

<u>Minnesota State University, Mankato</u> <u>University Procedure</u>	
<u>Procedure Name:</u> <u>Protection and Presence of Minors</u> <u>on Campus</u>	<u>Effective Date of Last Review:</u> <u>August 2026</u>
<u>Custodian of Policy:</u> <u>Vice President for Student Affairs</u> <u>and Enrollment Management</u>	<u>Date of Last Review:</u> <u>September 2025</u>
<u>Date of Adoption:</u> <u>July 1, 2010</u>	<u>Date of Next Review:</u> <u>September 2032</u>

Procedure

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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. 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 Authorized Adults' roles may include positions as counselors, chaperones, coaches, instructors, etc. For 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 and/or having routine interaction with minors.

Minor: Any person under the 18 years of age (MN Statute 645.451 subd. 3). This policy is specific to non-enrolled minors. A person under the age of eighteen (18) who is not enrolled at the university, or who is considered to be "dually enrolled" in university programs while also enrolled in elementary, middle and/or high school; is also referred to as a "participant" in this policy.

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 departments of the university, or by non-university groups using university facilities. This includes but is not limited to workshops, sport camps, academic camps, conferences, pre-enrollment visits, 4H or Cooperative Extension programs and similar activities.

Sponsoring Department: The academic or administrative department of the university which offers a program or gives approval for housing or use of facilities.

University Housing: Facilities owned by, or under the control of, the university intended for use as housing.

Procedures

The following provisions apply to all sponsoring departments offering or approving a program which that involves minors or sponsoring or provides university housing for minors participating in a program, or a non-university group being sponsored for a program on campus that involves minors, whether utilizing university housing or not.

A. Preparation

Two weeks prior to the first day of the scheduled camp, all camps program involving hosting minors, the hosting or sponsoring department must complete the "Minor's Policy Checklist" to coordinate all required services and camp procedures. This checklist is available through the University Scheduling and Conference Services office.

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A-B. Communication and Notification

1. The sponsoring department shall establish an appropriate procedure for the notification to notify of the minor's parent/legal guardian in case of an emergency, including behavioral problems, natural disasters, or other significant program disruptions.

2. The sponsoring department will share this procedure in writing with Authorized Adults with the program, as well as participants and their parents/legal guardians, prior to the start of the event. must be advised of this procedure in writing prior to the participation of the minors in the program.

2.3. The sponsoring department 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. If the event involves university housing, the list must include the room assignment.

3.4. The sponsoring department 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-C. Medical Treatment, Administration of Medicines and Emergency Services

1. The sponsoring department shall obtain a **Medical Information and Authorization Form** (example can be found in Appendix A) for each program participant and program staff member. (An example can be found in Appendix A) 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 their participation in the program.
 - d. A list of all medications the participant may need during their involvement in the program, including over-the-counter medication.
 - e. All emergency contact information including name, address and phone number of an emergency contact.
2. Distribution of participants' medicines by program staff should must be handled under the following conditions:
 - a. Program staff shall be responsible for reviewing all medical information forms and assessing needs of each program participant.
 - b. The participant's family parent/legal guardian will 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.
 - e. At the appropriate time for distribution, program staff shall meet with the participant.
 - The program staff member shall allow the participant to self-administer the appropriate dose as shown on the container. Devices for the self-administration of medications which are prescribed by a physician may be carried by the participant during program activities if necessary (e.g., "epi" pens and asthma inhalers).
 - d.
 - e. The parent(s) and/or legal guardian(s) are willing 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 (e.g. "epi" pens and asthma inhalers).

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- g. ~~Over the counter medications can only be administered with prior approval. Participants can self administer over the counter medication that they bring themselves.~~
- h. ~~Program staff should have basic first aid kits available.~~
- 3. The sponsoring department shall arrange for medical care appropriate for the nature of the program activities, including on-site emergency medical service coverage, if needed. Program staff must have basic first-aid kits available.

C-D. 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 ~~A~~authorized ~~A~~adults or by parent(s) or legal guardian(s) of the participants. ~~A~~An ~~A~~additional ~~A~~authorized adult shall be available as a "floater" to stand in if one of the two adults must leave the area. The two ~~A~~authorized ~~A~~adults should not be family members of participants.
 - 1. Some of the factors to be considered in determining requirements for supervision are:
 - a. ~~the number and age of the participants,~~
 - b. ~~the activity(ies) involved,~~
 - c. ~~type of housing if applicable,~~
 - d. ~~and age and experience of the staff members.~~
 - 2. 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.
 - 3. Mentoring programs that involve private instruction with an individual adult (e.g., laboratory, music instruction, etc.) when there is only one adult present must not take place in a room or other space that is not in full view from outside the room when the door is closed. A window opening must exist and allow full view in-to the room. A parent or guardian should be required to remain on the premises for the duration of the private instruction.
 - 4. The ratio of program staff to program participants must reflect the gender distribution of the participants, and should, at a minimum meet the following:
 - a. Resident Camps
 - 1) One staff member for every four campers in the fourth grade and younger.
 - 2) One staff member for every six campers for 5th grade through 8th grade.
 - 3) One staff member for every ten campers 9th grade and older.
 - b. Day Camps
 - 1) One staff for every six campers in the fourth grade and younger.
 - 2) One staff member for every ten campers for 5th grade through 8th grade.
 - 3) One staff member for every fifteen campers 9th grade and older.

Beyond these guidelines, some of the factors to be considered in determining requirements for supervision are:

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- c. the number and age of the participants,
 - d. the activity(ies) involved,
 - e. type of housing, if applicable,
 - 3)f. and age and experience of the staff members.
5. The sponsoring program must hold an orientation and training program for participants that includes instruction on:
- a. Safety and security procedures
 - b. University rules
 - c. Rules established by the program
 - d. Behavioral expectations
 - e. ~~instruction on a~~Avoiding one-on-one environments
 - f. Protecting participants from abusive emotional and physical treatment
 - g. ~~Appropriate or required~~R+reporting of incidents of injury, illness or unacceptable behavior to University Security and local law enforcement
 - h. Reporting of allegations of child abuse events/allegations to University Security and local law enforcement immediately
 - i. Program emergency preparedness plan
6. 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 housing unit, if applicable.
7. ~~In addition to the requirement that two adults are to be present at all times when minors are being supervised, an additional authorized adult shall be available as a "floater" to stand in if one of the two adults must leave the area. The two authorized adults should not be family members.~~
- 8.7. 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~~They are restricted from ~~private areas and limited access~~ certain areas of the facilities (e.g. storage rooms, equipment rooms, athletic training rooms, staff/faculty offices) or from utilizing certain equipment ~~unless required for participation in the program.~~

D.E. Program Rules of Conduct

- 1. ~~Program participants and staff must abide by all university regulations, and may be removed from the program for non-compliance with rules.~~
 - 2. Program staff shall develop and make available to participants the rules and disciplinary measures applicable to the program and make them available to participants by the beginning of the program.
1. ~~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 should complete the Rules and Disciplinary Procedures Form. In addition, the program rules following must be included in program materials and stressed during the program must include, but are not limited to, the following components:~~
- a. The possession or use of alcohol or drugs is prohibited.

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- b. Fireworks, firearms, guns, knives, archery equipment and other weapons are prohibited unless being used for an official sanctioned and approved instructional program.
 - c. The operation of motor vehicles by minors is prohibited while attending and participating in the program.
 - d. The parking of staff and participant vehicles must be in accordance with university parking regulations.
- ~~e.a. Rules and procedures governing when and under what circumstances participants may leave university program during the program.~~
- ~~f.e. Hazing of any kind is prohibited. Bullying including verbal, physical, and cyber bullying are prohibited.~~
- ~~g.f. No violence, including sexual abuse or harassment, will be tolerated.~~
- ~~h.g. No theft.~~
- ~~i.h. Use of tobacco products will not be tolerated by participants or program staff. Use of tobacco products on university property and in all university buildings is prohibited.~~
- ~~j.i. Misuse or damage of university property is prohibited. Charges will be assessed against those participants who are responsible for damage or misusing university property.~~
- ~~j.i. 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.~~

~~Specific Rules and procedures governing when and under what circumstances participants may leave university program during the program.~~

~~k.~~

~~2.3. Participants and parents/guardians must agree to the program rules by signing the Rules and Disciplinary Procedures Form. Participants may be removed from the program for non-compliance with university regulations or program rules.~~

~~E.F. University Housing~~

- ~~1. These rules and regulations for proper supervision of minors in university housing must be followed.~~
- ~~a.1. Written permission signed by the parent/guardian is required for the a minor to reside in university housing.~~
- ~~b.2. A curfew time which that is age-appropriate for the participants must be defined and enforced.~~
- ~~c.3. In-room visitation to is be restricted to participants of the same gender.~~
- ~~d.4. Guests of participants (other than parent/legal guardian and other program participants) are restricted to visitation in the building lobby and/or floor lounges. Visitation, and may occur only during approved hours specified by the program.~~
- ~~e.5. The program must comply with all security measures and procedures specified by Residential Life and University Security.~~

~~F.G. Notification of Abuse and Code of Conduct for Authorized Adults~~

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1. 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.

Authorized Adults are considered mandatory reporters. 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 a participant has been subject to an assault or abuse, the Authorized Adult, as a mandatory reporter, must immediately call 911 or University Security at (507)389-2111.

2.

- 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.
- 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.

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- 4.3. 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~~will adhere to the following rules of conduct:

- a. Maintain appropriate supervision at all times when minors are present. Activities involving minors must include two or more Authorized Adults. ~~Have one-on-one contact with minors: there must be two or more authorized adults present during activities where minors are present. Authorized Adults shall not have any~~ Include another Authorized Adult on any direct electronic contact with minors, 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); e ~~Conduct all dealings with children~~ interactions in a public environment as much as possible, in order that all behavior or in spaces that can be readily observed. Avoid situations that could be misinterpreted (e.g., being alone with the last child to leave an activity). Minors should use a "buddy system" or otherwise be encouraged to stay together when going to the bathroom or when leaving the classroom area.
- a.
- b. Maintain appropriate privacy and professional boundaries during personal care routines. Have another Authorized Adult present when ~~e~~ Entering a minor's ~~room~~ sleeping quarters, 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. When necessary, showering/bathing or undressing, Authorized Adults must be separate from

~~minors. 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 or when leaving the classroom area.~~

- c. ~~Use Share sleeping quarters with minors. Separate accommodations for adults and minors, are required other than except when the minors' is staying with their parents or legal guardians. Minors should be placed in Ensure minors' accommodations that allow for a locked door between themselves and program staff. Program staff should not enter the sleeping quarters of a minor without another Authorized Adult present.~~
- d. ~~Interact with minors and other adults in a manner that is respectful, appropriate, and free from any form of abuse. Use professional and age-appropriate language at all times, avoiding profanity, sexual innuendo, and suggestive comments. Engage in abusive conduct of any kind toward, or in the presence of, a minor.~~
- e. ~~When physical contact with minors is necessary, it must be appropriate, non-harmful, and consistent with program guidelines. Actively prevent and address inappropriate physical contact immediately, including inappropriate contact between minors. Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any minor.~~
- f. ~~Engage in rough or sexually provocative games, including horseplay.~~
- g. ~~Allow any inappropriate touching, including between children.~~
- f. ~~Swear, or use or respond to sexual innuendo or make sexually suggestive comments. Encourage open communication between minors and their parent/legal guardian. Use language that supports transparency, and never suggest keeping secrets from caregivers.~~
- h. ~~i.g. 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. Transport minors only when specifically authorized in writing by a parent/legal guardian. When transportation is required, ensure two Authorized Adults are present in the vehicle whenever feasible.~~
- j.h. ~~Maintain a substance-free environment for minors. Use nor provide alcohol or drugs to any minor. Authorized Adults shall not use nor provide Administer prescription drugs or any or over-the-counter medication to any minor unless only as specifically authorized in writing by the parent or legal guardian. Follow program procedures for emergency treatment as being required for the minor's care of the minor's emergency treatment. Participants' medicines may be distributed by program staff, following the conditions outlined in this document.~~
- k.i. ~~Ensure minors do not have access to Make sexual or sexually explicit material in any form, including printed and electronic media, 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. Treat all minors fairly and equitably. Avoid shower, bathe, or undress with or in the presence of minors.~~
- ~~n. i. favoritism, personal gift-giving, or one child more than another; do not give gifts to any one child in a program; do not accept expensive gifts from any child in the program participants.~~
- ~~4. Tell children "this is just between the two of us" or use similar language that encourages children to keep secrets from their parent/guardian. If an allegation of inappropriate conduct has been made against an Authorized Adult participating in a program, the Authorized Adult shall discontinue any further participation in programs and activities covered by this policy until such allegation has been satisfactorily resolved.~~

2.

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G.H. Liability

1. Program staff shall obtain an **Assumption of Risk, Waiver of Liability, Indemnification and Release Form** as part of the program registration process. All data gathered shall be confidential, is subject to records retention guidelines, and shall not be disclosed, except as provided by law. Data will be stored and then destroyed following the University's data management guidelines.

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H.I. Background Checks

1. All program staff who have direct contact with minors or supervise a program with minors are required to have a criminal background check on record with University Security before the adult is hired or allowed to engage with minors. Criminal background checks will be conducted by University Security, and these checks must be cleared prior to the beginning of the activity. Subsequent background checks will be required every three (3) years for program staff who return to a covered program or activity.

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- 2.1. University Security will conduct criminal history searches through the Minnesota Bureau of Criminal Apprehension. If the program staff member indicates that they have lived outside of Minnesota within the past ten years they will be required to submit a fingerprint card to allow for checks outside of Minnesota.

- 2.2. Background checks that show convictions (~~to include attempts or conspiracy to commit convictions~~) for any of the following offenses listed in MN Statute 299C.67 (including convictions for attempts or conspiracy to commit) and will disqualify a staff member from holding a position with interaction with ~~minors~~minor.:

- a. First-degree murder, second-degree murder, first-degree manslaughter, first-degree assault, second-degree assault, third-degree assault, kidnapping, first-degree criminal sexual conduct, second-degree criminal sexual conduct, third-degree criminal sexual conduct, fourth-degree criminal sexual conduct, first-degree arson, or stalking;
 - b. Third-degree murder, second-degree manslaughter, criminal vehicular homicide or injury, fourth-degree assault, fifth-degree assault, simple robbery, aggravated robbery, false imprisonment, theft, burglary, terroristic threats;

- c. A conviction or attempt for a crime in another jurisdiction that would be a violation of any of the above crimes.
- d. Felony convictions for prohibited drug crimes, ~~to include~~ using drugs to injure or facilitate a crime or possession or sale of prohibited drugs;
- e. Crimes against children, including malicious punishment of child, neglect or endangerment of child;
- f. Sex or labor trafficking crimes

4.3. It is the responsibility of the person in charge of the program or activity to ~~assure~~ ensure that each program staff member has received clearance to participate.

- a. New hires are required to complete the university criminal background check process at the time of, and as a condition of, hire.
- b. All other program staff members must complete the described criminal background check process. This includes current employees working with minors who have not previously had a criminal background check completed, those whose new hire criminal background check was processed more than three years prior to the activity, and all other individuals working with minors whether paid or unpaid.
- c. The university may accept successful documented criminal background clearances from governmental agencies (e.g. school districts) that have been completed with three (3) years from the start date of the activity.
- d. Non-university entities providing adult supervisors for university-based programs are required to comply with these established procedures to conduct criminal background checks on their program staff and the director, or provide evidence that they are conducting criminal background checks that are at least comparable to the standards indicated in this section.

5.4. Results of criminal 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 employment on employment applications uncovered as a result of the background check.

6.5. All contracts for services of independent contractors that will be working with minors must include a provision assuring that the employees of such independent contractors or the contractor (in the case of a solo contractor) will comply with the above established process or provide evidence that background checks and training comparable to those required by the university under this policy have taken place.

Camps/Programs Directed by Non-University Entities

~~Non-university~~ Camps and other education programs or activities ~~for minors~~ are allowed to be hosted on the university campus by non-University entities.

The ~~person in charge of the non-university camps or other education programs~~ external entity must:

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- A. Provide at least one administrative Program Director with responsibility for satisfactory operation of ~~camp~~program, including:
 - 1. Maintaining discipline among the participants.
 - 2. ~~and compliance~~Complying with university ~~rules~~policies and procedures.
 - 3. ~~including overseeing the care of~~Protecting residential life~~university~~ property and the safety of other visitors, students, and employees on campus.
 - 4. ~~and observance~~Observing of curfews.
 - 5. Arranging for medical treatment in all cases of illness or injury occurring during the ~~camp~~program, including transportation to and from the medical facility, and ~~seeing~~ensuring that appropriate insurance forms and information are provided.
 - 6. Being on call 24 hours a day while the program is in session.
- B. Provide ~~a list of all program staff and participants to~~ University Security ~~prior to the start of the program activities, with a list of all program staff and participants prior to the start of the program, including~~ ~~The list should include all names, address, phone number(s), and emergency contact information for staff and participants;~~
- C. Provide competent staff to supply adequate instruction and leadership during activities in a sufficient number to supervise the participants.
- D. Complete background checks on program staff and volunteers who will be performing services on behalf of the program and provide copies to University Security. All contracts should have language regarding background checks as follows:
 - 1. As a condition of this contract, Vendor agrees to certify that any of its employees, independent contractors or agents who will be performing services on behalf of the Vendor will have successfully completed a background check in accordance with the policies and procedures of the University. This includes the completion of background checks conducted by University Security. Vendors have a financial obligation to pay for all background checks of its employees, independent contractors, agents and volunteers. Should a Vendor utilize another source for backgrounds checks, Vendor is required to submit evidence to University Security of the completed checks.
- E. Conduct appropriate training to program staff on about protecting participants from abusive emotional and physical treatment, ~~and on appropriate or and~~ required reporting of incidents of improper conduct to the proper authorities including, but not limited to, ~~local appropriate~~ law enforcement ~~authorities~~ and University Security.
- F. Follow all university policies regarding the use of/possession of alcohol, drugs, weapons, and fireworks.
- G. Immediately notify University Security of any crimes that occur on university property during the program.
- H. ~~Follow university parking regulations for~~ The parking of program staff and participant vehicles ~~must be in accordance with university parking regulations.~~

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. 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 Authorized Adults' roles may include positions as counselors, chaperones, coaches, instructors, etc. For 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.

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Protection and Presence of Minors on Campus Procedure Review Process

- Policy Consultation Committee Review [add date]
- Informal Review [add date]
- Formal Review [add date]

Vice President's Recommendation

Signature and Date

President's Approval

Signature and Date