

Minors on Campus/Campus Events

Date Approved: June 11, 2013 by Senior Staff
Revised:
Reviewed:

I. Purpose

To provide for appropriate supervision of minors who are involved in university-sponsored programs, programs held at the University and/or programs housed in university facilities at all geographic locations.

II. General

Franklin Pierce University is committed to ensuring the safety and well-being of minors who visit our campuses and centers. The purpose of this Policy is to describe requirements placed on administrators, faculty, staff, students, volunteers and others working with minors – to ensure their protection, to fulfill our obligations as mandated by law, and to provide the best possible experience for any minor visiting our campuses, centers, or in university-related programs.

Franklin Pierce University hosts a wide variety of university sponsored or sanctioned activities for non-enrolled minors such as: camps; clinics; workshops; conferences; and other educational activities. The aforementioned activities are located both on-campus and off-campus under university supervision. This policy statement provides guidance related to the risk and safety of the non-enrolled minors and is intended for university personnel/departments involved in university sponsored/sanctioned activities involving minors

All programs and activities that involve minors in their activities will fall within the scope of this Policy including: programs operated by the university or 3rd party entities, programs taking place on campus and programs under the direction and authority of the university at locations off campus. This Policy applies to such programs and activities whether they are limited to daily activities or involve the housing of minors in residence halls.

Exceptions to this policy include: (1) undergraduate and graduate academic programs in which minors are enrolled for academic credit; (2) events on campus which are open to the general public and which minors attend at the sole discretion of their parents or guardians; and, (3) campus tours or visits by minors considered to be prospective students and families; and (4) other programs as may be designated from time to time by the a vice president or designee in advance and in writing as exempted from this policy.

III. Definitions

Adult - Any person 18 years of age or older.

Authorized Adult and/or Program Staff - Individuals, paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee minors in program activities, or recreational, and/or residential facilities. The Authorized Adults' roles may include positions as counselors, chaperones, coaches, instructors, etc. For the purposes of this policy the term "Program Staff" is also assigned this definition. This definition does not include temporary guest speakers, presenters and other individuals who have no direct contact with program participants other than short term activities supervised by program staff.

Direct Contact - Providing care, supervision, guidance or control of minors

Minor - Any person under 18 years of age who is not enrolled in a course(s) at the University.

One-On-One Contact - Personal, unsupervised interaction between any authorized adult and a participant without at least one other authorized adult, parent or legal guardian being present.

Program - Programs and/or activities offered by various academic or administrative units of the university, or by non-university groups using university facilities. This includes but is not limited to workshops, sport camps, academic camps, conferences, 4H or Cooperative Extension programs and similar activities.

Sponsoring Unit - The academic or administrative unit of the university which offers a program. The approval for any program dealing with minors must be provided by the Conference and Events Department.

Conference and Events Department – The department, within the University, that has responsibility to work with sponsoring units and third party organizations to approve camps, clinics, conferences etc.

University Facilities and Grounds - Facilities and grounds owned by, or under the control of, the university.

Housing Unit – An individual room, apartment, or townhouse within a residence hall owned by, or under the control of, the university.

IV. Policy

The following policy provisions apply to a sponsoring unit offering or approving a program which involves minors or provides university housing for minors participating in a program, or a non-university group being sponsored for a program, whether utilizing university housing or not:

A. Communication and Notification

1. The sponsoring unit shall establish an appropriate procedure for the notification of the minor's parent/legal guardian in case of an emergency, including medical or behavioral problem, natural disasters, or other significant program disruptions. Authorized adults with the program, as well as participants and their parents/legal guardians, must be advised of this procedure in writing prior to the participation of the minors in the program.
2. The sponsoring unit shall maintain a list of all program participants and a directory of program staff. This list shall include participant's name; local room assignment (if applicable); gender, age, address, and phone number(s) of parent or legal guardian, as well as emergency contact information.
3. The sponsoring unit shall provide information to the parent(s) or legal guardian(s) detailing the manner in which the participant can be contacted during the program.

B. Medical Treatment, Administration of Medicines and Emergency Services

1. The sponsoring unit shall obtain a **Medical Information and Release Form** for each program participant and program staff member, who is under the age of 18. All forms must include the following:
 - a. A statement informing the parent/legal guardian that the university does not provide medical insurance to cover medical care for the minor.
 - b. A statement authorizing the release of medical information and emergency treatment in case the parent/legal guardian/emergency contact cannot be reached for permission.
 - c. A list of any physical, mental or medical conditions the minor may have, including any allergies that could impact his/ her participation in the program.
 - d. All emergency contact information including name, address and phone number of the emergency contact.
2. The sponsoring unit shall obtain a **Self-Administration of Medication Form** and a **Consent for Over-the-Counter Medication Form** for each program participant. Forms should also be obtained for program staff members that are minors. Distribution of participants' medicines by program staff should be handled under the following conditions:
 - a. Program staff shall be responsible for reviewing all forms and assessing needs of each program participant.

Office of Human Resources ♦ Franklin Pierce University

- b. The participant's family provides the medicine in its original pharmacy container labeled with the participant's name, medicine name, dosage and timing of consumption. Over-the-counter medications must be provided in their manufacturers' container.
 - c. Program staff shall keep the medicine in a secure location, and at the appropriate time for distribution shall meet with the participant.
 - d. The program staff member shall allow the participant to self-administer the appropriate dose as shown on the container.
 - e. Parent(s) and/or guardian(s) are expected to make arrangements for the administration of any medicine that the participant cannot self-administer.
 - f. Devices for the self-administration of medications which are prescribed by a physician may be carried by the participant during program activities (Examples include personal "epi" pens and asthma inhalers).
 - g. Over-the-counter medications can only be administered with prior approval. Program staff should make reasonable efforts to have basic first-aid kits available if needed. Participants can self-administer over-the-counter medication that they bring themselves.
3. The sponsoring unit shall arrange for medical care appropriate for the nature of program activities including on-site emergency medical service coverage if needed.

C. Supervision of Minors and Access to University Facilities

1. Other than in cases outlined as follows, program staff should make every effort to ensure all activities involving minors are supervised by at least two authorized adults or by parent(s) or legal guardian(s) of the participants. Some of the factors to be considered in determining requirements for supervision are the number and age of participants, the activity(ies) involved, type of housing if applicable, and age and experience of the staff members. It is acceptable for an individual program staff member to provide program services to a group of participants (e.g., classroom instruction or outdoor activities) if the activity is conducted in an open or public area where the group is visible to others outside the group at all times. This includes classroom or meeting activities where open doors or windows allow for a clear line of sight.
 - a. In accordance with the American Camp Association, the ratio of program staff to program participants must reflect the gender distribution of the participants, and should, utilize the guidelines below. When the group has participants at various age groups, the default should be the lower age guideline.

1. Standards for residential camps are as follows:
 - One staff member for every five campers ages 4 and 5
 - One staff member for every six campers ages 6 to 8
 - One staff member for every eight campers ages 9 to 14
 - One staff member for every 10 campers ages 15 to 17
 2. Standards for day camps are as follows:
 - One staff member for every six campers ages 4 and 5
 - One staff member for every eight campers ages 6 to 8
 - One staff member for every ten campers ages 9 to 14
 - One staff member for every twelve campers ages 15 to 17
- b. Program staff shall assign a staff member who is at least 21 years of age to be accessible to participants. The staff member must reside in the resident hall or complex, if a residential camp. Additional authorized adults should be assigned to ensure one-on-one contact with minors does not occur and that appropriate levels of supervision are implemented.
- c. Training for the program staff must include, at a minimum, information about responsibilities and expectations; policies (including Title IX), procedures (including Clery), and enforcement; appropriate crisis/emergency responses; safety and security precautions; addressing medical emergencies; confidentiality issues involving minors; university responsibility/liability; protecting participants from abusive emotional and physical treatment; and on appropriate or required reporting of incidents of improper conduct to the proper authorities including, but not limited to, appropriate law enforcement authorities. Program staff must know how to request local emergency services and how to report suspected child abuse. This training must occur annually. All training shall be conducted by the unit sponsoring the event and all training schedules and material must be approved by the Human Resources Office.

The program director may enhance and/or modify the required training program to meet specific needs of the particular program or activity involved, in consultation with the Office of Human Resources, but any such enhanced or modified program must include all the elements described in this section. In addition, the program director shall arrange for sufficiently frequent training sessions to permit covered programs and activities to continue to function on a regularly scheduled basis.

- d. Responsibilities of program staff must include, at a minimum, informing program participants about safety and security procedures, university rules, rules established by the program, and behavioral expectations. Program staff is responsible for following and enforcing all rules and must

be able to provide information included herein to program participants and be able to respond to an emergency.

2. All supervised participants in a university program or a program taking place on university property are permitted in the general use facilities [e.g. athletic fields, public spaces, academic buildings] but may, as needed, be restricted from certain areas of the facilities [e.g. storage rooms, equipment rooms, athletic training rooms, staff/ faculty offices] or from utilizing certain equipment.

D. Program Rules of Conduct

1. Rules of Conduct

Program staff shall make available to participants and parents the rules and disciplinary measures applicable to the program. Program participants and staff must abide by all university regulations and may be removed from the program for non-compliance with rules. Participants and parents/guardians must complete the **Rules and Disciplinary Procedures Form**. If the specific program has additional rules or disciplinary procedures that are not outlined in this form they may create an addendum to this form. The following must be included in program materials and stressed during the program:

- a. Participants are not allowed to drive or ride in personal vehicles during the dates of the Program unless they receive specific permission to do so from the Program Director. While we understand that some participants will drive to the campus, our policy is that they must turn their car keys in to the Program Director for the duration of the workshop. Any vehicles parked on campus must have a University Parking Permit. Parking permits will be issued during on-site registration, and clear instructions will be given as to where parking is authorized. It will be the responsibility of the participant to secure a permit, properly place the permit in the vehicle, park the vehicle in an authorized space, and turn the keys in to the Program Director for safekeeping during the program. Neither Franklin Pierce University, nor the program staff, will be responsible for damage to vehicles or for any parking tickets, fines, or towing charges that result from violations.
- b. Participants are to remain on campus for the duration of the program unless program activities require otherwise. If a participant needs to leave campus for some reason, Program Directors must receive prior written permission from the parent or guardian, and grant specific permission.
- c. Campus regulations prohibit the use of alcohol and other illegal substances. Participants and Program Staff may not possess, use,

Office of Human Resources ♦ Franklin Pierce University

- distribute, or sell alcoholic beverages, drugs, firearms, weapons or fireworks.
- d. Coed visitation in the residence halls is permitted in the lobby areas only. The only people permitted in rooms are staff, members of the participant's immediate family, the participant's roommate and other participants of the same gender residing in that residence hall.
 - e. Participants must attend all workshops, classes, and planned social or recreational activities. Full participation is the only way a participant can gain real value from the Program.
 - f. Participants will abide by nightly curfews and “Lights Out” announcements from the Program Director or Program Counselors. Participants must be in their OWN room at lights out and remain there until morning. Any use of cell phones or other electronic devices is prohibited after ‘Lights Out.’
 - g. No violence, including sexual abuse or harassment, will be tolerated.
 - h. Hazing of any kind is prohibited. Bullying including verbal, physical, and cyber bullying are prohibited.
 - i. Participants must never misuse internet privileges. Attempting to access unauthorized sites is strictly prohibited.
 - j. The inappropriate use of cell phones, cameras, imaging, and digital devices is prohibited including use of such devices in showers, restrooms, or other areas where privacy is expected by participants.
 - k. Participants must abide by rules and guidelines set by the instructors for each facility in use.
 - l. Use of tobacco products will not be tolerated by participants or program staff in the presence of participants. Smoking is prohibited in **all** university buildings.
 - m. Any individual found tampering with any fire equipment (i.e. fire extinguishers, fire alarms, smoke detectors, etc.) will be dismissed from the Program immediately. Participants may not interfere with any security system or tamper with locks in participant rooms and other areas.
 - n. All furniture must remain unchanged and kept in place.
 - o. Vandalism and pranks will not be permitted. Any damages caused in rooms or common areas will be charged to the responsible party.

Office of Human Resources ♦ Franklin Pierce University

Replacement cost will be charged to anyone who removes or damages University property.

- p. Participants should keep their rooms locked at all times even if leaving the room for only a few minutes. Neither Franklin Pierce University, nor the camp staff, is responsible for lost or stolen items. A participant should take room key when leaving room. Those who lose a key must pay for a replacement. Leave excess money and valuables at home.

2. Program Disciplinary Procedures

Each participant has a reasonable expectation to enjoy a positive program experience. Therefore, the misbehavior of one participant, or a group of participants, should not be permitted to impact negatively on the program experience of others. Most programs are short in duration, so prompt action is required when problems occur. Parents and participants should be aware of the disciplinary policy.

First Offense: Participants failing to adhere to program rules, or exhibiting behavior clearly intended to annoy or endanger other participants, will be formally warned by a Program Counselor and informed that subsequent misbehavior will result in formal counseling by the Program Director.

Second Offense: Subsequent misconduct will result in counseling by the Program Director and a warning that further misconduct will result in removal from Program. At this point, the Program Director will contact the parent or guardian to advise him/her of the situation and the possible need for picking the child up from camp if there is further misconduct.

Third Offense: Any further inappropriate behavior will result in the expulsion from Program.

NOTE: FRANKLIN PIERCE UNIVERSITY EXPECTS EACH PARTICIPANT TO HAVE A SUCCESSFUL PROGRAM EXPERIENCE. ANY OF THE STEPS OUTLINED ABOVE MAY BE OMITTED OR REPEATED AT THE DISCRETION OF PROGRAM STAFF. PARTICIPANTS DISMISSED FROM PROGRAM FOR DISCIPLINARY REASONS WILL NOT RECEIVE A REFUND OF ANY FEES PAID TO ATTEND PROGRAM.

It should be understood this procedure is intended to provide a reasonable and consistent method for dealing with the type of behavior that can be disruptive to a program, but is not so egregious as to warrant immediate dismissal from the program. It in no way precludes immediate dismissal from the program for more serious disciplinary problems or violations of campus or program regulations. A serious disciplinary problem is defined as one in which the

program staff determines that a child is engaging in inappropriate behavior that includes, but is not limited to the following: actions which put the participant, other participants, or program staff member's safety in jeopardy; physical, emotional, or electronic harassment/harm against self, program staff or fellow program participants; inflicting physical or emotional harm on self or others, vandalism or destruction of University property; theft of University property or the property of another participant; consistently disrupting the program; possession of alcohol, drugs, or weapons; fighting; sexual harassment; or behavior that is serious enough to warrant a third offense.

E. Liability

1. Program staff shall obtain a **Media, Photo & Video Release Form** and **Liability Release** as part of the program registration process. All data gathered shall be confidential, and shall not be disclosed, except as provided by law.

F. Background Checks

1. All employees hired by the University will complete a background check through Human Resources prior to their start date.

Employees working with minors will be checked against the data base for the New Hampshire State Criminal Record and the Sex Offender Registry Board, which requires two weeks to complete and all forms for this check must be notarized. Employees who do not complete this background check may not work for the University.

2. This background check must be reviewed and approved by Human Resources prior to being hired and/or engaged in working with minors and at least once every three (3) years thereafter. Employees that are rehired within a three year period after their original hire date do not need a background check if one is currently on file with Human Resources.
3. It is the responsibility of the person in charge of the program or activity at the university to assure that each authorized adult has received clearance to participate. Human Resources will maintain a roster of individuals who have been cleared to participate and the dates on which a new background check will be required.
4. All individuals with direct contact with minors must complete the university background check process. This includes current employees with direct contact with minors who have not previously had a background check completed, as well as all student employees with direct contact with minors whether paid or unpaid.

5. A decision not to permit an individual to participate in a program or activity covered by this Policy based on the results of a background check will be made by the Director of Human Resources after consultation with the appropriate university officials. Results of background checks conducted under this Policy will be used only for the purposes of this Policy, except that the university reserves the right to take appropriate action with respect to employees who may have falsified or failed to disclose information material to their employer on employment applications uncovered as a result of the background check, including and up to immediate termination of employment. Copies of background check reports will be retained in Human Resources.
6. All contracts for the services of independent contractors that will be in direct contact with minors must include a provision assuring that the employees of such independent contractors or the contractor (in the case of a solo contractor) has complied with, at a minimum, background checks and training comparable to those required by the university under this Policy.

H. University Housing

1. If applicable, require the program to adopt and implement rules and regulations for proper supervision of minors in university housing. The following must be included:
 - a. Written permission signed by the parent/guardian for the minor to reside in university housing.
 - b. A curfew time which is age-appropriate for the participants, which in no case shall be later than midnight.
 - c. In-room visitation to be restricted to participants of the same gender.
 - d. Guests of participants (other than a parent/legal guardian and other program participants) are restricted from visitation.
 - e. The program must comply with all security measures and procedures specified by University Housing and Campus Safety Department.

I. Notification of Abuse and Code of Conduct for Authorized Adults

1. If a program participant discloses any type of assault or abuse (at any time previous to, during or after the program), or an Authorized Adult has reason to believe that the participant has been subject to such assault or abuse, the Authorized Adult, as a mandatory reporter, must immediately call 911 or the local law enforcement agency and notify the director of the program. The Program Director must then notify campus safety and human resources and assure that the local law enforcement agency has been contacted. If the

program director is involved the authorized adult should contact human resources. If there are any questions the summer conference and events office can assist.

Authorized adults must make all reasonable efforts to ensure the safety of minors participating in programs and activities covered by this policy, including removal of minors from dangerous or potentially dangerous situations, irrespective of any other limitation or requirement. If an allegation of inappropriate conduct has been made against an authorized adult participating in a program, s/he shall discontinue any further participation in programs and activities covered by this policy until such allegation has been satisfactorily resolved.

2. Authorized Adults should behave professionally and maintain the highest standards of personal behavior at all times. Authorized adults participating in programs and activities covered by this Policy shall **NOT**:
 - a. Have one-on-one contact with minors in a private setting: there must be two or more authorized adults present during activities where minors are present. Authorized adults shall not have any direct electronic contact, including social media, with minors without another authorized adult being included in the communication. Authorized adults should be aware of situations in which actions can be misconstrued or manipulated by others (for example, being alone with the last child to leave a class); conduct all dealings with children in a public environment as much as possible, in order that all behavior can be readily observed.
 - b. Enter a minor's room, bathroom facility, changing area, shower area or similar area without another authorized adult in attendance, consistent with the policy of not having one-on-one contact with minors in a private setting. Never spend time alone with a child away from others. Minors should use a "buddy system" or otherwise be encouraged to stay together when going to the bathroom, on field trips, or when leaving the classroom area.
 - c. Share rooms with minors. Separate accommodations for adults and minors are required other than the minors' parents or guardians. Minors should be placed in accommodations that allow for a locked door between themselves and program staff. Program staff should not enter the room of a minor without another authorized adult present.
 - d. Engage in abusive conduct of any kind toward, or in the presence of, a minor.
 - e. Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any minor.

Office of Human Resources ♦ Franklin Pierce University

- f. Engage in rough or sexually provocative games, including horseplay.
- g. Allow any inappropriate touching, including between children.
- h. Swear, use or respond to sexual innuendo or make sexually suggestive comments.
- i. Pick up minors from or drop off minors at their homes, other than the driver's child(ren), except as specifically authorized in writing by the minor's parent or legal guardian. Two authorized adults should be in a vehicle with a minor if transportation is needed.
- j. Neither use nor provide alcohol or drugs to any minor. Authorized Adults shall not use nor 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. Participants' medicines may be distributed by program staff, following the conditions outlined in this document.
- k. Make sexual material in any form, including printed and electronic, available to minors participating in programs or activities covered by this Policy or assist them in any way in gaining access to such materials.
- l. Share a bed or sleeping bag with a minor.
- m. Shower, bath, or undress with or in the presence of minors.
- n. Favor one child more than another; do not give gifts to any one child in a program; do not accept gifts over \$25.00 from any child in the program.
- o. Tell children "this is just between the two of us" or use similar language that encourages children to keep secrets from their parent/guardians.

J. Camps and Programs Directed by Non-University Entities

- 1. From time to time, non-university camps and other educational programs or activities will be hosted on the university campus through the conference and events department. The relationship of the non-university party and Franklin Pierce University host must be captured in an agreement signed by both parties.

The agreement must include the following delineated requirements from the non-university entity to ensure the safety of minors:

Office of Human Resources ♦ Franklin Pierce University

- a. Non-campus entity must provide a process to collect and distribute forms and policy information to participants and participant's parent/guardian.
 - b. Non-campus entity must provide at least one administrative program director with responsibility for the operation of the camp or program.
 - c. Non-campus entity must provide a list of program participants and a directory of program staff. This list shall include participant's name; local room assignment (if applicable); gender, age, address, and phone number(s) of parent or legal guardian, as well as emergency contact information
 - d. Non-campus entity must provide policy and procedures on that are comparable to the Franklin Pierce University Policy on Minors for the following categories:
 1. Medical treatment, administration of medication, and emergency services.
 2. Staff to participant ratios.
 3. Training of program staff.
 4. Responsibilities of program staff.
 5. Participant rules and disciplinary measure.
 6. Background checks for staff.
 7. Policy on housing.
 8. Code of Conduct for authorized adults
 9. Notification of abuse policies.
2. The parties must contractually agree that the third party is an independent contractor using the facilities of Franklin Pierce University to conduct a program. Nothing contained in the agreement or in the activities conducted shall constitute either party to be the agent, servant, or employee of the other party, nor create a partnership or joint venture relationship between the parties, and each party shall be fully and solely responsible for its own activities and obligations.
 3. Authorized personnel/signatories for non-university groups using university facilities must provide to the sponsoring unit satisfactory evidence of compliance with all of the requirements of this Policy at least thirty (30) days prior to the scheduled use of university facilities