and Data Collection](#), which was approved on February 11, 2022.

## 5. Definitions

*Terms included in this policy are defined for purposes of this policy and may not be consistent with definitions used in other settings.*

**Adult:** A person 18 years of age or older who is not a youth participant in the covered activity.

**Authorized Adult:** Individuals, age 18 and older, paid or unpaid, who are authorized to interact with youth participants as part of a covered activity. This includes, but is not limited to, faculty, staff, volunteers, graduate and undergraduate students, student-athletes, interns, and individuals associated with Third Party Covered Activities. Authorized adults cannot have unsupervised access to minors.

**Bullying:** An intentional, persistent, and repeated pattern of physical and/or non-physical behaviors that are intended to or have the reasonable potential to cause fear, humiliation, or physical harm in an attempt to socially exclude, diminish, or isolate. Bullying is unwelcome behavior pervasive or severe enough that a reasonable person would find it hostile and/or intimidating.

**Covered Activities:** All events, operations, endeavors, or activities, regardless of location, that are designed for participation by youth participants and organized, sponsored and/or operated by the Institution.

**Custodial Care:** The temporary responsibility for supervision, care, or control of minors without accompanying parents, guardians, or chaperones.

**Designated Individual:** An authorized adult who is counted in the supervision ratio for a covered activity. Designated individuals are responsible for ensuring the care and safety of youth participants in covered activities. Additional training is required for authorized adults serving as designated individuals.

**Escalation Plan:** A document or system that defines the types of incidents that need to be communicated to a higher institutional level and the role or department that should handle incidents at each escalation level.

**Familial Relationship:** Parent, stepparent, legal guardian, grandparent, or adult sibling to the youth participant.

**Field Trip:** A visit made to a location on or off campus (e.g., museum, recreational center) for the purposes of firsthand observation or participation.

**Grooming:** Describes the process whereby a person engages in a series or pattern of behaviors with a goal of engaging in sexual misconduct. Grooming is initiated when a person seeks out a vulnerable minor. Once selected, offenders will then earn the minor's trust, and potentially the trust of the minor's family. After the offender has engaged the minor in sexually inappropriate behavior, the offender seeks to maintain control over them. Grooming occurs through direct, in-person, or online contact.

**Institution:** Any of the following: UW-Eau Claire; UW-Green Bay; UW-La Crosse; UW-Madison; UW-Milwaukee; UW-Oshkosh; UW-Parkside; UW-Platteville; UW-River Falls; UW-Stevens Point; UW-Stout; UW-Superior; UW-Whitewater; any branch campuses/additional locations; and UW System Administration.

**Institutional Sponsor:** The academic or administrative unit within the Institution, or executive-level officer of the institution, that is responsible for authorizing a covered activity.

**Matriculated:** A person admitted to the institution who enrolls in courses for the purpose of completing an academic degree.

**Minor:** A person under the age of eighteen (18) who is not matriculated at a UW System institution.

**Observable and Interruptible:** An interaction that takes place in such a way that another person can see, hear, or has knowledge of the interaction and can interrupt if a concern arises.

**One-on-One Interaction:** Two people (e.g., an adult without a familial relationship and a youth participant) who are alone. Generally, being “alone” with another individual means that the interaction is not observable and interruptible.

**Private Events:** Occasional and special events where only family, friends, and people known to the hosts are invited to attend, such as a birthday party or a wedding.

**Supervision Ratio:** The number of designated individuals required to supervise youth participants in covered activities.

**Third Party:** An organization or individual that is operating a Third-Party Covered Activity.

**Third Party Covered Activity:** An event, operation, endeavor, or activity designed for participation by minors that takes place on an Institution’s premises pursuant to an agreement with that Institution but is not organized or operated by the Institution.

**Youth Participants:** Individuals who are registered, enrolled, or engaging in covered activities as a participant.

## 6. Policy Statement

Each institution must comply with the following requirements.

### A. Institutional Oversight

- I. Each Institution must designate an employee or unit with the responsibility and authority to oversee and ensure that covered activities and third party covered activities are conducted pursuant to this policy and applicable institutional policies.
- II. Each Institution must designate a youth protection liaison to be the main point of contact with UW System for this policy.

### B. Institutional Sponsor

Each Institution must require all Covered Activities that are organized, sponsored, and/or operated by the Institution to have a designated Institutional Sponsor.

### C. Registration

- I. Institutions must have an annual registration process for covered activities. For covered activities that are organized, sponsored, and/or operated by the Institution, the following registration information, at a minimum, must be collected:
  1. Date(s)/time(s) of covered activity

2. Primary contact for covered activity
  3. Authorized adults: Names, contact information, screening, training
- II. Covered activities for which the Institution provides custodial care must require registration of youth participants. Registration information collected must include:
- a. Name
  - b. Contact information, including emergency contact information

**D. Screening**

- I. Institutions must follow applicable UW System screening policies and procedures for authorized adults, including, but not limited to criminal background checks pursuant to [Regent Policy Document 20-19, University of Wisconsin Criminal Background Check Policy.](#)
- II. Institutions must require that all authorized adults who are identified as employees and all designated individuals serving in covered activities through which the institution offers custodial care, regardless of employment status, be screened through a reference check process in alignment with the minimum standards found in [UW System Administrative Policy 1275, Recruitment Policies.](#) **Persons previously approved to serve as authorized adults or designated individuals without an interruption of service would be exempt from this requirement.**
- III. Institutions must follow all applicable data management and record retention policies of this information.

**E. Training**

- I. Institutions must train all authorized adults on the following content, at minimum, prior to interaction with youth participants in covered activities:
  1. Reporting responsibilities, including EO54 Mandated Reporting and sexual harassment/sexual violence reporting.
- II. Institutions must train designated individuals on the following content, at minimum, prior to interaction with youth participants in covered activities:
  1. Institutional youth protection best practices; and
  2. Reporting responsibilities, including EO54 Mandated Reporting and sexual harassment/sexual violence reporting.
- III. Institutions may require additional training based on the individual's role or level of risk associated with the covered activity (e.g., duration of program, type of activities) and applicable legal requirements.

**F. Prohibited Behaviors**

Institutions must identify prohibited behaviors that include, but are not limited to, the following:

- I. Conduct that violates the law (e.g., child abuse, child sexual abuse, protected class discrimination, emotional abuse, hazing, indecent exposure, child pornography, neglect, physical abuse, sexual abuse, and sexual harassment);
- II. Conduct that violates UW System policies;
- III. Actions that are found to constitute bullying or grooming;
- IV. Infringement on privacy of youth participants in situations where they are changing

- clothes or taking showers except in situations where health and safety require;
- V. Adults showering, bathing, or undressing with or in the presence of youth participants;
- VI. Photographing or recording in shower houses, restrooms, or other areas where privacy is expected by participants; and
- VII. Use of alcohol when engaged in covered activities.

**G. Measures to Maintain adequate Supervision of Youth Participants**

- I. Institutions must require that supervision ratios in all covered activities – for which the institution provides custodial care of youth participants meet the minimum standards set through ATCP 78, with the exception of classroom settings, which allow for a 1:18 Adult to Youth Participant ratio. A minimum of two adults is required for all field trips. Designated individual status is required for all adults serving in supervision ratios.
- II. Institutions must prohibit one-on-one interactions between adults and youth participants, unless the adult is a designated individual in a setting where one-on-one instruction occurs. In such settings, activities must be observable and interruptible.
- III. Institutions must designate an employee or department with knowledge of youth safety to review and approve requests to grant exceptions to Section 6.G. s. For emergency situations and familial relationships, prior permission for one-on-one interaction is not needed.

**H. Overnight Covered Activities**

Institutions that do not permit overnight covered activities must state that restriction explicitly in their policy or procedures. All institutions that permit overnight covered activities must include the following requirements in their policies or procedures.

- I. Designated individual status is required to directly supervise youth in overnight covered activities.
- II. Designated individuals must not enter the youth participant's room, bathroom facility, or similar area without another designated individual in attendance except in emergency situations.
- III. Designated individuals may not share a bed or sleeping bag with a youth participant during overnight covered activities.

**I. Recruiting Activities Governed by the NCAA**

Institutions must establish policy addressing youth protection in recruiting activities governed by the NCAA. This policy shall be informed by the institution's overall youth protection policy(ies) and shall comply with youth protection requirements set by the NCAA and any other relevant governing bodies.

**J. Emergency Preparedness**

Institutions must require all covered activities to document minimum emergency preparedness protocols based on the covered activity's level of risk and as advised by the institution's risk management authority or other relevant Institution stakeholders.

**K. Insurance Coverage**

Institutions must require all covered activities be covered by Camps and Clinics Blanket Accident Insurance or other insurance product(s) as applicable and approved by the institution's risk

management authority.

**L. Reporting Obligations**

- I. Institutions must require all adults covered under this policy to monitor all violations of this policy and report according to institutional procedures, relevant policy, or applicable law. This includes, but is not limited to requiring reporting of:
  - a. Any suspected physical abuse, neglect, or sexual abuse of a minor pursuant to the institution's EO54 reporting procedures,
  - b. Sexual harassment or sexual violence as defined by the institution's Title IX policy,
  - c. Incidents resulting in serious harm requiring professional medical attention; and
  - d. Incidents of illegal or unauthorized drug use.

**M. Escalation Plan**

Institutions must adopt an Escalation Plan to guide decision-making around incidents that violate institutional policy or trigger a reporting obligation as defined in Section 6.L.

**N. Retaliation**

Institutions must prohibit retaliatory actions against:

- I. Anyone acting in good faith to report a concern about possible violations of Institutional policy;
- II. Individuals involved in investigating or responding to concerns; and
- III. Anyone involved in enforcement of youth protection policy.

**O. Consequences for Noncompliance**

Institutions must state that violations of this policy and/or associated policies, protocols, or procedures may be subject to program termination, and/or disciplinary action, including removal from the role or authorization to work with minors, in accordance with institutional policies and procedures.

**P. Third Parties**

Institutions must require Third Parties engaged in covered activities to sign a contract that includes, at minimum, the following:

- I. Clearly allocate responsibility for risks posed by the covered activity to the Third Party.
- II. Clearly state that Third Parties are responsible for completing criminal background checks of all authorized adults prior, in alignment with Regent Policy Document 20-19, *University of Wisconsin Criminal Background Check Policy*, prior to the commencement of the covered activities.
- III. State that Third Parties engaged in covered activities meet the minimum requirements outlined.
  1. Training  
Authorized adults for Third Party Covered Activities shall be trained on the same reporting obligations assigned to UW System employees under Executive Order 54 and in relation to sexual harassment/ sexual violence.
  2. Additional Training  
Third Parties may require additional training based on the individual's role or level of

risk associated with the covered activity (e.g., duration of program, type of activities) and applicable legal requirements.

3. Prohibited Behaviors

Third Parties must prohibit behaviors that include, but are not limited to, the following:

- a. Conduct that violates the law (e.g., child abuse, child sexual abuse, protected class discrimination, emotional abuse, hazing, indecent exposure, child pornography, neglect, physical abuse, sexual abuse, and sexual harassment);
- b. Actions that are found to constitute bullying or grooming;
- c. Infringement on privacy of youth participants in situations where they are changing clothes or taking showers except in situations where health and safety require;
- d. Adults showering, bathing, or undressing with or in the presence of youth participants;
- e. Photographing or recording in shower houses, restrooms, or other areas where privacy is expected by participants; and
- f. Use of alcohol when engaged in covered activities.

4. Supervision Ratios

Third Parties must require that supervision ratios in covered activities meet the minimum standards set through ATCP 78, with the exception of classroom settings, which allow for a 1:18 Adult to Youth Participant ratio. A minimum of two adults is required for all field trips.

5. One-on-One Interactions

Third Parties must prohibit one-on-one interactions between adults and youth participants, unless the adult is in a setting where one-on-one instruction occurs. In such settings, activities must be observable and interruptible. Exceptions can also be made where a familial relationship exists and in emergency situations.

6. Overnight Covered Activities

Third Parties with overnight covered activities must designate staff (paid or unpaid) for the supervision of youth participants overnight and include the following requirements.

- a. Third Party staff must not enter the youth participant's room, bathroom facility, or similar area without another staff except in emergency situations
- b. Third Party must procure adequate sleeping space so that staff (paid or unpaid) are not sharing sleeping quarters with youth participants during overnight covered activities.

7. NCAA and Other Governing Authorities

Third Parties shall comply with youth protection requirements set by the NCAA and any other relevant governing bodies for recruiting activities.

8. Emergency Preparedness

Third Parties must document minimum emergency preparedness protocols based on the covered activity's level of risk and as advised by the institution's risk management authority or other relevant Institution stakeholders.

9. Insurance

Third Parties must have Insurance or other appropriate liability insurance as applicable and approved by the institution's risk management authority.

10. Monitoring and Reporting

Third Parties must require all covered activities youth serving staff (paid or unpaid) to monitor and report according to applicable law. Reporting must include, but is not limited to requiring all adults covered under this policy to report:

- a. Any suspected physical abuse, neglect, or sexual abuse of a minor in alignment with [Wisconsin Executive Order #54](#),
- b. Sexual harassment or sexual violence as defined by the institution's Title IX policy,
- c. Incidents resulting in serious harm requiring professional medical attention; and
- d. Incidents of illegal or unauthorized drug use.
- e. Third Parties shall report incidents involving sexual abuse, sexual harassment, sexual violence and serious harm requiring professional medical attention to the institution in accordance with the institution's escalation plan.

11. Registration

Third Parties taking custodial care must have a registration process for covered activities. For covered activities the following registration information, at a minimum, must be collected:

- a. Date(s)/time(s) of covered activity
- b. Primary contact for covered activity
- c. Staff (Paid or unpaid): Names, contact information, screening, training
- d. Participant registration information collected must include:
  - i. Name
  - ii. Contact information, including emergency contact information

12. Non-Custodial Care Registration

For Third-Party covered activities in which custodial care is not taken the following registration process as minimum must collect the following:

- a. Date(s)/time(s) of covered activity
- b. Primary contact for covered activity

- IV. Inform Third Parties that all requirements for covered activities are subject to audits and or request(s) and may occur at any time within seven years.

Q. **Data Retention**

Institutions must require covered activities to store protected health information and other confidential and sensitive data according to [Regent Policy Document 25-5, Information Technology: Information Security](#).

## 7. Related Documents

[Wis. Stat. § 48.981\(2\)\(a\)](#)

[Wis. Admin. Code Ch. ATCP 78 \(2020\)](#)

[2011 Executive Order #54 Relating to Supplemental Mandatory Reporting](#)

[Requirements of Child Abuse and Neglect](#)

[RPD 20-19, University of Wisconsin System Criminal Background Check Policy](#)

[RPD 20-22, Code of Ethics](#)



[RPD 25-5, Information Technology: Information Security](#)

[RPD 23-2, Health, Safety and Security at UW System Institutions](#)

[UW System Risk Management Manual, Camps and Clinics Blanket Accident Insurance](#)

[UW System Administration Internal Policy HR-8, Policy for Children in the Workplace](#)

[Title IX of the Education Amendments Act of 1972 \[20 U.S.C. § 1681\]](#)

[The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, \[20 U.S.C. § 1092\(f\)\]](#)

## 8. Policy History

**Original Issuance Date:** March 10, 2022

## 9. Scheduled Review

March 2025

**APPROVED BY:**

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**Tommy G. Thompson**  
President  
University of Wisconsin System