



Policy: Minors on Campus	Policy Number: II-6
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- I. **POLICY:** Fostering a safe and healthy environment for Minors is essential to the fulfillment of John Carroll University’s Jesuit Catholic 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 Campus Police or other law enforcement authorities.

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 offered or sponsored by any academic or administrative unit of the University, whether on University property or at an off-campus location. 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.

The Policy does not apply to 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. However, 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.

- 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 John Carroll University'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 in the workplace, 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**: All faculty, staff and students of John Carroll University

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 - who have, or are likely to have, responsibility for the care, custody, or control of a Minor must 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 regulations 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 the Student Code of Conduct while on campus; and such other similar one-time or ongoing programs as may be designated from time to time by the appropriate Vice President in advance and in writing as exempt from this Policy.

- E. External Program.** Any Program (as defined above) 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 Vice President(s) as responsible for coordination, planning, implementing, and/or committing the use of University facilities for the Program. 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.
- B. Authorized Adult Conduct Requirements.** 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; or
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 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. 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 Vice President(s).

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.** In lieu of a Program Registration/Approval Form, External Programs that operate on University property must complete all required facility use agreements, 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. John Carroll University Police Department (“JCUPD”) 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 JCUPD is required.
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 JCUPD, the Office of Legal Affairs, and then the Vice President 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 JCUPD and/or emergency responders as may be appropriate under the circumstances.
4. Program Suspension. Until any allegation of inappropriate conduct against a Program is satisfactorily resolved, the University shall suspend that Program. The appropriate Vice President, in consultation with the University’s Risk Manager and Office of Legal Affairs, shall evaluate the suitability of reinstating the Program.

F. 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 appropriate Vice President and/or 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 <http://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 appropriate Vice President(s), in consultation with others including JCUPD, the Office of Legal Affairs, and Human Resources as needed.
 4. Sanctions.
 - a. Ejection. Minors and Authorized Adults not meeting University community conduct standards will be asked to leave the campus.
 - b. Program Termination. Programs in violation of this policy may be suspended or denied permission to continue operation at the University.
 - c. 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 (persona non grata and/or trespassing warning) also may be pursued.
 - d. Criminal Prosecution. Suspected violations of law will be referred to law enforcement authorities and may result in criminal prosecution.

G. 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 who have, or are likely to have, responsibility for the care, custody, or control of a Minor must 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 Vice President(s) or designee(s).

VI. CROSS REFERENCE:

VII. ATTACHMENTS: