

Minnesota State University, Mankato  
University Policy

<b>Policy Name:</b> Protection and Presence of Minors on Campus	<b>Effective Date of Last Revision</b> August 1, 2015
<b>Custodian of Policy:</b> Vice President for Student Affairs and Enrollment Management	<b>Date of Last Review</b> September 2014
<b>Date of Adoption</b> July 1, 2010	<b>Date of Next Review</b> September 2021

## Policy

The purpose of this policy is to describe requirements placed on administrators, faculty, staff, students, volunteers and others working with minors to ensure their protection, to fulfill our obligations as mandated by law, and to provide the best possible experience for any minor visiting our campus or in university-related programs. This policy outlines the circumstances under which it is appropriate for minors to be present on the Minnesota State University, Mankato campus or at additional University locations. The policy is intended to foster respect for the needs of all parties impacted by the presence of minors on campus, in the classroom or in the workplace. ▲

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-All programs and activities that involve minors in their activities will fall within the scope of this policy including programs operated by the University or 3<sup>rd</sup> party entities, programs taking place on campus and programs under the direction and authority of the university at locations off campus. This policy applies to such programs and activities whether they are limited to daily activities or involve the housing of minors in residence halls. Exceptions to this policy include: undergraduate and graduate academic programs in which minors are enrolled for academic credit; events on campus which are open to the general public and which minors attend at the sole discretion of their parents or guardians; and, campus tours or visits by minors considered to be prospective students; and other programs as may be designated from time to time by the appropriate university official in advance and in writing as exempted by this policy. Additionally, activities where the responsibility for the minors does not transfer to university staff or faculty such as science fairs or school-sponsored visits where the minors are accompanied by school staff or chaperones.

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The leadership of the University is responsible for this policy with departmental leadership responsible for ensuring their programs and activities involving minors are compliant with this policy. Any questions regarding clarification of this policy should be directed to the Director of Security or the Director of Environmental Health, Safety & Risk Management.

## Procedures

### Definitions

Minor: anyone under the age of 18 and not enrolled as a student at Minnesota State Mankato.

Parent/Guardian: any adult who is responsible for a minor while on campus regardless of the individual's relationship to the minor.

Open Access Area: areas on the Mankato campus or at additional University locations that are open to the public and do not require a MavCard for access or use.

Behavioral expectations: knowing and adhering to Minnesota State Mankato and ~~MaSCU-Minnesota State~~ policies, federal, state and local laws and the Minnesota State Mankato Statement of Student Responsibilities.

### Open Access Areas

Use of University open access areas on the Mankato campus or at additional University locations by minors is encouraged as long as they meet the defined behavioral expectations.

### Events

Minors are encouraged to attend university-sponsored events intended for minors and/or families, or intended for community participation as long as they meet the defined behavioral expectations.

### Activities Involving Minors

All programs and activities that involve minors in their activities will follow the current Procedures for Hosting Minors on Campus procedure as posted on the university website. The procedure will contain requirements for the following provisions:

- A. Communication and Notification – The sponsoring department shall establish an appropriate procedure for the notification of the minor's parent/legal guardian in case of an emergency, including behavioral problems, natural disasters, or other significant program disruptions.
- B. Medical Treatment, Administration of Medicines and Emergency Services – The sponsoring department shall develop a plan for the administration of medications as well as ensure that directions are readily accessible to staff and volunteers on how to summon emergency services.
- C. Supervision of Minors and Access to University Facilities – Each sponsoring department will develop a plan outlining the supervision of the minors and what their access to University facilities will be. The plan will include such things as an adult to participant ratio, the activities involved, a housing plan (if attendees will be staying overnight), program staff training plan, and the responsibilities of program staff.
- D. Program Rules of Conduct – Program staff will develop and make available to participants the rules and disciplinary measures applicable to the program.
- E. Liability – Program staff shall obtain an Assumption of Risk, Waiver of Liability, Indemnification And Release form as part of the program registration process.
- F. Background Checks – All program staff and volunteers who have direct contact with minors or supervise a program with minors are required to have a background check on record with the University before the adult is hired or allowed to engage with minors.
  - 1. Background checks will be conducted by University Security, and these checks must be cleared prior to the beginning of the activity/program. The background checks will be conducted through the Minnesota Bureau of Criminal Apprehension. If the program member has lived outside of Minnesota within the past ten years a fingerprint background check will be required to check other states.
  - 2. The costs associated with the background check will be paid to security before the check will be conducted. MN law (MSS 181.645) prohibits employers from requiring employees or prospective employees to pay for a background check.
  - 3. Subsequent background checks will be required every three (3) years for program staff and volunteers who return to a covered program or activity
- G. Requirements for programs directed by non-university entities.

~~Departments, organizations or third parties that plan events on the University campus or at additional University locations are to ensure appropriate supervision for the audience they are inviting, especially for~~

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minors. Determination of appropriate supervision standards can be obtained through the University Scheduling and Conference Services office.

~~General guidelines include:~~

- ~~• One parent/guardian for every eight (8) participants under the age of 13~~
- ~~• One parent/guardian for every sixteen (16) participants between the ages of 13 and 18~~
- ~~• Appropriate supervision includes the parent/guardian having both the presence and the ability to intervene.~~

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### Classrooms

Both instructors and students should refrain from bringing minors to class. The minor's presence has the potential to disrupt the proceedings either directly (due to behavior) or indirectly (class material is often not appropriate for a minor). Minors, even well behaved, can pose a significant distraction. An instructor may ask a student to remove a minor from any class at any time. An instructor should never ask a student to supervise a minor. Additionally, the following guidelines apply:

Minors are permitted in the classroom if:

- The instructor grants the student prior permission to bring a minor to class.
- The Chair/Dean grants the faculty member prior permission to bring a minor to class.
- Minors are the focus of the academic work.
- Minors are under direct and constant supervision of a parent/guardian.
- The minor is enrolled as a student.

Minors are not permitted in the classroom:

- On a regular basis.
- When the classroom environment is not safe (e.g., a laboratory).
- When the material covered is inappropriate for a minor to witness.

### Workplace

Minors are welcome to visit the workplace on an occasional basis for brief visits under the following criteria:

- The employee's supervisor grants prior permission.
- The minor is under the employee's direct supervision and is the sole responsibility of the employee while on campus. Employees should be aware that requesting other employees to provide supervision is unacceptable.
- Minors are expressly prohibited from entering hazardous areas such as laboratories, kitchens, and workshops unless enrolled as a student.
- The presence of the minor cannot disrupt the work environment or negatively impact the productivity of employees within the workplace.

The employee bringing a minor to campus is responsible for all aspects of the minor's behavior including the minor's safety and is financially responsible for any damages caused by the minor.

### Enforcement

Minors found unattended and not meeting behavioral expectations will be reported to University Security. University Security will follow their response procedures to return the minor to appropriate adult supervision.

Violations by parents/guardians will be referred to University Security to document the violation. Follow-up action will be determined by the appropriate supervisor or the Office of Student Conduct resulting from information collected while investigating the initial complaint. Any disciplinary action must conform to the

procedures included in the appropriate collective bargaining agreement, personnel plan or the Statement of Student Responsibilities.

University Security response procedures may also include contacting the Mankato Department of Public Safety or child protective services, if deemed necessary for the health and welfare of the minor.

## Rationale

Minnesota State University, Mankato is a diverse environment of classrooms, offices, laboratories, recreational facilities and other common areas. Visitors to campus are welcomed and encouraged. However, appropriate precautions and limitations on visitation are necessary to protect health and safety and to maintain productivity and regulatory compliance.

The University values family members, minors, and dependents attending cultural or sporting events and making authorized use of gymnasium, library or pool facilities. However, the University must consider issues of safety, confidentiality, disruption of operations and liability posed by the presence of minors on campus.

Additionally, Minnesota State University, Mankato hosts a wide variety of camps, clinics, workshops, and conferences many of which involve minor child participants under the age of eighteen (18) years. The University is committed to ensuring the safety and well-being of minors who are entrusted to our care or visit our campus.

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*History of Revisions*  
*8/1/2015 – Standard Policy Review*  
*7/1/2010 – Standard Policy Review*