

UNIVERSITY OF TOLEDO

SUBJECT: MINORS ON CAMPUS

Procedure No: RM-08-019

PROCEDURE STATEMENT

The University seeks to promote the safety and welfare of minors who participate in all University programs.

PURPOSE OF PROCEDURE

This procedure describes the requirements placed on units offering University programs, requirements placed on all faculty, staff, or volunteers working with the program. Exceptions to this procedure are documented in Section (D) of the University of Toledo [Policy #3364-10-17 "Minors on Campus"](#). Further, this procedure informs all University community members about required reporting relating to known or suspected abuse or neglect of minors.

RESPONSIBILITY

This procedure applies to all University faculty, staff, students, volunteers or others working in a University program. Section (E)(4) of the University of Toledo [Policy #3364-10-17 "Minors on Campus"](#) regarding mandatory reporting applies to all University employees, regardless of their association with a University

DEFINITIONS

Minor: an individual under the age of 18.

Faculty, staff, or volunteer: any person who is employed by, contracted by, or has volunteered for the University to serve or work in a University program.

Participant: any minor participating in a University youth program.

Unit: any academic, administrative, athletic, or other college, school, program, department, division, office, or other part of the University.

University program: any program, event, operation, endeavor, or activity offered, operated, conducted, or organized by any University unit that includes minors, regardless of the source of funding for the program. This excludes those activities documented in Section (D) of the University of Toledo [Policy #3364-10-17 "Minors on Campus"](#).

PROCEDURE

1. Before a University program is to begin, the unit must submit to Risk Management information about the scope, type of activities, and anticipated age of minors who will attend.

Additionally, the unit must develop materials and procedures to be shared with the parent/legal guardian of participants before or on the first day of the University program. These must include at minimum:

- a. Information on how requests for accommodation may be made by or on behalf of participants with disabilities;
 - b. Procedures for notifying a minor's parent or legal guardian in case of emergency, including medical or behavioral situations;
 - c. Information for parents/legal guardians on how to contact the minor during the program;
 - d. University program rules, including conduct expectations for participants in the program;
 - e. Process to be followed if a participant is alleged to have violated University policies or conduct rules of the program, including the process for dismissal from the program;
 - f. A description of the process to be used for the parent, legal guardian, or other approved adult to pick up the participant if the participant at the conclusion of the day or program or when the participant is dismissed from the program early;
 - g. Copies of and evidence of compliance with any additional requirements imposed by a sponsoring or affiliated entity.
2. Copies of forms used.
 3. Housing procedures (if applicable)
 4. Faculty, staff, or volunteer requirements. At least 5 days before a University program is to begin, the unit must submit to Risk Management the following:
 - a. Background check. Confirmation that all faculty, staff, or volunteers passed a background check meeting the requirements of section (E)(4) of the University of Toledo [Policy #3364-10-17 "Minors on Campus"](#).
 - b. Training. Confirmation that the University's "Protecting Children: Identifying and Reporting Sexual Misconduct" online training was completed by all faculty, staff, or volunteers within the 12 months preceding the University program, including copies of all certificates of completion for each faculty, staff, or volunteers. The successful completion of requirements (1), (2), (3), and (4) (a) above will trigger the assignment by Risk Management of this training course.
 - c. Rules. Signed confirmation that each faculty, staff, or volunteer received a copy of, acknowledged, and agreed to comply with and enforce, within the 12 months preceding the University program:
 - (i) University program's rules for participants
 - (ii) the rules for University program faculty, staff or, volunteer conduct
 - (iii) emergency procedures
 - (iv) reporting obligations

5. Participant requirements. On or before a minor begins participation in a University program, the minor's parent or legal guardian must have completed in their entirety all forms required by the unit and University. At minimum these will include:
 - a. Medical authorization
 - b. Form authorizing or denying permission to use images of the participant in media and/or advertising
 - c. Information and consent form (parent/guardian contact, emergency contact)
 - d. Signed acknowledgement of receipt of program rules and contact persons
 - e. A list of adult persons authorized to pick up the participants.
 - f. If there are athletic activities involved, the Ohio Department of Health's concussion and head injury information sheet must be provided to the parent or legal guardian of the minor. The parent or legal guardian must sign that they have received it.

6. University program rules. The following rules must be enforced by the unit with respect to all program faculty, staff, or volunteers.
 - a. Ensure adequate adult supervision of minors during the program at all times. Supervision must be by adult faculty, adult staff, or adult volunteers.
 - b. Ensure all University policies are followed at all times.
 - c. Ensure the following University program rules are followed:
 - i. Faculty, staff, or volunteers are prohibited from being alone with a minor. Another faculty, staff, or volunteer must always be present. "Being alone with a minor" is defined as:
 - i. alone in a room,
 - ii. 30 yards away from others (outside), or
 - iii. within 30 yards but with no visual contact with others (outside)
 - ii. Romantic or sexual activity with minors or in the presence of minors is prohibited. Faculty, staff, or volunteers are prohibited from engaging in any romantic or sexual activity, sexual jokes, sexual comments, or sharing with or assisting a minor with obtaining sexually explicit material.
 - iii. Faculty, staff, or volunteers are prohibited from transporting minors unless using a chartered transit service (such as a bus or limousine service).
 - iv. Faculty, staff, or volunteers are prohibited from engaging in any violence or abusive conduct of any kind in the presence of or directed at a minor.

- v. Hazing is absolutely prohibited. Faculty, staff, or volunteers may not do or permit anyone else to do any act or coerce another to do any act of initiation that causes or creates a substantial risk of causing mental or physical harm to any person. For purposes of this policy, hazing is any act or situation, which endangers the mental or physical health or safety of a person, for the purpose of initiation, admission into, affiliation with, or as a condition of continued membership, regardless of one's willingness to participate. Hazing occurs if an individual or group causes or attempts to cause physical injury or other harm to a person emotionally, or:
 - i. engages in conduct, which presents a threat to the person's health or safety
 - ii. engages in an action or activity, which is intended to demean, disgrace, humiliate, or degrade a person
 - iii. engages in conduct that by design or intent interferes with or attempts to interfere with a person's academics, or causes, pressures, or requires a student to violate the law
- vi. Faculty, staff, or volunteers may not permit bullying of any program participant. For purposes of this policy, bullying is any intentional written, verbal, electronic, or physical act that a student has exhibited toward another particular student more than once and the behavior both: causes mental or physical harm to the other student; and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive environment for the other participant.
- vii. Faculty, staff, or volunteers should not have any personal electronic communications with participants (including but not limited to email, text, phone call, Facebook or other social media) except and unless there is an educational or programmatic purpose and the content of the communication is consistent with the mission of the program.
- viii. Faculty, staff, or volunteers may not meet participants off-site or off-hours, and may not invite them to their homes unless there is a pre-established relationship begun outside of the University program.
- ix. Faculty, staff, or volunteers may not give personal gifts to participants.
- x. Faculty, staff, or volunteers may not possess, consume, or be under the influence of, or provide to participants alcohol, marijuana, or illegal drugs at any time the staff or volunteer has responsibility over participants;
- xi. The University prohibits the use by anyone, including program participants, of cameras, imaging or digital devices in showers, restrooms, locker rooms, or other areas where privacy would reasonably be expected by program participants. In the event such activity is suspected or has occurred and a minor is believed to have been filmed), the digital device must immediately be confiscated and immediately provided to the police.

- xii. Faculty, staff, or volunteers may not shower, bathe, or undress with or in the presence of minors.
- xiii. Faculty, staff, or volunteers may not possess a weapon or firearm on their person or in their belongings at the program.
- xiv. Faculty, staff, or volunteers may not hit, strike, administer corporal punishment to, or touch in an inappropriate or illegal manner any minor.
- xv. Any faculty, staff, or volunteer accused of violating these rules, or accused of any inappropriate conduct at the University is prohibited from continuing as a faculty, staff, or volunteer in the University program until the allegation has been satisfactorily resolved. If such an allegation is made, the faculty, staff, or volunteer will be immediately removed from participation in the program until the allegation has been satisfactorily resolved.

d. If on-campus housing is provided, additional rules apply:

- i. Separate accommodations for minors and adults who are not the minor's parents is required;
- ii. In-room visits are limited to participants of the same gender;
- iii. Visits by guests who are not participants, staff, or volunteers is limited to visits in the lobby or lounge, and are limited to hours established by the program;
- iv. Faculty, staff, or volunteers may not enter a participant's room without the presence of another staff member.
- v. If a minor participant requires medical attention during the program, a chaperone must be present. A chaperone may be a medical professional, parent, guardian, or a UT faculty or staff member as appropriate.

7. Unit obligations after program

Maintain records of the program that demonstrate compliance with this policy.

Source: Risk Management and Institutional Compliance Departments

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6/13/19