



Date: 12/31/2019 Updated: 12/31/2022 Date To Be Reviewed: Three Years – 12/31/2025

## Title of Document: 9.1.1.B LOPR\_Participant Safety Guidelines for Contractor Providers of Recreational Services

### Background:

The Lake Oswego Department of Parks & Recreation (LOPR), in operating its various instructional activities and programs, asks that all Contractors providing recreation services become familiar with and adhere to the following guidelines. These guidelines are provided to contractor vendors with new and renewed contracts, and to Contractors when new classes are offered under existing contracts.

### Definitions:

Contractor means any person, entity or firm that contracts with the City of Lake Oswego, through the Parks and Recreation Dept., to provide recreational services to adults and/or minors through the contracted for classes, events, and programs.

Contractor Employee means any person performing services under the contract at the direction of the contractor, e.g. contractor personally, employee, independent contractor, volunteer, subcontractor (if approved).

Incident means an unplanned event or interaction, either intentional or unintentional, that either disrupts the planned course of the activity or is an unplanned communication with the participant or the participant's parent/guardian that is outside the normal and expected scope of communication regarding the activity or program.

### Guidelines:

#### 1. Background Checks

Contractor expressly agrees to conduct a background check, including a criminal records check, on each Contractor employee who performs any work pursuant to the assigned City of Lake Oswego Parks & Recreation (LOPR) recreation services contract. Contractor further agrees that Contractor shall not assign personnel to work under this Contract if the personnel has a conviction for any offense listed in the included Exhibit A.

National background checks shall be performed on all contractor employees working under LOPR recreation services contracts:

##### 1.1 Prior to initially performing services under the contract; and

1.2 Annually in January and/or in June for all returning contractor employees continuing to provide services under the contract.

## 2. Report Accidents or Incidents

If there is any accident or incident, the contractor shall report the accident or incident within 48 hours to the LOPR Supervisor or Liaison. The report shall include:

- A description of the injury, accident or incident;
- Any actions immediately prior to and after the incident;
- Date and time of accident or incident;
- Name of person(s) involved and witnesses if any, together with known contact information; and
- Other details that contributed to the accident or incident.

## 3. Reduction of Risk of Sexual Misconduct Claims

One risk LOPR is addressing with these guidelines is child sexual abuse. As the U.S. Department of Health and Human Services states, "It is vital that organizations create a culture where child sexual abuse is discussed, addressed and prevented." LOPR training and research have repeatedly stated that parks and recreation agencies are a favorable target for child molesters because of their typically lax screening procedures and naïve understanding of the predatory behaviors of child molesters. The guidelines and procedures above are intended to educate contractor employees, protect LOPR participants and make our agency programs unattractive to child molesters.

These guidelines also address a risk of adult sexual abuse.

3.1 The contractor shall practice an overall policy of awareness, recognition and reporting.

3.2 LOPR discourages personal contact with participants. Contractor employees need to maintain a level of professionalism with participants. (i.e., no contact of the participant outside the scope of the class shall be permitted by e-mail, social media outlets, phone calls, texting, etc.)

3.3 Inappropriate physical contact and/or verbal or written sexual comments are not tolerated.

3.4 No private one-on-one interactions between contractor employees and participants without pre-authorization. No one-on-one activities, only group activities. No contractor employee is allowed to be or work alone with a participant in a room with the door closed (including bathrooms).

3.5 There will be no overnight activities planned or held.

3.6 If the activity causes a change of clothes, such as swimming or paintball activities, there must be access to a changing area that is separate and secured. Contractor employees may not enter that area while a participant is using the changing area unless there are grounds to believe an emergency is occurring, e.g. medical emergency. Contractor should report the incident per Guideline Number 3.

#### 4. Access to Program Area / Supervision of Participants

4.1 Access into program areas is allowed only by participants, authorized parent/guardian of participant, contractor employees and City staff.

4.2 Contractor is responsible for monitoring behaviors and interactions within the program/class.

#### 5. Bathroom Breaks

5.1 A child under 7 must be escorted by a contractor employee or City staff (if present) to the bathroom, and always with more than one child. Children age 7 and over may use buddy system to take bathroom breaks.

5.2 If there is a situation where assistance in the bathroom is needed, there shall always be two contractor employees or City staff (if present). The outside bathroom door shall be held open by one person while the other person addresses the situation. Unless the participant is unresponsive, a stall door is never opened by the contractor employee or city staff person: items are passed over or under the closed stall door. If there is an emergency, call 911. Report the incident per Guideline Number 3.

#### 6. Field Trip Procedures

6.1 At least two contractor employees shall be assigned to a field trip. Contractor employees need to be observant for suspicious persons and/or unusual behavior in field trip areas.

6.2 Before allowing minors off a bus, a contractor employee needs to look for any risk management concerns regarding the facilities, play areas, and activities occurring at the site.

6.3 If a parent/guardian attends a field trip to supervise a minor participant and transports the minor to the field trip site, while the minor is transported by the parent, the child is no longer under Contractor care/responsibility.

6.4 A parent attending a field trip must provide their own transportation (unless designated as an onboard bus chaperon monitor by the Contractor), and shall pay the admission to any field trip requiring a fee to enter.

## 7. Transportation

A contractor employee is not allowed to use personal vehicle to transport participants under any circumstances unless it is an emergency or a safety issue. Under those circumstances, a second contractor employee or City staff (if present) also in the car is strongly encouraged. A report will be filed per Guideline Number 3. A contractor employee may receive pre-approved permission to transport under any other circumstance only with prior authorization from the Deputy Director, Recreation or the Department Director.

### **In Conclusion:**

We strive to create a safe environment for participants so that they can grow, learn and have fun. Part of creating this safe environment is making sure participants are not harmed in any way while in the class, event, or program.

**Responsibility/Contacts:** Director, Deputy Director Recreation, Recreation Supervisors, Administrative Assistant

## **Exhibit A LIST OF PROHIBITED OFFENSES**

*Crimes under Oregon Revised Statutes that would cause the Parks & Recreation Department to deny contractor employee involvement with participants:*

ORS 162.165 Escape 1  
ORS 162.185 Supplying contraband  
ORS 163.095 Aggravated Murder  
ORS 163.115 Felony Murder/Murder  
ORS163.118 Manslaughter I  
ORS 163.125 Manslaughter II  
ORS 163.145 Criminally Negligent Homicide  
ORS 163.165 Assault III  
ORS 163.175 Assault II  
ORS 163.185 Assault I  
ORS 163.205 Criminal Mistreatment I  
ORS 163.225 Kidnapping II  
ORS 163.235 Kidnapping I  
ORS 163.275 Coercion  
ORS 163.335 Rape in the Third Degree  
ORS 163.365 Rape in the Second Degree  
ORS 163.375 Rape in the First Degree  
ORS 163.385 Sodomy in the Third Degree  
ORS 163.395 Sodomy in the Second Degree  
ORS 163.405 Sodomy in the First Degree  
ORS 163.408 Unlawful Sexual Penetration in the Second Degree  
ORS 163.411 Unlawful Sexual Penetration in the First Degree  
ORS 163.415 Sexual Abuse in the Third Degree  
ORS 163.425 Sexual Abuse in the Second Degree  
ORS 163.427 Sexual Abuse in the First Degree  
ORS 163.435 Contributing to the Sexual Delinquency of a Minor  
ORS 163.455 Sexual Misconduct  
ORS 163.465 Public Indecency  
ORS 163.515 Bigamy  
ORS 163.525 Incest  
ORS 163.535 Abandonment of a Child  
ORS 163.575 Endangering the Welfare of a Minor  
ORS 163.670 Using Child in Display of Sexually Explicit Conduct  
ORS 163.680 Paying for viewing Sexual Conduct Involving a Child  
ORS 164.075 Theft by Extortion  
ORS 164.225 Burglary I  
ORS 164.325 Arson I  
ORS 164.395 Robbery III  
ORS 164.405 Robbery II

ORS 164.415 Robbery I  
ORS 166.165 Intimidation I  
ORS 166.220 Unlawful use of a Weapon  
ORS 166.275 Possession of Weapons by Inmates of Institutions  
ORS 167.007 Prostitution  
ORS 167.012 Promoting Prostitution  
ORS 167.017 Compelling Prostitution  
ORS 167.062 Sadomasochistic Abuse or Sexual Conduct in Live Show  
ORS 167.065 Furnishing Obscene Materials to Minors  
ORS 167.070 Sending Obscene Materials to Minors  
ORS 167.075 Exhibiting an Obscene Performance to a Minor  
ORS 167.080 Displaying Obscene Material to a Minor  
ORS 167.087 Disseminating Obscene Material  
ORS 167.090 Publicly Displaying Nudity or Sex for Advertising Purposes  
ORS 811.705 Hit and Run Vehicle (Injury)