AMERICAN UNIVERSITY
WASHINGTON, DC

# University Policy: Children on Campus and Working with Minors

**Policy Category:** Operational Policies

**Subject:** Guidance in dealing with Minors on campus

**Responsible Executive:** Chief Financial Officer, Vice President & Treasurer

**Office Responsible for Review of this Policy:** Office of Finance and Treasurer

**Procedures:** Training: Conduct requirements for individuals who work with children on campus or with Minors off campus

**Related University Policies:**

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## I. SCOPE

This policy applies to activities and programs taking place on American University's campus, or at other locations that are under the authority and direction of the University, in which Minors will be physically present and participating. Camps (athletic, computer, etc.), laboratories and workshops intended for Minors and similar activities will fall within the scope of this Policy. This Policy applies to all programs and activities whether they are limited to daily activities or also involve the housing of Minors in residence halls, with the following exceptions: (1) undergraduate and graduate academic programs in which enrolled undergraduate students of American University (AU) or another university participating in such activities or programs, are the only Minors participating, (2) research programs subject to the review and approval of the Institutional Review Board (IRB), (3) undergraduate admissions and recruitment events hosted and supervised by the Office of Enrollment; and (4) ongoing programs that may be designated from time to time by the appropriate Vice President or Provost in advance and in writing as exempted from this Policy.

## II. POLICY STATEMENT

American University has an obligation to its students, staff, faculty, and visitors to conduct its operations and maintain its facilities in a manner consistent with its mission as an institution of higher education. While there may be occasions when brief visits by children under the age of eighteen (18) to faculty, staff, and students on campus may be necessary and such visits are subject to the same conditions as any other visitor to the University, **unescorted** or **unsupervised** children (i.e., a person who is not yet 18 years old at the time of a contact) are not permitted on University premises, except as provided for in this Policy.

III. **DEFINITIONS**

**Minor –** for purposes of this Policy any person under the age of eighteen (18) including, but not limited to, those persons who are also referred to herein as "children."

**Works with Minors** – for purposes of this Policy means all activities identified in this Policy and in which an adult, other than an authorized AU employee in the case of an enrolled AU student who is a Minor or a parent or legal guardian of the Minor, could be or has the potential to be alone with the Minor.

**Authorized Adult** – for purposes of this Policy means a parent, legal guardian or adult who has complied with the requirements to be present with Minors under this Policy and who is responsible for either escorting or supervising the Minor(s) while on campus or while participating in any activities identified in this Policy.

IV. **POLICY**

In order to ensure that the essential functioning of the University is not impaired and that the safety of Minors is provided for, it is necessary to adhere to certain conditions governing the presence of Minors on the University's campus, as well as those participating in off-campus AU-sponsored programs.

Requirements

**A. All Minors:**

- All Minors not registered for classes who are otherwise participating in a University program or a program taking place on University property must be supervised by an Authorized Adult(s) at all times while they are participating in that program.
- All supervised Minors participating in a University program or a program taking place on University property are permitted in the general use facilities (athletic fields, public spaces, academic buildings, food services areas, etc.) but may be restricted from certain areas of the facilities or from utilizing certain equipment in the University's sole discretion.
- Minors are permitted at events and venues open to the public. However, the University reserves the right to determine, at its sole discretion, whether selected events or venues are appropriate for unescorted or unsupervised Minors.

**B. Children Under Age Eighteen (18)**

- All children under the age of 18 on the AU campus must be escorted or supervised at all times by an Authorized Adult. It is the responsibility of the parents, legal guardians or other Authorized Adult to make appropriate off-campus arrangements if these children cannot be accompanied at all times while on campus. **(Please note exceptions as defined in Section I: Scope)**
- Minors, not participating in AU's sponsored programs or a program taking place on University property, are prohibited from laboratories and other areas where significant potential safety hazards and liabilities may exist and

where strict safety precautions are required. In addition, unsupervised or unescorted Minors are prohibited from entering areas that might include, but are not limited to, storage rooms, equipment rooms and certain athletic facilities such as training rooms, courts, swimming pools and playing fields.

- Minors are not allowed in classrooms while classes are in session unless permission is granted by the faculty member having authorized access to the classroom.

Policy Implementation

**A. Program Registration**

Departmental units shall, prior to the beginning of the University's fiscal year for ongoing programs and activities with participating Minors, inform the Assistant VP of Risk Management & Safety Services of the details of the program or activity by completing an Activity Department Approval Form. Completed forms need to be approved by the appropriate Vice President or Director prior to being sent to the AVP of Risk Management and Safety Services. **(Please note exceptions as defined in Section I: Scope)**

Any requests for clarification as to whether a particular program or activity is subject to this Policy, or a request for a waiver to this Policy, should also be sent to the AVP of Risk Management & Safety Services. Information provided shall include, at a minimum, the AU person in charge of the program or activity; and the administrative requirements associated with the program or activity, including but not limited to waivers and permission slips to be obtained from the parents/guardians of participating Minors and medical emergency forms.

**B. Background checks**

A successful background check will be required of each adult prior to his or her direct participation with Minors in a program or activity covered by this Policy and at least once every four (4) years thereafter. Background checks will be conducted by an outside contractor at the request of the Administrative Coordinator in the Office of Finance and Treasurer. Background Authorization and Disclosure Forms are posted at the Office of Risk Management website.

It is the responsibility of the person in charge of the program or activity to ensure that each participating adult has submitted the required background check request form and has subsequently received clearance to participate, prior to participating in a program or activity. The Administrative Coordinator in the Office of Finance and Treasurer will maintain a roster of individuals who have been cleared to participate and the dates on which a new background check will be required.

Programs (camps, conferences, workshops, etc.) involving Minors that are held in University facilities and/or on University property through a facilities rental agreement, lease, or similar, will be required to conduct background checks by virtue

of language contained in the contract documents and provide proof that required check were conducted, if requested to do so by University program staff.

The background check will be limited to criminal offenses, including, but not limited to, child abuse, for which an individual has been convicted, pled guilty to a felony or misdemeanor, or where such charges are currently pending. The University may accept successful documented background clearances from the governmental agencies (e.g., School Districts) that have been completed within four (4) years from the start date of employment.

A decision to not permit an individual to participate in a program or activity covered by this Policy based on the results of a background check will be made by the Assistant VP of Risk Management & Safety Services. The results of background checks conducted under this Policy will be used only for the purposes of this Policy, except that AU 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 where that information is uncovered as a result of the background check, including and up to immediate termination of employment. Copies of background check reports will be retained in the Office of Finance and Treasurer.

### C. Allegation of Inappropriate Conduct

Adults participating in programs and activities covered by this Policy shall:

- Immediately report any violation of the Conduct Requirements of this Policy to the person in charge of the program or activity and to the Senior Director of the Department of Public Safety and emergency responders as may be appropriate under the circumstances.
- Assure the safety of Minors participating in programs and activities covered by this Policy, irrespective of any other limitation or requirement, including removal of Minors from dangerous or potentially dangerous situations. In such case, the Senior Director of the Department of Public Safety must be notified immediately.
- Discontinue any further participation in programs and activities covered by this Policy when an allegation of inappropriate conduct has been made against him or her, until such allegation has been satisfactorily resolved.
- Be removed from the University immediately if charged/convicted of a child abuse charge while engaged in any program involving Minors.

## V. EFFECTIVE DATE AND REVISION

This Policy is effective as of August 31, 2013.

American University hosts a wide variety of University sponsored or sanctioned activities for non-enrolled Minors such as, but not limited to: camps, clinics, workshops, conferences, and other educational activities. These activities are located both on-campus and off-campus under University supervision. This document provides guidance related to the safety of the non-enrolled Minors. It is intended for University personnel/departments involved in University sponsored/sanctioned activities involving Minors.

## A. Conduct Requirements for Individuals Who Work with Minors On or Off Campus

The following conditions must be included in training documentation provided for American University activities and programs covered by the **University Policy: Children on Campus and Working with Minors**. Adults participating in programs and activities covered by this Policy shall not:

- In general have fewer than two adult participants in activities involving Minors.
- Enter a Minor's room, bathroom facility, changing area, shower area or similar area without another Authorized Adult in attendance.
- Participate in a sleepover under the auspices of the program or activity, unless (1) one of the Minor's parents or legal guardians is present or (2) one of the Minor's parents or legal guardians has given consent and there is at least one other adult, and the two adults remain in each other's presence at all times.
- Share a bed or sleeping bag with a Minor.
- Shower, bathe, or undress with or in the presence of Minors.
- Engage in abusive conduct of any kind toward, or in the presence of, a Minor.
- Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any Minor.
- Engage in rough or sexually provocative games, including horseplay.
- Swear, use or respond to sexual innuendo or make sexually suggestive comments.
- Pick up Minors and drop off Minors from their homes in the adult's personal vehicle, whether before, during, or after the program or activity.
- Engage in the use of alcohol or illegal drugs, or be under the influence of alcohol or illegal drugs during such programs or activities.
- Make pornography in any form available to Minors participating in programs and activities covered by this Policy or assist them in any way in gaining access to pornography.

## B. Communication and Notification

- The sponsoring unit shall establish an appropriate procedure for the notification of the Minor's parent/legal guardian in case of an emergency, including medical or behavioral problems, natural disasters, or other significant program disruptions. Authorized Adults with the program, as well as participants and their parent/legal guardians, must be advised of this procedure in writing prior to the participation of the minors in the progtam.
- The sponsoring unit shall maintain a list of all program participants and a program staff. Tlus list shall include participant's name, local room assignment (if applicable), gender, age, address, and phone number(s) or parent or legal guardian, as well as emergency contact information.
- The sponsoring unit shall provide information to the parent or legal guardian detailing the manner in which the participant can be contacted during the program.

**C. Program Rules of Conduct**

- Program staff shall develop and make available to participants the rules and disciplinary measures applicable to the program. Program participants and staff must abide by all University regulations and policies and may be removed from the program for non-compliance with rules. In addition, the following must be included in program materials and stressed during the program:
    - The possession or use of alcohol or drugs is prohibited.
    - Fireworks, firearms, guns, knives, archery equipment and other weapons are prohibited uuless being used for an officially sanctioned and approved instructional program.
    - The operation of motor vehicles by Minors is prohibited while attending and participating in the progtam.
    - The parking of staff and participant vehicles must be in accordance with University parking regulations.
    - Rules and procedures governing when and under what circumstances participants may leave University property during the program.
    - No violence, including sexual abuse or harassment, will be tolerated.
    - Hazing of any kind is prohibited. Bnllying including verbal, physical, and cyber bnllying is prohibited.
    - No theft.
    - Use of tobacco products will not be tolerated by participants or program staff.
    - Misuse or damage of University property is prohibited. Charges will be assessed against those participants who are responsible for damage or nlisusing University property.
    - The inappropriate use of cell phones, cameras, imaging, and digital **devices in showers, restrooms, locker rooms, or other areas where** privacy is expected by participants.

**D. Camps and Other Educational Programs Directed by Non-University Entities**

At times, non-University camps and other educational programs or activities are hosted on AU's campus. The relationship of the non-University party and AU must be captured in a written agreement signed by both parties.

- In order to ensure a quality program experience, the non-University entity must provide at least one administrative Program Director with responsibility for satisfactory operation of the program including:
    - Maintaining discipline among the participants and compliance with University rules and policies.
    - Overseeing the care of University facilities and equipment.
    - Arranging for medical treatments in all cases of illness and injury occurring during the program, including transportation to and from the medical facility and see that appropriate insurance forms and information are provided.
    - Maintaining regular and open communication with the host office at the University, sponsors, and residence hall personnel (if applicable) in order to avoid problems.
    - Maintaining daily contact with the host office to ensure that dining and program schedules are coordinated and observed.
    - Being on call 24 hours a day while the program is in session.
- Provide a list of all program staff and participants to the American University Department of Public Safety prior to the start of the program activities. The list should include all names, addresses, phone numbers and emergency contact information for staff and participants.
- Provide a competent staff to supply adequate instruction and leadership during program activities.
- Conduct appropriate background checks on program staff and director at least comparable to the standards outlined in AU's Children on Campus and Working with Minors Policy.
- Conduct appropriate training on protecting participants from abusive emotional and physical treatment, and on appropriate or required reporting of incidents of improper conduct to the proper authorities including, but not limited to, appropriate law enforcement authorities.

# Activities Involving Minors at AU

## Athletics

| Program | Type of Event | Estimated Number of Minors | Notable Exposures (i.e. Overnight stays, Travel, Unsupervised) | Mitigation Strategies (i.e. Background Checks, Waivers) | Program Owner(s) |
|---|---|---|---|---|---|
| Recruiting Trips | On-going | Varies | Some overnight campus visits by prospective AU athletes. Coaches may visit athlete's homes. | Contact with prospective athletes regulated by NCAA. Guardian always present during home visits. | |
| Loncar Tennis Camp | Summer camp | 25 | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| Jennings Field Hockey Camp | Summer camp | 100 | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| US Junior National Basketball Tournament | Tournament | 200 | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| Big Monday Bender | Special event | 50 | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| Korean Taekwondo Tournament | Tournament | 150 | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |

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| Georgetown Visitation High School Basketball Game | Special event | 50 | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| Gonzaga High School Basketball Tournament | Tournament | 100 | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| AU Dance Invitation | Tournament | 200 | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| Gonzaga - DeMatha High School Basketball game | Special event | 75 | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| IB High School and WAIS College Fair | Special event | 250 | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| Curl Burke Swim Team | On-going | 250 | University provides athletic facilities for area sports teams, athletic events, and tournaments. Unsupervised elementary students with locker room access. | Liability is contractually maintained by sponsors. | |
| WCAC High School Basketball Championship | Tournament | 100 | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |

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| Washington Wrestling Club | On-going | 25 | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| Georgetown Day School | On-going | Varies | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| Maret School | On-going | Varies | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| Field School | On-going | Varies | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| Lab School | On-going | Varies | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |
| Washington International School | On-going | Varies | University provides athletic facilities for area sports teams, athletic events, and tournaments. | Liability is contractually maintained by sponsors. | |

**WAMU**

| Program | Type of Event | Estimated Number of Minors | Notable Exposures (i.e. Overnight stays, Travel, Unsupervised) | Mitigation Strategies (i.e. Background Checks, Waivers) | Program Owner(s) |
|---|---|---|---|---|---|
| Lab School Internship | On-going | 1 | Student performs clerical office work. | Liability is contractually maintained by Lab School, certificate of insurance provided to AU. | |

## Campus Life

| Program | Type of Event | Estimated Number of Minors | Notable Exposures (i.e. Overnight stays, Travel, Unsupervised) | Mitigation Strategies (i.e. Background Checks, Waivers) | Program Owner(s) |
|---|---|---|---|---|---|
| DC Reads | On-going | 400-600 | AU students tutoring elementary students in DC Schools and area nonprofits; one-on-one and group settings with minors. | All Students working in DCPS are screened per local regulations. | |
| Community Service Learning Program & Student Service Projects | On-going | 40-70 | Works with minors in DC in afterschool programs or in area nonprofits. | All Students working in DCPS are screened per local regulations. | |
| Freshman Service Experience | Special event | 50 | A two day program working in over 50 nonprofit sites throughout DC. | All Students working in DCPS are screened per local regulations. | |
| Summer Transition Enrichment Program (STEP) | Summer programs | 30-40 | High School students in a seven week residential program. | | |
| Kids on Campus Day | One day event | 100 | | | |
| Alternative Breaks | Winter, Spring and Summer Short-term Trips | Varies | Some trips may interact with youth in community volunteer projects | All participants sign AU Waiver, Accompanied by AU Faculty or Staff | |
| Student Activities: Model United Nations Annual Conference | Spring | 150 | High School students attend weekend long conference – day sessions on campus | Registration forms, pay registration fee, delegations from HS are accompanied by HS guidance counselors/advisors/coaches | |

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| Student Activities: Latino Youth Conference | Spring | 100 | Local High School students attend one day conference on campus | Registration forms, accompanied by HS guidance counselors/advisors or parents | |
| Student Activities: Pike September Shoot Out | September | 20-30 | Kids watching a 3/3 basketball tournament | Contract with Ronald McDonald House | |
| Student Activities: Phi Sigma Sigma | Spring | 25-30 | Special Olympics children on campus participating in field games | Contract with Special Olympics of DC | |

## Housing and Dining Programs

| Program | Type of Event | Estimated Number of Minors | Notable Exposures (i.e. Overnight stays, Travel, Unsupervised) | Mitigation Strategies (i.e. Background Checks, Waivers) | Program Owner(s) |
|---|---|---|---|---|---|
| NSLC | Summer programs | 1,000 | Minors stay overnight in resident halls and access to university facilities; often supervised in Residence Halls by AU resident assistants hired by NSLC. | Liability transferred by contract. | |
| Various Summer Programs | Summer programs | 1,000- 2,000 | American University facilities are used annually by sponsoring organizations. | Liability transferred by contract. | |

## Office of Development, Office Enrollment Services and Office of Finance

| Program | Type of Event | Estimated Number of Minors | Notable Exposures (i.e. Overnight stays, Travel, Unsupervised) | Mitigation Strategies (i.e. Background Checks, Waivers) | Program Owner(s) |
|---|---|---|---|---|---|
| Preview Days | Three events held throughout the year | 250-600 | Group activities and daytime events | Minors accompanied by parents or involved in group activities. | |
| Freshman Day | Special event | 800 | Group activities | | |
| Showcase AU | Special event | 200 | Group activities | | |
| CAS/SPA recruitment | On-going | 50 | Minors may stay on campus overnight in residence halls as part of recruiting process. | | |
| Kogod/SIS Recruitment | On-going | 90 | Minors may stay on campus overnight in residence halls as part of recruiting process. | | |
| Multicultural Student Recruitment | On-going | 100 | Minors may stay on campus overnight in Residence Halls as part of recruiting process. | | |
| Honors Recruitment | On-going | 100 | Minors may stay on campus overnight in residence halls as part of recruiting process. | | |
| Off Campus Interviews with perspective students (Also Alumni Interviews) | On-going | 600 | One-on-one meetings often without parents | Held in public places (i.e.. coffee shops and restaurants) or by phone | |
| On-Campus Interviews | On-going | 400 | One-on-one meetings often without parents | | |
| Information Sessions & Alumni Weekend | Special event | 750 | Group activities | Group activities | |

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| Spring Admitted Receptions | Special event | 700 | Group activities | Group activities | |
| Child Development Center | On-going | 30 | Onsite child development center | Follow insurance requirements and DC regs | |

## College of Arts and Sciences

| Program | Type of Event | Estimated Number of Minors | Notable Exposures (i.e. Overnight stays, Travel, Unsupervised) | Mitigation Strategies (i.e. Background Checks, Waivers) | Program Owner(s) |
|---|---|---|---|---|---|
| School of Education, Teaching, and Health (SETH) | AU degree programs in education | Varies | Field experience for AU students in DC public schools | All Students working in DCPS are screened per local regulations. | |
| Wilson High School Advanced Placement Class | On-going | 10-20 | Minors are working in chemistry laboratories. | Group activities, HS teacher present with class, parents sign waivers. | |
| Kids at Katzen | Two to four times per year | 10-30 | Minors are working with various art media. | Parents remain on premises during entire program and sign waivers. | |
| Faculty Mentorship | Occasional events | Varies | High school students may work one-on-one with faculty on a high school research project. | | |
| CAS Middle School Days | Occasional events | 20-30 | Group tours of middle school students | Minors are accompanied by teachers and chaperones. | |

## School of International Service

| Program | Type of Event | Estimated Number of Minors | Notable Exposures (i.e. Overnight stays, Travel, Unsupervised) | Mitigation Strategies (i.e. Background Checks, Waivers) | Program Owner(s) |
|---|---|---|---|---|---|
| Community of Scholars | Two week high school program | 60 | Three to four week programs with overnight stays in residence halls, may include individual work with faculty. | Consent forms and liability waivers signed by parents. | |
| B-CC High School IB Program | High school program | 80 | Students using AU facility and library for research; accompanied by High school teacher. | Consent forms and liability waivers signed by parents. | |

## School of Communications

| Program | Type of Event | Estimated Number of Minors | Notable Exposures (i.e. Overnight stays, Travel, Unsupervised) | Mitigation Strategies (i.e. Background Checks, Waivers) | Program Owner(s) |
|---|---|---|---|---|---|
| Discover the World of Communication | Summer Programs | 400 | Classroom and faculty programs; five students camping in Costa Rica for eight days in film project | Consent forms and liability waivers signed by parents. | |
| Berkley Program | Summer Programs | 100 | Overnight residence hall stays in CA | Consent forms and liability waivers signed by parents. | |
| Middle School Visiting Program | Occasional Events | 150 | Daily Visits | Chaperoned by MS staff | |

## School of Public Affairs

| Program | Type of Event | Estimated Number of Minors | Notable Exposures (i.e. Overnight stays, Travel, Unsupervised) | Mitigation Strategies (i.e. Background Checks, Waivers) | Program Owner(s) |
|---|---|---|---|---|---|
| Middle School Visiting Program | Occasional Events | Varies | Daily Visits | Chaperoned by MS staff | |

## University Library

| Program | Type of Event | Estimated Number of Minors | Notable Exposures (i.e. Overnight stays, Travel, Unsupervised) | Mitigation Strategies (i.e. Background Checks, Waivers) | Program Owner(s) |
|---|---|---|---|---|---|
| High School Visiting Program | Occasional Events | Varies | Daily Visits | Chaperoned by HS staff | |