

Employee/Volunteer Attestation *of the Brigham Young University Child Protection Policy*

POLICY SUMMARY

Brigham Young University is committed to maintaining a safe environment for children who participate in university-sponsored activities or visit its facilities. The protection of children from abuse is consistent with the teachings of the university's sponsor, The Church of Jesus Christ of Latter-day Saints, with the Church Educational System (CES) Honor Code, and with applicable laws and regulations. The CES Honor Code requires university personnel and students to abide by the standards of Christian living taught by the Church, both on and off campus. To that end, no faculty member, staff employee, administrative employee, contractor, volunteer, or student shall be involved in the abuse of a child, whether on or off campus.

DEFINITIONS

Abuse is the endangerment of a child's physical or mental health resulting from non-accidental harm of the child, threatened harm to the child, sexual exploitation, or sexual abuse.

Adult means a person 18 years of age or older.

Child, Children, or Minor are terms used interchangeably in this policy and mean any person under the age of 18.

Responsible Adult is a person 18 years of age or older who understands that he or she is responsible for the safety and activities of the minors within his or her care and who has completed the required child protection training.

Sexual Exploitation and Sexual Abuse are contacts or interactions between a child and an adult when the child is being used in any way for the sexual gratification of the adult. Sexual abuse includes an act or attempted act of any sexual activity. Sexual exploitation is knowingly using or influencing a child to engage in sexual activity, including viewing pornography, for the sexual arousal of any person or for the purpose of photographing or recording the activity. Sexual exploitation also includes displaying, distributing, selling, or possessing child pornography. A child is abused or exploited through any of the above actions whether or not the activity involves explicit force, involves physical contact, is initiated by the child, or produces a discernible harmful outcome.

DUTY TO REPORT

The university is committed to maintaining a safe environment for all children on campus or who are participating in university-sponsored activities. Consistent with this objective and with Utah state law, university personnel have a duty to immediately report to the nearest peace officer, law enforcement agency, or applicable office of the state Division of Child and Family Services any situation, whether on or off campus, in which they have "reason to believe that a child has been subjected to abuse or neglect, or . . . [observe] a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect." **To report incidents on the BYU campus, call University Police at 801-422-2222.** For incidents outside Utah, call local law enforcement. If the incident involves sexual abuse or sexual exploitation, it should also be reported to the university's Title IX coordinator (801) 422-8692 or email t9coordinator@byu.edu). For questions about this reporting obligation, including how to make a report, or for questions about any other provision of this policy, please call the university's Office of the General Counsel at (801) 422-3089.

University personnel or students who have knowledge of and fail to report or to cooperate in the investigation of complaints of child abuse may be subject to appropriate disciplinary action, up to and including termination of employment and dismissal from the university. The confidentiality of the reporting party will be observed, provided that it does not interfere with the university's ability to investigate and take corrective action and is not prohibited by law. Retaliation against an individual who has filed a complaint of child abuse will be considered a violation of policy, and the retaliating person may be subject to sanction, including termination, suspension, dismissal, and/or a ban from campus, depending on the circumstances and severity of the retaliation. Encouraging others to retaliate also violates this policy.

A person does not need tangible proof of abuse to have a duty to report under Utah law; a duty arises when there is reason to believe abuse is occurring.

STANDARDS OF CONDUCT

- Adults who are involved with minors on campus or in university-sponsored activities shall adhere to the CES Honor Code.
- Adults who are involved with minors on campus or in university-sponsored activities shall not engage in abuse or other demeaning or disrespectful activities of any kind toward or in the presence of a minor including sexual exploitation, sexual abuse, hazing, or bullying in any form, whether by means of text messages, email, online forums, social networking sites, direct physical contact, or any other method.
- Adults who are involved with minors on campus or in university-sponsored activities shall not strike, hit, administer corporal punishment to, or touch any minor in an abusive or illegal manner.
- Adults who are involved with minors on campus or in university-sponsored activities should avoid one-on-one contact with minors.
- Adults who are involved with minors on campus or in university-sponsored activities shall not assist minors in accessing pornography or make any form of pornography available to them.
- Minors shall not participate in overnight, university-sponsored activities unless one of the minor's parents or legal guardians has given consent.
- Adults on campus or who are involved in university-sponsored activities may not enter areas where they would be alone with a minor who is showering or bathing. In emergency situations, responsible adults may enter the area for purposes of the emergency only.
- Adults who are involved with minors on campus or in university-sponsored activities shall not transport minors in a personal vehicle unless the minors are relatives of the adult. Transportation of minors in university vehicles during a university-sponsored program is permitted if at least three people are present in the vehicle at all times during transportation of the minors.

SANCTIONS

In accordance with other university policies regarding personnel discipline, any university faculty member, staff employee, administrative employee, volunteer, or contracted personnel who is convicted of child abuse will be terminated, regardless of whether the abuse occurred on or off campus. In accordance with other university policies regarding student discipline, including but not limited to the Church Educational System Honor Code, any student convicted of child abuse will be dismissed from the university, regardless of whether the abuse occurred on or off campus.

If there is a reasonable basis, as determined by the university, to believe that a university faculty member, staff employee, administrative employee, contracted personnel, or student has engaged in child abuse, on or off campus, then the faculty member, staff employee, administrative employee, contracted personnel, or student is subject to university discipline in accordance with university policy, up to and including termination or dismissal from the university.

By signing this form, I attest that I have read and understand the sections of the Brigham Young University Child Protection Policy provided above and that I will comply with the policy's conduct and reporting requirements.

_____ **BYU Program and College/Department**

_____ **Printed Last Name, First Name**

_____ **Signature**

_____ **Date**

Please retain a copy of this form for your reference. Your attestation has been automatically recorded on YTrain.

(Your BYU employee supervisor or volunteer supervisor should also be notified of any incidents of suspected child abuse or neglect.)