

University of Findlay's Policy for Minors on Campus

I. POLICY

Fostering a safe and healthy environment for Minors is essential to the fulfillment of the University of Findlay (UF)'s mission. Thus, it is the Policy of the University that Minors must be reasonably and appropriately supervised by Authorized Adults at all times and that those adults participating in programs or activities involving Minors are reviewed, registered and trained, in conformity with applicable law and the terms of this Policy.

Any member of the University community who suspects that a Minor who is on University property for any reason, or is participating in a University-sponsored activity at another location, has been the victim of child abuse shall immediately report the suspected abuse to the University of Findlay Police Department (UFPD) (419-434-4799) and the Office of Equity & Title IX (419-434-4739).

The University workplace, including classrooms and laboratories, is not an appropriate place for Minors (except University registered students) to be present on a frequent or continuing basis. While there may be reasons when brief visits by Minors on campus are necessary, they are subject to the same conditions as any other visitor to the University. In addition, no unescorted or unsupervised Minors are permitted on University property, except as provided for in this Policy. All supervised Minors are permitted in the general use facilities (e.g., athletic fields, academic buildings, etc.) but are not generally permitted in laboratories or other areas where significant potential safety hazards and liabilities may exist and where strict safety precautions are required.

This Policy applies to any program or activity specifically designed for participation by Minors that is offered or sponsored by any academic or administrative unit of the University, whether on University property or at an off-campus location, unless otherwise exempted under this Policy. Certain provisions of the Policy, including all conduct requirements, apply to non-University groups using University facilities, properties and any areas owned or controlled by the University.

University employees and students are expected to comply with the applicable law and all conduct requirements related to Minors both of the organization sponsoring the program or activity and the University. The University may require completion of requirements for the outside entity sponsoring the program or activity, such as completion of background checks or training.

This Policy's requirements are in addition to the prohibitions and reporting requirements contained in the University's Policy Regarding Sex Discrimination, Sexual Harassment, and Other Forms of Sexual Misconduct ("Title IX Policy"). That Policy prohibits sex discrimination, sexual harassment, sexual assault, and other forms of sexual misconduct in connection with the University's educational programs or activities, including those that involve minors. Where sexual abuse of a minor is at issue, the Title IX Policy must be consulted to advise of appropriate actions.

II. PURPOSE

The purpose of this Policy is to establish criteria to minimize the risk of injury to Minors, and to promote an environment for Minors conducive to the accomplishment of the University of Findlay's mission. The University recognizes its obligation for the safety and well-being of Minors that comes with their presence at University facilities. University facilities and grounds can present a variety of potential hazards to individuals unfamiliar with them. The risks associated with these potential hazards are greater for Minors, who often lack the hazard recognition abilities of an adult.

In an effort to foster respect for the needs of all parties impacted by the presence of Minors at the University, this Policy is intended to ensure a safe, inviting and productive environment for Minors in which all members of the University community can meet their employment obligations and/or educational needs and goals within the primary mission of University.

III. SCOPE

- A.** This Policy provides guidelines that apply to interactions between Minors and students, faculty, staff and volunteers in University sponsored programs or activities. All University of Findlay students, faculty and staff are responsible for understanding and complying with this Policy, regardless of their role, tenure with the institution, or compensation.
- B.** This Policy does not apply to:
 - 1. Undergraduate and graduate academic programs in which individuals under the age of eighteen are enrolled for academic credit or who have been accepted for enrollment. All other University Policies, including the Title IX Policy, apply.
 - 2. Events on campus open to the general public, which Minors attend, but the university is not accepting care, custody or control of the minor. For example, this includes field trips to the Mazza Museum where students are accompanied by chaperones from their educational institution, Healthy Kids Day, career fairs, and other similar events.
 - 3. Enrolled UF students when hosting high school students, including prospective athletes, participating in pre-enrollment visitation. UF students are bound by all other University Policies, including the Title IX Policy and the Student Rights & Responsibilities, under these circumstances.
 - 4. Programs or activities (i.e., volunteer activities) engaged in by University employees or students involving Minors that are not sponsored by the University and/or not held in University facilities, properties or any areas owned or controlled by the University.
- C.** UF expects parents or guardians to provide supervision over Minors on campus unless the Minors are involved in a University sponsored program. Parents or guardians should not leave Minors unsupervised on university property.

IV. DEFINITIONS

A. Authorized Adult

Any faculty, staff, student employee, or other adult employed in relation to a Program under this Policy, who has, or is likely to have, responsibility for the care, custody, or control of a Minor as part of that Program. In order to qualify as an Authorized Adult, an individual must comply with all applicable registration, background check, and training requirements implemented pursuant to this Policy. Volunteers - such as students, graduate assistants, and other adults not employed by the University - may serve as an Authorized Adult if they otherwise meet all the requirements for an Authorized Adult under this Policy.

B. Parent(s) or Legal Guardian(s)

Although a parent or legal guardian may supervise their own minor children and their guests who are Minors while visiting the campus or using campus facilities, a parent or legal guardian may not act as an Authorized Adult in a Program (including one in which their Minor participates) unless they are in compliance with the requirements outlined under this Policy.

C. Minor(s)

Persons under the age of eighteen (18) and not enrolled at the University. The University reserves the right to condition, restrict or deny access to University facilities by Minors at its discretion. All Minors, including those participating in Programs, shall be subject to all University Policies while on campus, and may be asked to leave the campus if unable or unwilling to comply.

D. Program

Any program or activity in which Minors will be physically present and participating in an activity sponsored or operated on University property or at an off-campus location that is offered or sponsored by any academic or administrative unit of the University, or by non-University groups using University facilities, properties and any areas owned or controlled by the University. "Program" includes but is not limited to all sport camps, alumni weekend activities, workshops, academic camps, mentoring programs, academic competitions, and conferences.

"Program" does not include single performances or events open to the general public that are not targeted toward Minors (such as varsity athletic competitions, plays, concerts); visits and tours for prospective students organized by the Office of Admissions; visitations by Minors, including overnight stays in University housing facilities by candidates for admission, prospective student-athletes, or siblings of enrolled students, when hosted by enrolled University students; provided, however, that all such visitors shall be fully subject to University Policies while on campus; and such other similar one-time or ongoing

programs as may be designated from time to time by the appropriate Cabinet Member or Dean in advance and in writing as exempt from this Policy.

E. External Program

Any Program (as defined in Section IV.D.) that is not sponsored or operated by the University or a University academic or administrative department.

F. Program Administrator

University individual (employee, student, etc.) or contractor approved and designated by the appropriate Cabinet Member or Dean as responsible for coordination, planning, implementing, and/or committing the use of University facilities for Programs. In addition to any administrative requirements the University may promulgate, the Program Administrator must undergo the training and background check required for Authorized Adults at least once every four (4) years.

V. PROCEDURES

A. Authorized Adult Training

Each Authorized Adult shall complete University-designated training. Authorized Adults shall be re-trained at least once every four (4) years after their initial training. In addition to this required training, the University offers a number of training sessions to employees specifically related to sexual misconduct through its Office of Equity & Title IX.

B. Authorized Adult Conduct Requirements

In addition to conduct requirements outlined in the Best Management Practices for Minors on Campus and other applicable University policies, Authorized Adults participating in any Program shall not:

1. Have one-on-one contact with Minors. One-on-one contact is defined as personal, unsupervised interaction with a Minor without at least one other Authorized Adult, parent or legal guardian present.
2. Participate in a sleepover under the auspices of a Program, unless (1) one of the Minor's parents or legal guardians is present or (2) one of the Minor's parents or legal guardians has given consent, there are at least two Authorized Adults, and the two Authorized Adults remain in each other's presence.
3. Authorized Adults are prohibited from communication via email, text messages, Facebook or other social media sites, or other methods with Minors at any time except when the communication is also sent to the Minor's parent or guardian or is in a public forum, and when there is a clear educational purpose and the communication is consistent with the mission of the University.

4. Engage in abusive conduct of any kind toward, or in the presence of, a Minor.
5. Strike, hit, and/or administer corporal punishment to, or touch in an inappropriate or illegal manner any minor.
6. Pick up or drop off Minors at their homes, other than the driver's child or children.
7. Provide to Minors and/or engage in the use of alcohol or illegal drugs, or be under the influence of alcohol or illegal drugs during any Program.
8. Provide prescription drugs or any medication to any Minor unless specifically authorized in writing by the parent or legal guardian as being required for the Minor's care or the Minor's emergency treatment.
9. Make sexually suggestive remarks and/or make sexually explicit materials in any form available to Minors or assist them in any way in gaining access to sexually explicit materials.

C. External Programs

All External Programs must secure appropriate institutional approval through the Office of Facilities, Scheduling & Events (419-434-6942) prior to utilizing University facilities for an External Program involving Minors. External Programs involving Minors should have appropriate safeguards and procedures in place to ensure the safety of all Minors within their care, including that adults must conform to the conduct requirements set forth within Section V.B of this policy. In addition, External Programs must provide the University with appropriate insurance coverage documentation prior to conducting any events that fall within the purview of this Policy.

D. Program Registration

Registration of Programs must be accomplished in accordance with this Policy, with the submittal of the completed Program Registration/Approval Form by the Program Administrator and approved by the appropriate Cabinet Member or Dean.

1. **Additional Administrative Forms.** Any additional administrative forms or protocols associated with the Program, including but not limited to University waivers and permission slips to be obtained from the parents/guardians of participating Minors, medical emergency forms, etc., should accompany the completed Program Registration/Approval Form.
2. **External Programs.** External Programs that operate on University property must complete all required facility use agreements, the External Program Registration/Approval Form, and provide additional administrative forms and documentation at the University's request.

3. **Registration Deadlines.** All Programs should be registered at least sixty (60) days prior to the first scheduled date of participation by Minors. In addition, all annual/ongoing Programs should be registered prior to the beginning of the University's fiscal year.

E. Mandatory Reporting Duties and Allegations of Inappropriate Conduct

1. **Duty to Report.** UFPD is a law enforcement authority under state law. In furtherance of the University's federal obligations under Title IX and the Clery Act, as well as the mandatory duty to report under Ohio law, immediate reporting of allegations of inappropriate conduct with a Minor to UFPD is required. UFPD can be reached at 419-434-4799.
2. All University employees and all Authorized Adults are mandatory reporters who are obligated to report suspected abuse or any other violation of the conduct requirements of this Policy. Any member of the University community who becomes aware of any suspected abuse or any other violation of the conduct requirements of this Policy shall immediately make a report to UFPD (419-434-4799), the Office of Equity & Title IX (419-434-4739), and the Cabinet Member or Dean designated on the Program Registration/Approval Form.
3. **Ensure the Safety of Minors.** Any member of the University community who becomes aware of any violation of this Policy shall immediately ensure the safety of the Minors, including removal of Minors from dangerous or potentially dangerous situations and contacting UFPD and/or emergency responders as may be appropriate under the circumstances.
4. **Program Suspension.** Until any allegation of inappropriate conduct within a Program is satisfactorily resolved, the University shall suspend that Program. The Vice President for Student Affairs or designee, in consultation with the Office of Equity & Title IX and the University's Legal Counsel, shall evaluate the suitability of reinstating the Program.

F. Addressing Reports of Abuse or Neglect

Upon receipt of a report of alleged abuse or neglect of a minor in a University affiliated program or activity, the University's Title IX Coordinator (or designee), shall:

1. Take immediate steps to prevent further harm to the alleged victim or other minors, including, where appropriate, removing the alleged abuser from the program or activity or limiting their contact with minors pending resolution of the matter.
2. Determine whether the University of Findlay Police Department, local law enforcement, Hancock County Job and Family Services, Protective Services Division, or all have already been notified and, if not, whether such notification is required or appropriate given the circumstances.

3. If the parents or guardians of the alleged victim have not been notified and are not the alleged abusers, notify the parents or guardians of the minor involved.
4. Investigate the report and resolve the matter in a way that safeguards the minor, protects the interests of victims and reporters, affords fundamental fairness to the accused, in accordance with the University's Title IX Policy, and meets applicable legal requirements.
5. Facilitate the University's cooperation with any investigation conducted by University of Findlay Police Department, local law enforcement, Hancock County Job and Family Services, Protective Services Division, or other governmental agency.
6. Review the allegations to determine whether there are steps the University can take to address trends and patterns in abuse, strengthen training and reporting protocols, increase security, or other steps to reduce risks of further incidents based on the information known.

Whenever a report alleges that someone involved in an activity on campus who is not a member of the University faculty, staff, or student body has abused or neglected a minor, the person receiving the report shall immediately notify the University's Title IX Coordinator, even if they believe the Coordinator has already been notified. The Title IX Coordinator shall coordinate with the non-University affiliated organization or entity as necessary to see that the requirements of Part 1-6 of Section V(F) are accomplished.

Upon being notified of a sexual misconduct or abuse incident involving a minor, the University's Title IX Coordinator shall notify the Vice President for Business Affairs who will in turn notify the commercial general liability insurance company of the incident.

G. Background Checks for Authorized Adults.

1. **Criminal Background Check.** A successful background check will be required of each Program Administrator and each Authorized Adult prior to their direct participation with Minors in a Program and at least once every four (4) years thereafter. The Program Administrator will provide Authorized Adults with background check and fingerprinting instructions. The University will facilitate the process for conducting background checks compliant with applicable law. This requires information be provided to the Ohio Bureau of Criminal Investigation, which will conduct the background check. The Program Administrator is responsible for ensuring that each individual participating in the Program as an Authorized Adult has had a background check request and has subsequently received clearance to participate. The University reserves the right to require background checks for other individuals working as part of a Program when required by law. The Program Administrator will maintain a roster of individuals who have been cleared to participate. In order to participate in a Program, the Program Administrator and

Authorized Adults are obligated to notify the Vice President for Student Affairs or designee and the Program Administrator of any conviction for a felony or misdemeanor other than a minor traffic violation that occurs subsequent to the Criminal Background Check.

2. **National Sex Offender Registry Verification.** The Program Administrator must also check the names of the Authorized Adults against the National Sex Offender Registry at <https://www.nsopw.gov> and verify that no Authorized Adult's name appears on the sex offender website.
3. A decision not to permit an individual to participate in a Program based on the results of a background check or National Sex Offender Registry search will be made by the Vice President for Student Affairs or designee, in consultation with others including UFPD, the Office of Equity & Title IX, and Human Resources as needed.

H. Sanctions

1. **Ejection.** Minors and Authorized Adults not adhering to University Policies will be asked to leave the campus.
2. **Program Fine & Termination.** Programs in violation of this Policy may be subject to a \$500.00 fine, suspended or denied permission to continue operation at the University, or both.
3. **University Sanctions.** Any violations of University Policies by any individual will be dealt with in accordance with applicable University policies and procedures, which may include disciplinary actions up to and including termination from the University. Legal prohibitions regarding physical presence on campus (trespassing warning) also may be pursued.
4. **Criminal Prosecution.** Suspected violations of law will be referred to law enforcement authorities and may result in criminal prosecution.

I. Volunteers

Prior to participating in an event, volunteers must be listed on the Authorized Adult/Volunteer Roster and their names must be checked against the National Sex Offender Registry at <http://www.nsopw.gov/en-us>. Volunteers may serve as an Authorized Adult if they otherwise meet all the requirements for an Authorized Adult under this Policy.

Programs that are one-time or occasional events for which a large number of volunteers are essential may adopt other measures. The measures adopted must include the requirement that the volunteers be supervised at all times by an Authorized Adult (a background-checked and trained person). Volunteers may not perform duties that would require them to have unsupervised access to a Minor at any time. Programs adopting this procedure for volunteers must have the approval of the appropriate Cabinet Member, Dean or their designee(s).

VI. NONDISCRIMINATION

Any program or activity operating on University owned or controlled property involving Minors shall be required to review and train its personnel and agents on the University's non-discrimination Policy. The University does not discriminate in its educational programs and activities on the basis of age, race, ethnicity, national origin, color, religion, sex, gender identity, handicap, sexual orientation, genetic information, veteran or military status, physical or mental disabilities, or any other characteristic protected by institutional Policy or state, local, or federal law. Any University sponsored program or activity shall be non-discriminatory in hiring staff and/ or in enrolling/admitting minor attendees and shall comply with all applicable federal, state, and local laws and ordinances.

Any requests for accommodation received by any program or activity operating on UF's campus involving Minors should be coordinated with UF's Office of Facilities, Scheduling and Events and the Office of Accommodation & Inclusion (419-434-5532).

VII. RECORDS RETENTION

The University shall maintain documents related to the Program according to its records retention policies. Emergency Medical Forms will be kept until no longer needed by the University. Information regarding reports of abuse of a minor, including sexual abuse, will be maintained by the Title IX Coordinator for at least seven years according to the records retention practices of that office, or until the individual turns 19, whichever is longer.

VIII. ATTACHMENTS

Internal Programs:

Best Management Practices for Minors on Campus

Internal Program Registration and Approval Forms

Checklist for Programs with Minors

Roster Form

Online Training Requirements

UF Participant Agreement to Participate Form

UF Emergency Medical Form

External Programs

External Program Registration and Approval Form

External Best Management Practices for Minors on Campus

Checklist for Programs with Minors

Roster Form

UF External Program Acknowledgement Form