

## 3357:13-12-30 Minors on Campus Policy

### (A) Purpose of Policy

- (1) As part of its educational mission, North Central State College sponsors programs and activities that are specifically for minor children or in which minor children participate. The College also makes its facilities available to outside groups and organizations that conduct programs that are directed towards or that include minor children. The College is committed to providing a safe environment for all members of the College community as well as all those who participate in programs and activities on campus or who use or visit campus facilities. Because minor children are a particularly vulnerable population, this Policy has been adopted to address the special concerns when minor children participate in College sponsored activities or other activities utilizing College Facilities.
- (2) While the primary purpose of this Policy is to protect minor children, adherence to this Policy will also serve to protect members of the College community and other adults participating in programs involving minors from false allegations of abuse.
- (3) It should be noted that while this Policy includes general guidelines for the protection of minors at events to which the general public is invited (such as entertainment), it is the College's expectation that parent(s) or legal guardian(s) shall be primarily responsible for providing appropriate supervision and oversight of minors in these situations.
- (4) This Policy is to be used in conjunction with other College policies concerning specific areas involving minors.

### (B) Definitions

- (1) Minor. A person under the age of eighteen (18) who is not enrolled or accepted for enrollment at the College.
- (2) College Facilities. Facilities owned by, or under the control of, the College.
- (3) College Programs. College Programs are those activities offered or sponsored by academic or administrative units of the College that are specifically designed for participation by minors, including by way of illustration mentoring and education programs, workshops, sport camps, academic camps, conferences, pre-enrollment visits and similar activities.
- (4) Non-College Programs. Those Programs specifically designed for participation by minors that are offered by non-College groups using College Facilities through a contract, license or other written agreement with the College. For purposes of this Policy, Non-College Programs also include programs and visits by elementary and high school students as part of the school's curriculum where the students are accompanied and supervised by their teachers or school-supplied chaperones, even though the College may provide some or all of the activities or programs provided to students during the visit.

- (5) Program Support Services. Those facilities and services, such as housing, dining and recreational facilities, that are available for use by College and Non-College Programs.
- (6) Sponsoring Entity. In the case of a College Program, the academic or administrative unit of the College that offers the College Program. For Non-College Programs, the entity, organization or person that is contracting for the use of College Facilities for the Non-College Programs.
- (7) Responsible Adult. Individuals, age 18 and older, paid or unpaid, who supervise, chaperone, or are otherwise responsible for or oversee minors in College and Non-College activities. This includes but is not limited to faculty, staff, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and independent contractors/ consultants. The Responsible Adults' roles may include positions as counselors, chaperones, coaches, instructors, and the like.
- (8) One-On-One Contact. Personal, unsupervised interaction between an adult and a minor participant without at least one other adult, parent or legal guardian being present. For purposes of this definition, another adult will be deemed "present" if he/she is within line of sight of the adult interacting with the minor.
- (9) Buddy System. An operating policy in which each minor participant is assigned one or more "buddies" for the duration of any Program. Minor participants engage in all aspects of the Program with their assigned buddy (or buddies) to enhance participant safety and the ability of the Program to continuously account for all participants.

#### (C) Protection of Minors on Campus Who Are Not Participating in Programs

The College's campuses and facilities are generally not an appropriate environment for minors unless they are matriculated students or enrolled in a College Program specifically designed for children and appropriately supervised by their parent(s) or legal guardian(s) or by adults with the proper training and credentials. Moreover, certain locations, such as laboratories, shops, mechanical rooms, power plants, garages, food preparation areas, areas containing power tools or machinery with exposed moving parts, and other "safety sensitive" areas are inherently hazardous to any untrained or unauthorized persons and especially children. Accordingly, the following policies shall apply to any minor present at a College Facility who is not participating in a Program:

- (1) No minor under the age of 14 may be left alone on campus at any time for any reason; the local Police Department will be notified if a minor, under the age of 14, is left unattended on campus or at a College event. Line of sight supervision of such minors by a parent or guardian is required at all times. The parent or guardian must assure the minor under the age of 14 is not disruptive to others and any such situation should be brought to the attention of the parent or guardian. The College retains the right to require those visitors who are unwilling or unable to exercise appropriate supervision over minors to leave College Facilities. Minors 14 and above shall be held to the same standards of conduct that apply to all other members of the College community.

- (2) Generally, students may not “babysit” minors, including relatives in College Facilities. Minors should not accompany students to class, exceptions may be made on a case-by-case basis at the discretion of the faculty and approval of the supervisor.
- (3) Except as part of a College Program, such as “Bring Your Child to Work Day,” or brief visits, minors should not accompany a parent or guardian to work. If in the event of unforeseen circumstances, a parent or guardian must bring a child to campus then the following rules apply:
  - (a) The supervisor or department head should be notified of the child’s presence.
  - (b) Children may not be left unattended or with another employee at any time.
  - (c) Children must be in the physical presence of and under the control of their parent/guardian at all times.
  - (d) Children cannot interrupt or interfere with the employee’s responsibilities and may not disrupt any College function.
  - (e) Children may not ride in any College motorized vehicles, including golf carts.
  - (f) Children who are ill must not be brought to campus.
  - (g) Parents and guardians who bring children to campus assume and accept full responsibility for all aspects of the child’s behavior, including safety, unauthorized or inappropriate use of College resources, any damages to persons or to property.
  - (h) Children may not have access to any confidential or FERPA protected information or meetings, etc.
- (4) Minors, unless enrolled in a Program that requires their presence in, are absolutely restricted from “safety sensitive” areas such as laboratories, machine shops, mechanical rooms, steam plant, construction areas, maintenance garages, animal care or research facilities, food preparation areas, security areas and areas from which the general public or students are denied access.
- (5) The College does not provide emergency childcare, and no College space may be used as an alternative to childcare, including but not limited to libraries, classrooms, laboratories, residence halls, lounges, restaurants or any other public space. Students are expected to have appropriate childcare arrangements; students may contact the office of Student Services for referral. An instructor may give permission for a non-resident student who has an emergency to bring a minor to a non-laboratory class on a per-incident basis if:
  - (a) the child is not ill; and

(b) the child is in the physical presence of and under the control of their parent/guardian at all times. Children cannot interrupt or interfere with the student's responsibilities and may not disrupt any College class or function.

- (6) A dean, head of a department, Vice President, Director, or police officer may deny permission for any child to be on campus if the child has been left unattended, is disruptive or for other violations of this Policy.

#### (D) Protection of Minors in College Programs

The following requirements are applicable to all College Programs except where noted. Specific requirements shall also apply to personnel involved in Program Support Services in those circumstances in which they come into contact with minors in providing services to a Program. All College Programs shall complete and file a Registration Form with the Vice President of Academic Services not less than thirty (30) days prior to the first scheduled date of participation by minors.

#### (E) Requirements for Permissions, Medical and Contact Information

- (1) For all College Programs in which parent(s) or legal guardian(s) will not, or may not be physically present at all times, the College Program shall collect and maintain:
- (a) parental/legal guardian permissions to engage in all aspects of the Program,
  - (b) medical and
  - (c) contact information for each participant.
- (2) At a minimum this shall include:
- (a) A requirement that parent(s) or legal guardian(s) complete a permission/ authorization form for each minor participating in the Program prior to participation, which shall include where appropriate, a liability and talent/media release.
  - (b) A roster of all College Program participants and a directory of College Program staff. The list shall include each participant's name, local room assignment (if applicable); gender, age, address, and phone number(s) of parent(s) or legal guardian(s), as well as emergency contact information. The list shall be maintained by the Program staff, with a copy provided to the Vice President of Academic Services for day-long or overnight Programs.
  - (c) A requirement that the parent(s) or legal guardian(s) of each minor participant complete and submit to the Sponsoring Entity a Medical History/Medical Treatment Authorization form which shall, at a minimum, contain:

- (i) A statement informing the parent/legal guardian that the College does (or does not, as applicable) provide medical insurance to cover medical care for the minor.
  - (ii) A statement authorizing the release of medical information (HIPAA) and emergency treatment in case the parent/legal guardian/emergency contact cannot be reached for permission.
  - (iii) A space to list (voluntarily) any physical, mental or medical conditions the minor may have (including any allergies) that could impact his/her participation in the Program.
  - (iv) Information regarding any prescription medication(s) to be administered during the Program.
  - (v) All emergency contact information including name, address and phone number of the emergency contact.
- (3) Individual Programs may require medical examination/authorization where mandated by the nature of the activity and/or legal or associational requirements.
- (4) In addition to the foregoing, all College Programs shall have in place a procedure or the notification of the minor's parent(s)/legal guardian(s) in case of an emergency, including medical or behavioral problems, natural disasters, or other significant program disruptions and a procedure for parent(s) or legal guardian(s) to contact minor participants in case of emergency. College Program staff, as well as participants and their parent(s)/legal guardian(s), must be advised of this procedure in writing prior to the participation of the minors in the College Program.

#### (F) Requirements Regarding the Administration of Medications

Minors who are currently receiving prescription medications may receive these medications while participating in College Programs, subject to the following conditions:

- (1) The need for the medication is documented in the minor's Medical History Form.
- (2) The medicine is provided by the minor's parent or guardian 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.
- (3) Program Staff shall keep the medicine in a secure location, and at the appropriate time for distribution shall meet with the participant.
- (4) While under staff observation, the minor participant shall be allowed to self-administer the appropriate dose as shown on the container.

- (5) For any medication that the participant cannot self-administer, prior arrangements appropriate to the circumstances must be made with the Sponsoring Entity. Personal “epi” pens and inhalers may be carried by the participant during activities.

(G) Requirements for Supervision of Minors

College Programs Staff shall provide supervision of minor participants while they are at a College Facility or otherwise participating in College Programs.

- (1) College Programs shall establish a procedure for checking minor participants in and out of the Program. Minor participants shall not be allowed to leave the Program except in the company of their parent(s), legal guardian(s) or someone authorized in writing by the same. College Programs shall check the attendance at least once during each day of the Program and shall have in place a procedure for locating missing participants and local law enforcement and the parents(s) or legal guardian(s).
- (2) All College Programs shall have at least one of its Responsible Adults who is twenty-one (21) years of age or older on duty and available at all times. Contact information for the Responsible Adult on duty shall be made available to the Program staff.
- (3) One-on-one contact with minors is prohibited, except in programs involving private instruction (music instruction, or similar activities) in which the parent or guardian of the minor has consented to the one-on-one contact and given the option to be present. Even in such situations it is recommended that where possible the private instruction take place in a room or other space that is in full view from outside the room when the door is closed. This prohibition does not extend to situations in which a Responsible Adult is actually transporting minors in College owned or leased vehicles from one Program activity to another, provided that the adult driver is never alone with any minor and is transporting not less than two passengers (other than the Responsible Adult’s own minor children). For all other activities there must be at least two (2) adults, at least one of whom is a Responsible Adult, present for all activities in which minors are present. The prohibition against one-on-one contact extends to all interactions and communications, including those by telephone, mail, email, texting or any other means or medium. Any communication by a Responsible Adult with a minor shall include a second Responsible Adult or the parent or guardian of the minor as a party to the communication. Adults shall not be alone in vehicles with minor participants other than their own child.
- (4) College Programs shall utilize the Buddy System in all activities whenever possible.
- (5) In the case of adults supervising minors overnight, no adult may enter a minor’s room, bathroom facility, or similar area unless accompanied by another adult and one of them is a Responsible Adult.
- (6) Separate accommodations for adults and minors are required other than the minors’ parents or guardians.

(H) Required Screening, Training, Conduct of Responsible Adults

- (1) All Responsible Adults having direct contact with minors shall undergo a criminal background check prior to engaging in such activity.
- (2) Where required by Ohio law, or where the Responsible Adult is engaged at a facility or in a Program that involves showering, changing or sleeping facilities, the background check shall include a current criminal background check conducted by the Ohio Bureau of Criminal Identification and Investigation (BCII) and an FBI records check.
- (3) All Responsible Adults shall complete mandatory training on the conduct requirements of this Policy, on protecting participants from abusive emotional and physical treatment, on responding to emergency situations and summoning emergency and medical assistance, and on reporting of incidents of improper conduct to the proper authorities.
- (4) Responsible Adults shall not:
  - (a) Engage in one-on-one contact with a minor in violation of this Policy.
  - (b) Engage in abusive conduct of any kind toward, or in the presence of a minor.
  - (c) Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner of a minor.
  - (d) Transport minors, other than the driver's child(ren), except as specifically authorized in writing by the minor's parent(s) or legal guardian(s).
  - (e) Provide alcohol or illegal drugs to any minor, or 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.
  - (f) Make sexual materials in any form available to minors participating in programs or activities covered by this Policy or assist them in any way in gaining access to such materials.
  - (g) Allow minors to use inappropriate language unchallenged.
  - (h) Appear to favor one child more than another.
  - (i) Smoke or use tobacco in any form, including cartridge-based/e-cigarettes, or consume alcohol or any substance that might impair the judgment of the Responsible Adult when participating in program activities.
- (5) Responsible 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.

#### (I) Required Policies Governing the Conduct of Minor Participants

All College Programs shall have in place, and distribute to minor participants, a code of conduct for the Program. All such codes must contain the following provisions:

- (1) All Program participants and staff must abide by all College regulations.
- (2) The possession or use of alcohol and other drugs, fireworks, guns and other weapons is prohibited.
- (3) The operation of a motor vehicle by minors is prohibited while attending and participating in the Program.
- (4) The parking of staff and participant vehicles must be in accordance with College parking regulations.
- (5) Rules and procedures governing when and under what circumstances participants may leave College property during the Program.
- (6) No violence or discrimination (including sexual abuse or harassment) will be tolerated.
- (7) Hazing of any kind is prohibited. Bullying including verbal, physical, and cyber bullying are prohibited.
- (8) No theft of property regardless of owner will be tolerated. Property of other participants is not to be used without express permission (access does not constitute permission).
- (9) No use of tobacco products in any form including cartridge-based/e-cigarettes, will be tolerated.
- (10) Misuse or damage of College property is prohibited. Charges will be assessed against those participants who are responsible for damage or misusing College property.
- (11) The inappropriate use of cameras, imaging, and digital devices is prohibited including use of such devices in showers, restrooms, or other areas where privacy is expected by participants.

#### (J) Reporting Requirements for Violations of this Policy and Potentially Harmful/Unlawful Conduct

- (1) All violations of this Policy shall be reported to the director of the College Program and the head of the Sponsoring Entity.



- (2) All incidents of injury, illness or unacceptable behavior involving minors shall be reported to the director of the College Program, the head of the Sponsoring Entity and local law enforcement for appropriate investigation regardless of the severity of the incident.
- (3) Any situation, fact or circumstance that would reasonably give rise to a suspicion that child abuse, neglect or endangerment may have occurred shall be reported immediately to:
  - (a) the director of the College Program and the head of the Sponsoring Entity,
  - (b) the College's Vice President of Academic Services; and
  - (c) local law enforcement
- (4) If the reportable activity involves a Non-College Program, a representative of the outside organization or entity shall also be notified.
- (5) If any of the officials designated above for receiving reports is or may be involved in the incident or behavior at issue, the reporter may satisfy the reporting obligation of this section by contacting the official's superior, or any other official at the College in a position to take effective action to remedy the situation.
- (6) If an allegation of inappropriate conduct is made against a Responsible Adult or any other person participating in a Program, she/he shall discontinue any further participation in programs and activities covered by this Policy until such allegation has been satisfactorily investigated and resolved.
- (7) The reporting obligations set forth in this section apply to all those participating in College Programs, and to all College faculty, staff and students who observe any reportable behavior, whether or not the faculty, staff or students are formally part of the College Program in which the reportable behavior occurred. Members of the College community who make the reports in good faith shall not be retaliated against in any fashion. Any individual who fails to make a timely report, as required by this section, or who retaliates against any individual making a good faith report shall be subject to discipline, up to and including discharge.

#### (K) Requirements for Non-College Programs

- (1) All Non-College Programs shall be required to execute and deliver the following prior to utilizing College Facilities:
  - (a) A contract setting forth the specific facilities to be used, the dates and hours of permitted access and other terms applicable to such use;
  - (b) A certification that the Program meets all legal requirements for the activity in question, including without limitation any requirements for licensing and criminal background checks;

- (c) An indemnification agreement in a form acceptable to the College's General Counsel and Vice President of Business Services agreeing to defend and holding the College harmless against any and all claims arising from the operation of the Non-College Program (this requirement may be waived for public entities prohibited by law from agreeing to indemnify);
  - (d) A Registration Form with the Vice President of Academic Services not less than thirty (30) days prior to the first scheduled date of participation by minors; and
  - (e) Evidence of insurance coverage in amounts to be determined by the Vice President of Business Services that includes coverage for sexual misconduct.
- (2) All Non-College Programs will be provided with, and will agree to, require participants to abide by the code of conduct principles set forth above.
- (3) All Non-College Programs shall agree to report any situation, fact or circumstance, that would reasonably give rise to a suspicion that child abuse, neglect, or endangerment may have occurred, shall be reported immediately to:
- (a) The College's Vice President of Academic Services; and
  - (b) Local law enforcement.

Effective: September 22, 2020

Expires: September 1, 2025

Review Dates: 9/22/20