

Environmental Health and Safety Manual (EHS)

EHS 706: Minors on Campus

Effective: 4/15/2019

Revised: 11/1/2019

Purpose

This policy is to promote the safety and welfare of minors who are entrusted to Arizona State University’s care. The policy outlines what is required of personnel and volunteers who work in activities and programs with minors and informs individuals of their reporting obligations in instances of known or suspected child abuse or neglect of minors.

Source

ARS Â§13-3620 Duty to Report

Applicability

ASU expects parents or legal guardians to provide supervision over minors on campus except when the minor is involved in an activity or program. Parents or legal guardians should not leave minors unsupervised on university property. In addition, if the minor is under the age of 12 and participating in private instruction, the parent or legal guardian is required to remain on the premises for the duration of the instruction unless a formal check-in and check-out process is in place.

Policy

The university is committed to providing the best experience possible for minors. Personnel and volunteers are therefore expected to hold themselves to the highest standards of conduct when interacting with minors. This policy establishes requirements for those in the university community who work in activities and programs with minors, with the goal of safeguarding the wellbeing of minors.

In addition to the requirements of this policy, personnel and volunteers must adhere to obligations that may be imposed by applicable law, including but not limited to ARS A§13-3620.

Definitions

Term	Definition
Activities and programs with minors	Any: 1) Endeavor, event or operation conducted or organized by the university; 2) that includes minors and; 3) during which parents or legal guardians are not expected to be responsible for the care, custody or control of the minors.
Child abuse or neglect	When a child has suffered or faces a substantial threat of suffering any physical or mental wound, injury, disability or condition that reasonably indicates abuse or neglect. This also includes any conduct of a sexual nature that may be harmful to a minor’s mental, emotional, or physical welfare

Minor	Any individual under the age of 18 who is a participant in an activity or program with minors. This does not include persons under the age of 18 who are enrolled for academic credit or have been accepted for enrollment.
One-on-one interaction	An intentional or purposeful interaction when one individual to whom the policy applies is alone with one minor.
Personnel	Faculty, staff, student employees, graduate assistants and graduate associates appointed or employed at the university.
Volunteer	A person who performs work for the university for no pay or benefits and who is under the direction and control of an ASU official and whose duties will include the care, custody and control of minors.

Scope

Personnel and volunteers that work in activities or programs with minors, but not with the minors themselves, are not within the scope of this policy. Only those personnel and volunteers who work directly with minors in activities and programs with minors fall within this policy. Specifically, the scope of this policy includes, but is not limited to:

- Activities and programs with minors operated by the university or operated jointly with ASU and a third party on campus or in university facilities, including but not limited to overnight camps, instructional programs, day camps, academic camps and sports camps.
- Activities and programs with minors operated by the university that does not take place on campus, including but not limited to field trips, outreach and community service activities.
- Faculty or staff who bring a minor to campus as an intern or volunteer outside of a structured activity or program with minors - e.g., to intern in a laboratory, see [EHS 116](#).

There is one specific category of minors that this policy does not apply to:

- Students under the age of 18 who are enrolled for academic credit at the university or working as employees for the university.

There are programs and activities that are not within the scope of this policy. This policy does not apply to:

- Activities and programs with minors conducted, operated or organized by non-university entities, which take place on campus or in university facilities, including but not limited to facility rentals to third-party organizations. In these instances, the contract with the third-party organization must include the appropriate contract provisions as well as a requirement that their processes exceed or meet those contained within this policy.
- Events on campus open to the general public, which minors attend.
- Medical care given at Campus Health Services or Counseling Services.

Requirements

- Approved one-on-one interactions may only take place in open, well-illuminated places or rooms observable by other adults from the activity or program with minors.
- Colleges and units must confirm that all participants of activities and programs with minors have completed the required forms including a legal guardian or parent approval.
 - Visit here for [forms](#)

- Colleges and units must confirm that each personnel and volunteer working in activities and programs with minors has completed annual training related to Minors on Campus. Colleges and units must maintain appropriate documentation on an annual basis to support this requirement being met. The minimum required training includes:
 - Reading the best practices and guidelines for the Minors on Campus Policy.
 - Reading the Minors on Campus Policy.
 - Reviewing any activity or program specific requirements.
- Each personnel or volunteer working in activities and programs with minors, who is likely to have responsibility for the care, control or custody of a minor as part of that activity or program, must undergo a fingerprint check with results verified prior to the activity or program beginning. This requirement must be updated every three years with the exception that the personnel or volunteer possesses a Fingerprint Clearance Card. The college or unit may satisfy this policy requirement by contacting the applicable State Department — e.g., state Department of Education or state Board of Nursing — to confirm that the Fingerprint Clearance Card is still valid. Colleges and units must maintain appropriate documentation to support that this requirement has been met. In addition, if a minor will be exposed to an individual involved with the program that has not completed the fingerprinting process, colleges and units must establish a process to ensure that individual is supervised by someone who has met this requirement at all times.
 - Personnel and volunteers must notify the Office of Human Resources of an arrest of any criminal offense within 72 hours of knowledge of the arrest. This same notification obligation also extends to the entry of a conviction of any criminal offense.
- One-on-one interactions are prohibited unless authorized by the dean or vice president or their respective designee(s). Authorization should be formally documented and sent to [Risk Management](#) for approval.
- Should an investigation be undertaken by a law enforcement agency, the Department of Child Safety, and any university administrative office, personnel and volunteers must cooperate with any investigation of allegations of violations of this policy.
- Those working in activities and programs with minors who witness child abuse or neglect, or have information that would lead a reasonable person to believe a minor faces a substantial threat of such abuse or neglect, must follow the mandatory reporting procedures.
- If a child is in immediate danger, contact the police at 911 to obtain immediate protection for the child and the ASU Police Department at 480-965-3456.
- If a child is not in immediate danger, contact the Department of Child Safety in the Department of Economic Security at 1-888-767-2445.
- For more information visit the [Arizona Department of Child Safety website](#).
- Personnel and volunteers must also report the incident to the [ASU Title IX Coordinator](#).

Violations

- Individuals violating this policy will be held accountable for their actions, which may include but is not limited to:
 - Faculty is subject to [ABOR Dismissal for Cause](#). A finding that a faculty member failed to report child abuse or neglect or otherwise violated this policy may constitute cause for dismissal under University policy ACD 508–03.
 - Staff and student employees are subject to corrective action or termination.
 - Students are subject to the [Student Code of Conduct](#).
 - Volunteers are subject to reprimand or loss of volunteer status.

Cross-References and Additional Information

Sexual Violence Prevention | [Sexual Assault Flowchart](#)

Background Checks:

[Frequently Asked Questions](#)

[Order Fingerprinting](#)

[ACD 126- Reference Check and Verification](#)

Minors in Labs | [Minors in Lab Policy and Procedures](#)

Volunteers | [Volunteer Registration](#)

ASU Social Media Policy and Guidelines | [Social Media Policy](#)

Title IX:

[Title IX Compliance](#)

[Student Rights and Responsibilities](#)

[Office of University Rights and Responsibilities](#)

Complaint and Investigation | [Procedures](#)

Campus Community Incident Report | [Incident Report](#)

Whistleblower Policy | [Whistleblower Policy](#)

Department Record Keeping-Records Retention | [Records Retention Policy](#)

Privacy Policy – healthcare | [Privacy Policy](#)

Cleary Act | [Cleary Act](#)

Other resources:

[ASU Counseling Services](#) – students | 480-965-6146

[Employee Assistance Office](#) | 480-965-2271

Crisis Support is available 24/7 by contacting:

[Behavioral Health Crisis Line](#) – employees | 602-222-9444

[EMPACT Hotline](#) – students | 480-921-1006

[RAINN Sexual Assault Hotline](#) – national | 1-800-656-HOPE (4673)