



Name: \_\_\_\_\_

University ID: \_\_\_\_\_

Program Name: \_\_\_\_\_

Date: \_\_\_\_\_

## Code of Conduct

# STANDARDS FOR INTERACTING WITH YOUTH

As SFSU employees and volunteers, it is our duty to safeguard the youth in our care. The following code of conduct describes the minimum expectations that we hold for youth program personnel who interact with youth in a university youth program. “Youth” refers to any individual under the age of 18 years old. “Youth Program Personnel” or “Authorized Personnel” includes any full-time or part-time employee of SFSU or its auxiliary organizations working in any youth program run or sponsored by SFSU or its auxiliary organizations; or any student, student assistant or volunteer working in any youth program administered or sponsored by SFSU or its auxiliary organizations. “Parent” refers to both parents and legal guardians.

Included:

1. University Standards for Interacting with Youth
2. How to Report Violations of the Standards
3. How to Report Suspected Child Abuse or Neglect
4. Confirmation of Understanding

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### 1. UNIVERSITY STANDARDS FOR INTERACTING WITH YOUTH

#### GENERAL CONTACT: IN PERSON, ONLINE, VERBAL, PHYSICAL

##### Expectations

- Observe the “Rule of Three” – have at least one other adult present during all interactions with youth.
- Limit physical contact to only purposes that are consistent with the program’s mission and/or for a clear educational, developmental, or health related purpose, in the presence of another staff member, and with the consent of the youth.
- Use program-sponsored e-mail, phone, and social media accounts for communication when there is an essential educational or programmatic reason to do so.
- Disclose any pre-existing relationships with youth in the youth program immediately to the program lead. Abide by these standards while affiliated with the youth program, despite any pre-existing personal relationships.

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## Discouraged or Prohibited

(Note: Discouraged behaviors are indicated by use of the word “avoid.” All other behaviors are prohibited.)

- Avoid being alone with a single youth where you cannot be observed by program staff or other adults.
- Do not act in a manner that can be perceived as physical or verbal abuse.
- Do not discipline youth by use of physical punishment or by failing to provide the necessities of care.
- Do not engage in purposeful communication or contact including in-person meetings, phone or other electronic communication including social networking, with youth outside of sanctioned program activities.
- Avoid texting and other forms of electronic one-on-one communication between a single staff person and a youth.

## EQUITABLE TREATMENT

### Expectation

- Treat all youth equitably, i.e., fairly and consistently, regardless of their actions or behavior, sex, gender, sexual orientation, race, color, religion, culture, place of birth, age, class, ability, health, citizenship, language, or other identities.

### Prohibited

- Do not discriminate against a youth based on their sex, gender, sexual orientation, race, color, religion, culture, place of birth, age, class, ability, health, citizenship, language, or other identities.
- Do not give personal gifts to youth or their parents, e.g., any item intended to give a youth and/or parent special attention that is not given to others.

## SEXUAL MISCONDUCT

### Expectation

- Understand and respect the physical and personal boundaries set by youth.

### Prohibited

- Do not engage in sexual contact of any kind (including any verbal or physical contact that can be perceived as sexual in nature.)
- Do not date or become romantically involved with youth.
- Do not discuss your own or a youth’s sex life or sexual activities.
- Do not share sexually explicit material with youth.

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## SAFETY

### Expectations

- The safety of youth must be your primary concern above all others.
- Report any concerns for suspected abuse or neglect of a youth to authorities per CSU and SFSU policy requirements.
- Notify SFSU representatives per policy requirements of any violations of these standards for interacting with youth.
- Follow all SFSU transportation procedures for transporting youth.

### Prohibited

- Do not possess, sell, use, or be under the influence of alcohol, marijuana, tobacco or illegal drugs while engaged in program activities or on site.
- Do not bring or carry a weapon into the program.
- Do not transport youth in a personal vehicle.

## EDUCATING YOUTH

Youth should be informed in an age-appropriate manner of their right to set their own physical limits for personal safety.

They should be encouraged to tell an adult if someone is abusing them, or if they are in a situation or observe something that makes them feel uncomfortable.

## CONSEQUENCES OF VIOLATING UNIVERSITY STANDARDS

SFSU takes these matters seriously. In the case of suspected abuse or neglect of a youth or violations of the Standards for Interacting with Youth, SFSU will adhere to existing policies and procedures for corrective action. Actions taken will first and foremost consider the need to ensure the safety of youth participating in the program.

## YOUTH PROGRAM-SPECIFIC STANDARDS FOR INTERACTING WITH YOUTH

Please consult with your youth program director about any program-specific standards, policies or procedures designed to ensure the safety of youth in your program.

## 2. HOW TO REPORT VIOLATIONS OF THE STANDARDS FOR INTERACTING WITH YOUTH

Authorized Personnel of youth programs are required to report violations of the Standards for Interacting with Youth.

If you believe a San Francisco State University staff member or volunteer involved in an SFSU youth program has violated the Standards for Interacting with Youth you must notify Human Resources at 415-338-1872 within 48 hours.

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Information to provide when you call:

- 1) Information about the behaviors of concern including any concerns for safety or well-being of youth.
- 2) Information about the persons involved and date, time, location of the event(s).
- 3) Information about the youth program.

If you believe the staff member has violated the Standards in a way that raises concerns for abuse or neglect, you must first contact either Child Protective Services or law enforcement (see below for contact information).

If you are unsure about whether someone's behavior is a violation of the standards, you can consult with your supervisor, or contact Michael Beatty, Executive Director of Risk & Safety Services, at 415-405-3522 with your concerns and guidance will be provided.

### 3. HOW TO REPORT SUSPECTED CHILD ABUSE OR NEGLECT

All SFSU employees and volunteers are required to report suspected child abuse or neglect to the authorities, as outlined below.

If you have reasonable cause to believe that a youth has experienced abuse or neglect, or if a youth has disclosed abuse or neglect to you, you are required to report that abuse to the proper authorities within 48 hours.

Failure to do so is a violation of SFSU Standards for Interacting with Youth and additional SFSU policies. Those who are required by law to report suspected child abuse or neglect and who fail to do so may be charged with a gross misdemeanor and/or subject to disciplinary action, up to and including dismissal.

Personnel who become aware of suspected child abuse or neglect must:

Immediately, or as soon as practically possible, contact by phone one of the following:

- A police or sheriff's department (including campus police but not including a school district police or security department);
  - If an emergency, dial 911. Otherwise, call University Police Department at (415) 338-7200.
- A county probation department (if designated by the county to receive mandated reports); or,
- The county welfare department (Child Protected Services or CPS)
  - In San Francisco, please report abuse and neglect to the [City and County of San Francisco Human Services Agency's Family and Children's Services \(FCS\) department](#) at (800) 856-5553 FSC Hotline, 24 hours a day, 7 days a week.

Information to provide when you call:

- 1) Information about the youth, e.g., name, age, contact information and name of parent/guardian(s).
- 2) Information about the person suspected of committing the abuse or neglect.
- 3) The nature and extent of the abuse or neglect, including location and description of the incident.
- 4) Any knowledge of previous incidences.

You do not need to have all of the above information when you call to make a report, but the more accurate information you can provide, the better equipped the office will be to assess the child's risk.

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If you are unsure whether a report is required, you may use Child Protective Services (CPS) as a sounding board to help determine whether a report should be made and to whom.

For cases involving abuse or neglect occurring in an SFSU program or on SFSU property, contact your supervisor immediately after making your report to CPS or law enforcement, and contact University Police Department at 415-338-7200. Describe what occurred and who was involved, and any details regarding your conversation with CPS or law enforcement.

SFSU will adhere to existing policies and procedures for corrective action regarding the employee or volunteer, including suspension or termination from SFSU employment or volunteer status.

Confidentiality of information related to abuse is crucial and should be limited to the immediate supervisor, any authorities called, and designated SFSU internal reporting recipient(s).

#### 4. CONFIRMATION OF UNDERSTANDING

I have read SFSU's Standards for Interacting with Youth and I agree to abide by the standards as stated.

I UNDERSTAND VIOLATIONS OF SFSU'S STANDARDS FOR INTERACTING WITH YOUTH MAY RESULT IN DISCIPLINARY ACTION UP TO AND INCLUDING DISMISSAL (SEPARATION OF EMPLOYMENT OR SUSPENSION OF VOLUNTEER DUTIES). I ACKNOWLEDGE I AM AWARE OF MY RESPONSIBILITIES AND I HAVE RECEIVED A COPY OF THE STANDARDS FOR INTERACTING WITH YOUTH.

Print Name: \_\_\_\_\_ University ID Number: \_\_\_\_\_

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

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## Youth Protection Program Abuse Reporting Guidelines

[CSU Executive Order 1083](#) requires that most employees, volunteers and independent contractors interacting with minors on campus or in university-sponsored youth programs be designated as mandated reporters with a duty to report suspected child abuse and/or neglect.

### Basis to Report

[CSU Executive Order 1083 “Mandatory Reporting of Child Abuse and Neglect”](#) requires **all** University employees, campus community volunteers and independent contractors, regardless of their status as a mandated reporter as defined by California law, who, in the course of their university business or volunteer activity, have reasonable suspicion of child abuse, as defined by California law, must make a report as outlined in this policy.

The California Child Abuse and Neglect Reporting Act, California Penal Code §§11164-11174.3 ("CANRA" or the "Act"), identifies certain groups of employees as "Mandated Reporters" of child abuse and also imposes various obligations on and extends certain protections to those Mandated Reporters as well as their employers. As a covered employer, the California State University (CSU) is required to comply with the Act.

To implement and assure compliance with the Act, this executive order (EO 1083):

- Identifies the categories of employees within the CSU that are Mandated Reporters;
- Explains the difference between two types of Mandated Reporters;
- Provides information to Mandated Reporters regarding their reporting requirements and the procedures they must follow;
- Provides information to Mandated Reporters regarding the legal immunity extended with respect to their reporting;
- Provides forms and training resources for Mandated Reporters (training is available for all employees and volunteers); and,
- Identifies information that is required to be included on job postings/position announcements and job descriptions.

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It is the policy of the California State University to require all Management Personnel Plan employees and all volunteers to report child abuse and neglect occurring on CSU premises or at an official activity of or program conducted by the CSU. The CSU also strongly encourages all other members of the CSU community who are not designated as mandated reporters under EO 1083 to report suspected child abuse and neglect occurring on CSU premises.

### **Who are mandated reporters?**

Though everyone should report child abuse, a number of professionals must report abuse or be held liable by law.

The specific positions are listed in California Penal Code §11165.7. Attachment B “Categories of Mandated Reporters” to [Executive Order 1083](#) identifies two categories of mandated reporters:

**General Reporters** is defined by the CSU as those who are legally required to report child abuse or neglect *no matter where it occurs*.

**Limited Reporters**, in accordance with California Penal Code §11165.7(a)(41) and defined by the CSU as those who are legally required to report child abuse or neglect *only if it occurs on CSU premises or at an official activity of, or program conducted by, the CSU*.

### **When is Reporting Required?**

Mandated Reporters should report suspected Child Abuse and Neglect in Accordance with [Executive Order 1083](#) when:

- They observe or suspect it within their professional capacity and/or scope of their employment.
- They learn of suspected child abuse & neglect from other sources. It does not have to be witnessed.

Mandated Reporters are personally responsible to determine when reporting is required and follow protocol. It is the individual employee’s legal obligation to report, not the CSU’s.

### **What must be reported?**

Mandated Reporters must report the following types of abuse or neglect:

- **Physical abuse**, meaning physical injury other than by accidental means inflicted on a child (Penal Code §11165.6)
- **Sexual assault**, including sex acts with a child, intentional masturbation in the presence of a child, child molestation, and lewd or lascivious acts with a child under 14 years of age or with a child under 16 years of age if the other person is at least ten years older than the child (Penal Code §11165.1(a)(b))
- **Sexual exploitation**, including acts relating to child pornography, child prostitution, or performances involving obscene sexual conduct by a child (Penal Code §11165.1(c))



- **Statutory rape** involving sexual intercourse between a child under 16 years of age and a person 21 years of age or older, which is also a form of “sexual assault” (Penal Code §§261.5(d) and 11165.1(a))
- **Neglect**, meaning the negligent treatment or maltreatment of a child by a parent, guardian or caretaker under circumstances indicating harm or threatened harm to the child's health or welfare (Penal Code §11165.2)
- **Willful harming or injuring or endangering a child**, meaning a situation in which any person inflicts, or willfully causes or permits a child to suffer, unjustifiable physical pain or mental suffering, or causes or permits a child to be placed in a situation in which the child or child's health is endangered (Penal Code §11165.3)
- **Unlawful corporal punishment**, meaning a situation in which any person willfully inflicts upon a child cruel or inhuman corporal punishment or a physical injury (Penal Code §11165.4)

### What is not considered Child Abuse and Neglect?

Executive Order 1083 identifies the following examples of what is not child abuse and neglect:

- Injuries caused by two children fighting during a mutual altercation (Penal Code §11165.6)
- An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment (Penal Code §11165.6)
- Reasonable and necessary force used by public school officials to quell a disturbance threatening physical injury to person or damage to property, for self-defense, or to obtain possession of weapons or other dangerous objects under a child's control (Penal Code §11165.4)
- Corporal punishment, unless it is cruel or inhuman or willfully inflicts a physical injury (Penal Code §11165.4)
- Not receiving medical treatment for religious reasons (Penal Code §11165.2(b))
- Acts performed for a valid medical purpose (Penal Code §11165.1(b)(3))
- An informed and appropriate medical decision made by a parent, guardian or caretaker after consultation with a physician who has examined the child (Penal Code §11165.2(b))

### How to report

1. Immediately, or as soon as practically possible, contact by phone one of the following:
  - A police or sheriff's department (including campus police but not including a school district police or security department);
    - If an emergency, dial 911. Otherwise, Call University Police Department at (415) 338-7200.
  - A county probation department (if designated by the county to receive mandated reports); or,
  - The county welfare department (Child Protected Services or CPS)
    - In San Francisco, please report abuse and neglect to the [City and County of San Francisco Human Services Agency's Family and Children's Services \(FCS\) department](#) at (800) 856-5553 FSC Hotline, 24 hours a day, 7 days a week.
2. Within 36 hours of receiving the information concerning the incident:

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- Complete [Form SS 8572](#)
- Transmit via fax or email Form SS 8572 to the agency that was contacted by phone (Penal Code §11166(a))

### **Failing to Report or Impeding Reporting**

A Mandated Reporter who fails to make a required report, or any administrator or supervisor who impedes or inhibits a report, is guilty of a misdemeanor punishable by up to six months in jail, a fine of \$1,000, or both (Penal Code §§11166(c) and 11166.01(a)). Where the abuse results in death or great bodily injury, the Mandated Reporter who fails to make a required report or administrator or supervisor who impeded or inhibited the report is subject to punishment of up to one year in jail, a fine of \$5,000, or both (Penal Code §11166.01(b)).

Print Name: \_\_\_\_\_

University ID Number: \_\_\_\_\_

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

Date: \_\_\_\_\_

Rev. 11/2025

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