I. INTRODUCTION

Idaho State University (ISU or University) has several campus locations and several Events that involve Minors. This policy is intended to provide the Sponsor with guidelines for appropriate supervision of Minors. The safety of Minors is of utmost importance to ISU, and ISU expects all members of the University community and third parties utilizing University Facilities to act in accordance with this policy.

This policy does not apply to general public events where the parent/legal guardian of the Minor is expected to provide protection and supervision of the Minor, or where the Minor is on campus but not participating in a Sponsored Event (e.g., Reed Gym, Game Center/Theater/Craft Shop in the Pond Student Union). It does not apply to children in the workplace or classroom (see Children in the Workplace and Classroom Policy #3040), student recruitment, Minors who are enrolled in the Early College Program or Early Learning Center, Minors who are patients or study participants in any of the Division of Health Sciences facilities, Minors who are at a University Facility on a school field trip or for a birthday party, and Minors in the Outreach programs and private lessons at the School of Performing Arts.

II. POLICY STATEMENT

Idaho State University recognizes its responsibility to provide a safe place for Minors who are involved in Events on campus. In light of this obligation, ISU requires that all Sponsors read, understand, and adhere the terms of this policy. Any party wishing to bring Minors into any University Facility, subject to the exclusions in Section I above, must contact the Office of Risk Management as soon as reasonably practicable so the Event can be reviewed by the Risk Assessment Team to determine which, if any, actions are necessary before the Event takes place.

III. AUTHORITY AND RESPONSIBILITIES

A. The Office of Risk Management within the Office of General Counsel is responsible for maintaining this policy and assisting the Sponsor with the process for including Minors in the Event.
B. The Office of Risk Management is responsible for maintaining all signed waivers unless other arrangements are made with the Sponsor. Signed waivers must be kept until the Minor turns twenty (20) or for seven (7) years, whichever comes first.

C. Anyone who suspects the abuse or neglect of a Minor has the duty to report it immediately (see Idaho Code § 16-1605). The Idaho Department of Health and Welfare’s hotline for reporting is 1-855-552-5437.

D. Additionally, anyone who suspects the abuse or neglect of a Minor must call the local police department and/or the ISU Department of Public Safety, or report the suspected abuse or neglect anonymously through the Silent Witness program, http://www.isu.edu/pubsafe/security/silent.shtml.

E. Reasonable suspicion is enough. An individual doesn’t have to know for certain that abuse is taking place. When in doubt, report it.

IV. DEFINITIONS

A. Authorized Adult: An individual who is eighteen (18) years of age or older, paid or unpaid, who interacts with, supervises, chaperones, or otherwise oversees Minors at Events.

B. Event: Events, programs, and activities offered by 1) any academic or administrative unit of ISU, or 2) any third party, non-university group using University Facilities.

C. Minor(s): Any unemancipated person under the age of eighteen (18) who is not enrolled in a credit-bearing program at ISU.

D. One-on-One Contact: Interaction between any Authorized Adult and Minor without at least one other Authorized Adult or the Minor’s parent or legal guardian present.

E. Risk Assessment Team: A group of people from the Office of Risk Management and/or the Office of General Counsel who review Events for risk and liability purposes. The Risk Assessment Team will set the required conditions for an Event to be held at a University Facility.

F. Sponsor: The academic or administrative unit of ISU that offers an Event or gives approval for use of University Facilities for an Event that Minors participate in, or a third party that offers an Event that Minors participate in.

G. University Facilities: Facilities owned by, or under the control of ISU.

V. PROCEDURES TO IMPLEMENT

A. ISU or Third Party-Sponsored Events:

1. The Sponsor must contact the Office of Risk Management to discuss the actions necessary to have an Event with Minors at a University Facility. Each Event will be reviewed by the Risk Assessment Team, and the Risk Assessment Team shall determine what procedures are necessary for the Event, including, but not limited to, background checks on Authorized Adults, medical history forms, and a review of waivers used.

2. The Sponsor must complete the Event Acknowledgement and Certification Form and return it to the Office of Risk Management before the Event.
3. All Minor participant waivers must include language that releases, indemnifies, and holds ISU, the State of Idaho and its State Board of Education harmless from negligently caused bodily injury and property damage.

4. A third-party Sponsor must provide a Certificate of Insurance with limits of at least $1,000,000 per occurrence for the perils of bodily injury, property damage, and personal injury naming Idaho State University and the State of Idaho as an additional insured to the Office of Risk Management. If the third-party Sponsor does not have general liability coverage, the third-party Sponsor should contact the Office of Risk Management to purchase event insurance coverage.

5. If the third-party Sponsor is part of a larger organization, including but not limited to, the Boy Scouts, a church, or club, and the organization has its own rules, regulations, policies, and/or procedures (Rules) concerning Minors, the third-party Sponsor can certify that all Rules, are being followed. A copy of the Rules must be provided upon request.

B. Supervision of Minors:

1. It is advised that the Event should meet or exceed the ratio of Authorized Adults to Minors as recommended by the American Camp Association:

<table>
<thead>
<tr>
<th>Age of Minor</th>
<th>Authorized Adult-to-Minor Ratio for Overnight Events</th>
<th>Authorized Adult-to-Minor Ratio for Day Events</th>
</tr>
</thead>
<tbody>
<tr>
<td>4 to 5</td>
<td>1:5</td>
<td>1:6</td>
</tr>
<tr>
<td>6 to 8</td>
<td>1:6</td>
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<tr>
<td>9 to 14</td>
<td>1:8</td>
<td>1:10</td>
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<tr>
<td>15 to 17</td>
<td>1:10</td>
<td>1:12</td>
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</tbody>
</table>

2. It is advised that if possible, Minors should be identified as being part of the Event (e.g. nametags identifying the group). The Sponsor must keep a list of all Minor participants and Authorized Adults and provide it to the Office of Risk Management upon request.

3. It is advised that the Minor be within the line of sight of an Authorized Adult at all reasonable times, except when the Minor is on an overnight stay and is in his/her room.

4. It is advised that all areas the Minor will be located be inspected on a continual basis to ensure there are no hazards (e.g. broken glass, candles, alcohol, tobacco, drugs). All hazards should be reported to an Authorized Adult, who may then report it to ISU’s Facilities Services and/or Department of Public Safety.

5. It is advised that information be provided to the parent or legal guardian detailing the time and manner in which the Minor can be contacted during the Event.

6. It is advised that appropriate drop-off and pick-up schedules and locations be observed. A Minor should not be released to anyone other than the person(s) listed on the Minor Release Form even if they claim to be a relative or friend. Proper identification of approved persons should be provided to the Authorized Adult. Parents or legal guardians should give written permission for the Minor to drive him/herself or ride with another person to and from the Event.
7. It is advised that only Authorized Adults who have completed a Department of Motor Vehicle background check transport a Minor.

8. It is advised that all Authorized Adults, Minors, and parents/legal guardians be briefed regarding the security measures in place to protect Minors, including any inclement weather procedures, and fire and safety evacuation procedures.

9. It is advised that all Authorized Adults be aware of the Sponsor’s procedure for notifying the Minor’s parent or legal guardian in case of an emergency, including medical or behavioral problems, natural disasters, or other significant Event disruptions.

10. It is advised that a head chaperone be designated if the Minor is on an overnight stay. This head chaperone should have all emergency contact numbers and be readily available and present at all times to ensure the Minor is secure in his/her room. The head chaperone should not leave the premises once the Minor is secure in his/her room.

11. It is advised that if the Minor is on an overnight stay, there should be an age-appropriate curfew time, but it should be no later than midnight. In-room visitation should be restricted to Minors of the same gender, parents, and legal guardians. Other guests should be restricted to visitation in an open area and only during approved hours as specified by the Event. Residence hall employees may enter a Minor’s room in an emergency situation only.

C. Background Checks: Each Sponsor is responsible for ensuring that the Authorized Adults working with Minors are properly assessed before allowing them to participate in the Event.

For ISU-sponsored Events, the Sponsor must provide contact information for all Authorized Adults and a signed authorization for a background check. Criminal and sex offender background checks must be completed on every Authorized Adult interacting with a Minor. Until a successful background check has been completed, no Authorized Adult may work with or around any Minor. Background checks must be repeated every four (4) years. Background checks may be conducted through the Office of Risk Management.

D. Expectations of Authorized Adults: Authorized Adults should be a positive role model for the Minor and act in a caring, honest, respectful, and responsible manner. It is recommended that Authorized Adults follow these guidelines and avoid behaviors that could cause harm or be misinterpreted:

1. Refrain from engaging in any sexual activity, making sexual comments, telling sexual jokes, sharing sexually explicit material, or assisting in any way to provide access to such material.

2. Refrain from engaging in or allowing Minors to engage you in romantic or sexual conversations or related matters.

3. Refrain from being alone with a Minor unless the nature of the Event requires it. If One-on-One Contact is required, you should meet in open, well-illuminated spaces or rooms with windows where you are observable by other Authorized Adults.

4. Refrain from entering a Minor’s room when a Minor is on an overnight stay without another Authorized Adult in attendance, except in emergency situations.

5. Refrain from sharing accommodations with a Minor, with the exception of the Minor’s parent or legal guardian sharing an accommodation with his/her own child.

6. Refrain from meeting with Minors outside of established times for Event activities. Any exceptions should have a parent’s or legal guardian’s written consent, and at least one other Authorized Adult should be present.
7. Refrain from engaging or communicating with Minors through email, text messages, social networking websites, Internet chat rooms, or other forms of social media at any time, except and unless there is an educational or Event purpose, the content of the communication is consistent with the Event, another Authorized Adult is copied on the message, or the communication is open for others to see.

8. Refrain from accepting from or giving gifts to a Minor without the knowledge of his/her parent or legal guardian.

9. Refrain from inviting a Minor to your home. Any exception should have written authorization of a parent or legal guardian.

10. Refrain from picking up a Minor from, or dropping off a Minor at his/her home except as reasonably necessary or as specifically authorized in writing by a parent or legal guardian.

11. Refrain from transporting a Minor for an Event alone if possible. More than one Authorized Adult should be present in the vehicle, except when multiple Minors will be in the vehicle at all times throughout the transportation. Avoid the use of personal vehicles if possible.

12. Refrain from touching a Minor in a manner that a reasonable person could interpret as inappropriate. Touching should generally only be in the open and in response to the Minor’s needs, for a purpose that is consistent with the Event, and/or for a clear educational, developmental, or health related purpose. Any resistance from the Minor should be respected.

13. Refrain from engaging in any abusive conduct of any kind toward, or in the presence of, a Minor, including but not limited to verbal abuse, striking, hitting, punching, poking, spanking, or restraining. If restraint is necessary to protect a Minor or other Minors from harm, all incidents should be documented and disclosed to the Office of Risk Management and the Minor’s parent or legal guardian.

14. Refrain from engaging in violence, hazing, and bullying.

15. Refrain from using, possessing, or being under the influence of alcohol, illegal drugs, or legal drugs that may impair judgment while working with a Minor or when responsible for a Minor’s welfare; providing alcohol or illegal drugs to any Minor; allowing a Minor to provide alcohol or illegal drugs to another Minor. All suspicious activity must be reported to the Department of Public Safety or the local police department.

16. Refrain from possessing or using any type of weapon or explosive device around Minors unless consistent with the Event.

VI. RELATED LAWS, RULES, AND POLICIES

A. Idaho Statutes § 16-1605, Reporting of Abuse, Abandonment, or Neglect

B. Idaho Statutes § 18-917 Hazing and § 18-917A Student Harassment—Intimidation--Bullying

C. ISU Policies and Procedures, Office of General Counsel and Compliance 10090, Notice of Privacy Practices

D. ISU Policies and Procedures, Office of Human Resources 3040 Children in the Workplace and Classroom
PRESIDENTIAL CERTIFICATION

____________________________________  Date: ______________________

Approved by Kevin Satterlee
President, Idaho State University
EVENT ACKNOWLEDGEMENT AND CERTIFICATION FORM

Name of the Event: ________________________________________________

Event date and time(s): __________________________________________

Sponsor: _________________________________________________________

Contact Name and Phone: __________________________________________

I, individually, and on behalf of _________________________________ [name of Event] certify that:

• I have read and understand Idaho State University’s policy, Minors on Campus

• I am following ISU’s policy OR I am following the Rules of my organization regarding Minors

• I understand that should the University become aware of any violations of the Minors on Campus policy, the University may immediately remove the Event from campus and not reimburse any amounts already paid by Minors or the Sponsor

• If I am a University employee, I understand that failing to comply with the Minors on Campus policy may result in disciplinary action, up to and including termination

For third-party Sponsors:

• If applicable, a Certificate of Liability Insurance has been given to the Office of Risk Management

• I acknowledge that I understand the risks involved with Events that include Minor participation. To the fullest extent permitted by law, and in consideration for being allowed to use the University Facilities, I hereby agree to hold harmless, release, indemnify, and covenant not to sue the State of Idaho, its State Board of Education, Idaho State University, and their respective officers, employees, volunteers, and agents for any negligently caused injuries or losses arising from or related to the Event.

Printed Name:_________________________   Signature: _________________________

Contact Phone:_________________________   Date: _____________________________