

 WEBER STATE UNIVERSITY	PPM 5-37, Minors on Campus
	Responsible Office: University Risk Management Office

1.0 PURPOSE AND SCOPE

This policy provides requirements for the safety and protection of minors who are participating in University-sponsored or co-sponsored programs, or programs operated by non-University entities on University premises.

This policy applies to all University faculty, staff, (regardless of FTE or permanent or temporary employment status) interns, students, volunteers, vendors, authorized adults, and other individuals who use University premises. The University requires all members of the university community to adhere to and act in accordance with this policy.

2.0 REFERENCES

- 2.1 PPM 3-32, Discrimination, Harassment, and Sexual Misconduct (including Title IX)
- 2.2 Utah Code Ann. § 62A-4a-403

3.0 DEFINITIONS

3.1 Authorized adult - An individual who is 18 years of age or older, who is authorized to care for, interact with, supervise, chaperone, or otherwise have access or contact with minors in a covered program. Authorized adults include individuals who are faculty, staff, students, volunteers, non-University staff, vendors, contractors, or other adults that operate a covered program. Authorized adults do not include individuals who are functioning exclusively in a participant capacity in a covered program, such as admitted students participating in an admitted student event or campers attending an athletic camp even though such participants may be 18 years of age or older.

3.2 Covered program - A program or activity that is specifically designed for minors as the participants, that is offered or sponsored by any academic or administrative unit of the University, (whether held on or off University premises) or by a non-University entity operating on University premises that has supervisory responsibilities for minors as participants. Examples of covered programs include day or overnight athletic, academic or recreational camps, conferences, workshops, and extension programs.

Covered Programs do not include:

3.2.1 University undergraduate or graduate academic programs in which students who are enrolled at the University or another institution of higher education are the only minors participating in the programs. Students who are “concurrently enrolled” in University credit-granting courses while also enrolled in elementary, middle and/or high school are not included in this policy unless participating in a covered program separate from their concurrent enrollment activities;

3.2.2 University residential housing programs where the only minors participating in the program are (i) University undergraduate or graduate students; or (ii) dependents of University students or employees residing with the student/employee in University residential housing for families;

3.2.3 University events, such as festivals, athletic events, lectures, concerts, or other educational or entertainment events held on University premises that are open to the general public or other general segment of the population and where minors may be present or participate at the sole discretion of their parent or legal guardian and are not in the custody or care of University or event staff;

3.2.4 Kindergarten through 12th grade school groups visiting campus for the purpose of conducting campus tours or solely as patrons of educational or entertainment events and are in the care and custody of the school’s touring or visiting staff;

3.2.5 University programs that engage in the delivery of clinical health care or counseling services which are governed by regulations and legal reporting requirements unique to their clinical activities;

3.2.6 University programs where the only involvement of a minor is in their capacity as an employee.

3.2.7 Research programs that are subject to the Institutional Review Board guidelines, policies, and oversight for research involving human subjects.

3.3 Minor - A person under 18 years of age.

3.4 Program Director - The person who is in charge of a covered program.

3.5 University Premises - Land or facilities owned by or under the control of the University.

3.6 One-on-one interaction - Personal, unsupervised interaction between any adult and a participant without at least one other Authorized Adult, parent or legal guardian being present.

4.0 POLICY

4.1 Registration and Risk Management Plan

4.1.1 The program director, whether the covered program is sponsored by the University or a non-University entity, shall register the covered program with the University Risk Management Office (RMO) and the Department of Public Safety (DPS) within sufficient time to meet the requirements of this policy. A covered program must identify and maintain an accurate list of all authorized adults within the covered program.

4.1.2 The program director shall provide a risk management plan to the RMO, providing all information required by the RMO and the DPS. The risk management plan shall include, at a minimum, a description of the physical space used by the covered program and measures and safeguards to limit access to non-public spaces where there may be opportunity for an adult to be alone with a minor without observation. When, in limited circumstances, the covered program permits one-on-one interaction, the risk management plan shall include a description of measures and safeguards to provide for the minor's safety. The program director must provide updates to the risk management plan whenever there is a significant change in the program or as requested by the RMO or the DPS. Activities of covered programs may not be conducted overnight unless permission is granted by the responsible vice president and coordinated by the RMO and DPS in compliance with a risk management plan addressing risks.

4.1.3 The RMO and the DPS shall review all risk management plans to assess protective measures and safeguards. The RMO with the assistance of from the DPS shall create processes and rules that require covered programs to have protective measures in place, which may include appropriate insurance, background screenings, participant consent/waiver forms, rules regarding transportation, supervision ratios in accordance with [Appendix A](#), agreements outlining obligations and indemnification of the university, trainings, and codes of conduct, that include information as described below.

4.2 Mandatory Training for Authorized Adults

All authorized adults, including the program director, whether the covered program is sponsored by the University or a non-University entity, shall receive information regarding appropriate and prohibited conduct with minors, child abuse awareness and prevention, and reporting obligations and processes. Such information will be made available to program director by RMO and the DPS.

4.3 Code of Conduct

Authorized adults should be positive role models for minors participating in covered programs and conduct themselves in a respectful, honest, and caring manner. Authorized adults will be required to adhere to a code of conduct created by the RMO and DPS. The code of conduct should include elements that prohibit authorized adults from engaging in the behaviors outlined in Appendix B.

4.4 Non-Covered University Programs

University departments and programs that engage with minors outside of the context of a

covered program should, in appropriate circumstances:

4.4.1 Participate in training about appropriate conduct with minors, child abuse awareness and prevention, and reporting obligations and processes; and

4.4.2 Conduct criminal background and sex offender registry checks of employees and volunteers who may have access to minors consistent with University policy and State law.

4.5 Reporting Obligations for the Safety of Minors

4.5.1 Utah State law includes a mandatory reporting obligation that requires any person who “has reason to believe” that a minor has been subjected to abuse or neglect, including sexual abuse, to immediately notify the Utah Division of Child and Family Services or the nearest peace officer or law enforcement agency. Utah Code Ann. § 62A-4a-403.

4.5.2 University policy mandates reporting consistent with state law obligations. The state law reporting obligations extend to all faculty, staff, students, volunteers, and authorized adults, whether or not they are involved in a covered program, with limited exceptions for applicable counselors.

4.5.3 In case of emergencies, immediately call the Weber State University Police Department at 801-626-6460 or 911.

4.5.4 To report known or suspected abuse or neglect of a child, contact the Utah Division of Child and Family Services Hotline or other police department that would have jurisdiction over the location of abuse or neglect.

4.5.5 In addition to state law mandated reporting, reports of known or suspected child abuse or neglect by authorized adults and/or on university premises or violation of University policy related to abuse of minor shall also be made to the University’s Police Department and to the AA/EO office, consistent with PPM 3-32.

4.5.6 If University faculty, staff, student, volunteer, or an authorized adult has reason to believe that an authorized adult has engaged in conduct that violates the code of conduct, the known or suspected violation shall be reported immediately to the RMO and DPS.

4.5.7 The University prohibits retaliation against any person who in good faith makes a report of abuse under this policy. The University also prohibits the intentional filing of false reports.

4.5.8 The confidentiality of a report made to the AA/EO office or the Women’s Center of suspected abuse or neglect, including the identity of the person making the report, the person suspected of abuse or neglect, and the child who may have been abused or neglected, will be protected to the extent permitted consistent with the University’s legal obligations.

4.6 Failure to Comply

Failure to comply with the requirements set forth in this policy may lead to disciplinary action, denial of use of University premises, revocation of permission to use University premises, or exclusion of individuals from participating in programs.

APPENDIX A
Supervision Ratios

It is important to have appropriate supervision in place to assist with the safety of our participants and the quality of our programs. The following is a general guideline:

Participant Age	Number of Staff	Overnight Participants	Day-Only Participants
5 years and younger	1	5	6
6-8 years	1	6	8
9-14 years	1	8	10
15-18 years	1	10	12

Decisions regarding supervision ratios for specific programs will be made by University Risk Management and Public Safety.

APPENDIX B

Code of Conduct for Authorized Adults

Authorized adults may not engage in the following types of behaviors:

4.3.5.1 Engaging in abusive conduct toward, or in the presence of, a minor.

4.3.5.2 Using any form of physical or corporal punishment to discipline a minor. If restraint is necessary to protect a minor or other minors from harm, all incidents must be documented and disclosed to the program director, the RMO and DPS, and the minor's parent/guardian.

4.3.5.3 Engaging in any sexual activity, make sexual comments, telling sexual jokes, or sharing sexually explicit material (or assist in any way to provide access to such material) with minors.

4.3.5.4 Engaging in romantic, sexual, or related conversations with minors.

4.3.5.5 Communicating electronically with minors unless there is an educational or programmatic purpose and the content of the communication is consistent with the mission of the covered program and the University, and authorized under the risk management plan. This includes email, text messages, social networking websites, internet chat rooms, or other forms of social media. If communicating electronically is necessary, another authorized adult shall be copied on the communication. All communications must be preserved; communication systems that do not allow preservation of communications may not be used.

4.3.5.6 Communicating with a minor participant after the covered program has concluded, unless the communication is conducted with the knowledge and permission of the minor's parent/guardian.

4.3.5.7 Touching minors in a manner that a reasonable minor or person could interpret as inappropriate or that is prohibited by law. Touching, when necessary, should be appropriate, public and non-sexual. It should be in response to the minor's needs and/or for a clear health related (i.e., treatment of an injury) purpose. Any resistance from the minor to touch, unless necessary to stop immediate harm to others or to assist in rendering urgent or emergency medical treatment, should be respected.

4.3.5.8 Being alone with a minor, unless the one-on-one interaction is authorized under the risk management plan. When one-on-one interaction is authorized, whenever possible, the interaction should be in a public space or space that permits observation. An authorized adult should never be in a locked room with a minor unless there is an emergency situation.

4.3.5.9 Meeting with a minor outside of established times for covered program activities. Any exceptions require written authorization from the program director and the parent/guardian.

4.3.5.10 Inviting a minor to the authorized adult's home or engaging in an overnight visit with the minor. Any exceptions require written authorization from the RMO and the parent/guardian, with safeguards as approved in the risk management plan.

4.3.5.11 Using, possessing, or being under the influence of alcohol or illegal drugs while on duty or when responsible for a minor's welfare.

4.3.5.12 Transporting a minor in a vehicle unless more than one authorized adult is present in the vehicle, and consistent with the transportation requirements of Risk Management.

4.3.5.13 Transporting a minor in a vehicle for personal reasons not related to the covered program, unless there is written authorization from the program director and the minor's parent/guardian.

4.3.5.14 Accepting from or giving gifts to minors without the knowledge of the minor's parent/guardian.