

Standard Practice Guide Policies

Policy on Minors Involved in University-Sponsored Programs or Programs Held in University Facilities 601.34

Applies to: Faculty, Staff and Students

Purpose and Scope of Policy

The purpose of this policy is to promote the health, wellness, safety and security of children who are entrusted to the University's care, custody and control or who participate in Programs held on University property. This policy applies to all University units, including the University of Michigan Health System ("UMHS") that provide Programs designed primarily to serve non-enrolled Minors under the age of 18. The University requires all administrators, health care providers, faculty, staff, students and volunteers working with Minors in University-Sponsored Programs or in Programs for Minors held on University property to comply with this policy.

All Programs and activities that involve Minors will fall within the scope of this policy including: Programs operated by the University or non-University-Sponsored Programs, 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. Examples of Programs governed by this policy include, but are not limited to, summer camps, specialty camps (e.g., academic camps, patient camps), outreach activities, workshops, conferences, tutoring, educational Programs, licensed child care facilities and Programs, and Sponsored Student Organization¹ (https://spg.umich.edu/#_ftn1) activities. All Programs subject to state licensure are required to comply with applicable laws and regulations. Program Administrators should consult with the Office of the Vice President and General Counsel regarding licensure questions.

This policy does not apply to: (1) undergraduate and graduate academic Programs in which Minors are enrolled for academic credit or who have been accepted for enrollment; (2) events on campus that are open to the general public and which Minors attend at the sole discretion of their parents or guardians; (3) IRB-supervised research; (4) Minor employees; or (5) other Programs as may be designated from time to time by the appropriate University official in advance and in writing as exempted from this policy or specific provisions of this policy.

The University has specific policies addressing Minors as employees, research subjects, research laboratory visitor or volunteers, and patients. This policy is intended to support and complement existing policies and guidelines for Minors engaged in University-Sponsored Programs and on University property.

Program Registration

Each campus (Ann Arbor, Dearborn, and Flint) and the UMHS is responsible for maintaining a registry of authorized Programs for Minors. All Programs must be registered within sufficient time to meet the requirements of this policy, but no later than 60 days before the Program start date. Programs must be registered annually. Program registration requirements may be waived or modified by Risk Management Services or the appropriate office on the Dearborn, Flint, and UMHS campuses.

Program administrators are required to address the following topics in the planning and evaluation of registered Programs:

- Selection and screening of Authorized Adult or Program Staff including criminal background checks
- Training for Authorized Adult or Program Staff
- Supervision ratio
- Safety and security planning
- Participation requirement forms
- Transportation
- Housing
- Program evaluation by faculty/staff, participants and parents
- Risk management plan to minimize risk of harm, injury or loss

- Response protocols when there is an injury or illness
- Response protocols when an Authorized Adult or Program Staff is accused of misconduct
- Response protocols when a participant is accused of misconduct
- Program orientation or information for Minors and parents
- Insurance requirements
- Record retention

Authorized Adult or Program Staff Code of Conduct

Authorized Adults or Program Staff should be positive role models for Minors, and act in a caring, honest, respectful and responsible manner that is consistent with the mission of the University. Authorized Adults or Program Staff are required to comply with all applicable laws and University policy. Authorized Adults or Program Staff working in Programs covered by this policy must follow these expectations to avoid conduct that could cause harm or be misinterpreted:

- Do not engage in any sexual activity, make sexual comments, tell sexual jokes, or share sexually explicit material with Minors or assist in any way to provide access to such material to Minors.
- Do not engage or allow Minors to engage you in romantic or sexual conversations, or related matters, unless required in the role of resident advisors, counselors, or health care providers.
- Do not touch Minors 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 Program's mission and culture, or for a clear educational, developmental, or health related purpose (i.e., treatment of an injury). Any resistance from the Minor should be respected.
- Do not use profanity, vulgarity, or harassing language that would violate SPG 201.89-1, Discrimination or Harassment (<http://spg.umich.edu/policy/201.89-1>)² (https://spg.umich.edu/#_ftn2).
- Do not be alone with a single Minor. If One-on-One interaction is required, meet in open, well illuminated spaces or rooms with windows observable by other Authorized Adult or Program Staff, unless the One-on-One interaction is expressly authorized by the Program Administrator or is being undertaken by a health care provider.
- Do not meet with Minors outside of established times for Program activities. Any exceptions require written parental authorization and must include more than one Authorized Adult or Program Staff.
- Do not invite individual Minors to your home or other private locations. Any exceptions require authorization by the Program Administrator and written authorization by a parent/guardian.
- Do not provide gifts to Minors or their families independent of items provided by the Program.
- Do not engage or communicate with Minors through email, text messages, social networking websites, phone, internet chat rooms, multiplayer online games, or other forms of social media at any time except and unless there is an educational or Programmatic purpose and the content of the communication is consistent with the mission of the Program and the University.
- Do not engage 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 must be documented and disclosed to the Program Administrator and the Minor's parent/guardian.
- Do not use, possess or be under the influence of alcohol or illegal drugs while on duty, or in the presence of Minors involved in a Program, or when responsible for a Minor's welfare.
- Do not provide alcohol or illegal drugs to a Minor.
- When transporting Minors, more than one Authorized Adult or Program Staff from the Program must be present in the vehicle, except when multiple Minors will be in the vehicle at all times through the transportation. Avoid using personal vehicles if possible and comply with the Program's transportation guidelines.
- Do not provide medication to a Minor unless authorized by the Program's medication management guidelines.
- Possession of or use of any type of weapon or explosive device is prohibited unless authorized in advance by campus law enforcement.

Criminal Background Screening

All Authorized Adults or Program Staff who work with Minors in Programs covered by this policy are required to submit to an initial criminal background screening. Returning Authorized Adults or Program Staff are required to submit to a criminal background screening every two years, thereafter. Criminal background checks must be completed and evaluated before the Authorized Adult or Program Staff may begin working with Minors. The criminal background screening will be administered by the Human Resources office on each campus for University-Sponsored Programs. If a criminal record history is revealed, the application must be referred to Human Resources for evaluation consistent

with Human Resources guidelines. Program Administrators of non-University-Sponsored Programs are required to certify that they have conducted criminal background checks and determined the fitness for all Authorized Adults and Program Staff before being allowed to use or lease University Facilities.

Participant Requirements

Parents or legal guardians of Minors and Minors must submit required forms before being allowed to participate. These forms include but are not limited to a participation agreement, health form, emergency contact form, proof of medical insurance, photo and recording release, and participant code of conduct.

Training

All Authorized Adults or Program Staff working with Minors are required to be trained on policies and issues related to Minor health, wellness, safety, and security. This training should be completed annually and may differ based on role. Documentation of training completion is required to be maintained by the Program Administrator. Training must address the following topics:

- Detecting and reporting abuse or neglect
- First aid/CPR and medication management
- Participant conduct management and disciplinary procedures
- Authorized Adult or Program Staff Code of Conduct
- Sexual and other unlawful harassment
- Clery Act
- Safety and security protocols

Reporting Obligations

General

It is important for all members of the University community to act immediately when possible criminal activity is taking place, or in a circumstance where you find yourself either a victim or a witness to questionable activity. If this is the case, please take one of the following steps:

- If you require immediate emergency assistance or believe a crime is in progress, dial 9-1-1 to connect you to the police.
- For a non-emergency situation, call the appropriate campus department of public safety. Campus law enforcement professionals can help assess the situation and determine what other notification or action is necessary.

Ann Arbor – (734) 763-3434

Dearborn – (313) 593-5333

Flint – (810) 762-3333

Information on potential criminal activity also may be reported to the University anonymously by calling the University's Anonymous Tip Line at 1-800-863-1355.

In general, if you believe you have seen wrongdoing in the course of your daily activities on campus, you can report the situation anonymously through the University's [compliance website](http://compliance.umich.edu/report.html) (<http://compliance.umich.edu/report.html>) or call the Compliance Hotline at 866-990-0111. The Hotline is available 24 hours a day and is staffed by multilingual interview specialists.

Reports of Known or Suspected Abuse or Neglect of Minors

Anyone participating in a University-Sponsored Program or a non-University-Sponsored Program operating in University facilities who knows, suspects, or receives information indicating that a Minor has been abused or neglected, or who has other concerns about the safety of Minors **MUST** inform the appropriate campus department of public safety.

Ann Arbor – (734) 763-3434

Dearborn – (313) 593-5333

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In addition, one should promptly notify his or her supervisor or Program Administrator, when it is safe and appropriate to do so.

Anyone who knows or suspects abuse or neglect of Minors should also notify the Michigan Department of Human Services by calling **855-444-3911**.

Mandated Reporters and Their Legal Obligations

Michigan's Child Protection Law, MCL § 722.621, et seq., designates individuals in certain occupations and professions as mandated reporters. Mandated reporters must immediately report known or suspected mental or physical abuse or neglect of a child made known to them in their professional or official capacity directly to the Department of Human Services by calling **855-444-3911** (24/7 toll free number). A written report must be submitted to the Department of Human Services within 72 hours of the initial verbal report. Even those who are not mandated reporters may report known or reasonably suspected child abuse to the Department of Human Services.

Mandated reporters include those employed in the following positions: physician, dentist, physician's assistant, registered dental hygienist, medical examiner, nurse, person licensed to provide emergency medical care, audiologist, psychologist, marriage and family therapist, licensed professional counselor, social worker, licensed master's social worker, licensed bachelor's social worker, registered social service technician, social service technician, a person employed in a professional capacity in any office of the friend of the court, school administrator, school counselor or teacher, law enforcement officer, member of the clergy, or regulated child care provider.

University faculty, staff or students who are working with Minors in their professional or official capacity and who have questions about whether they may be considered mandated reporters under Michigan law should contact their supervisor, Program Administrator, dean or vice president. The Office of the Vice President and General Counsel is also available to provide advice.

Definitions

Authorized Adult or Program Staff: Individuals, paid or unpaid, who interact with, treat, supervise, chaperone, or otherwise oversee Minors in Program activities. 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 Adult or Program Staff's roles may include positions as counsellors, chaperones, coaches, instructors, health care providers, etc. For the purposes of this policy the term "Program Staff" is also assigned this definition. This definition does not include temporary guest speakers, presenters or 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 or having routine interaction with Minors.

Minor: A person under 18 years of age (MCL§ 722.1(a)) who is not enrolled or accepted for enrollment in a degree program at the University. However, a person under 18 years of age who is considered to be "dually enrolled" in University Programs while also enrolled in elementary, middle or high school is considered a Minor covered by this policy.

One-on-One Contact: Personal, unsupervised interaction between any Authorized Adult or Program Staff and a participant without at least one other Authorized Adult or Program Staff, parent or legal guardian being present.

Program: Programs or activities offered by various academic or administrative units of the University, or by non-University groups using University Facilities where the parents or legal guardians are not responsible for the care, custody or control of their children. This includes, but is not limited to workshops, services, camps, conferences, campus visits and similar activities.

Program Administrator: The person(s) who has primary and direct operational responsibility for managing a Program.

Sponsoring Unit: The academic or administrative unit of the University that offers a Program or gives approval for the use of University Facilities.

University Facilities: Facilities owned by or under the control of the University including housing and Program space.

University-Sponsored Programs: Programs that are directly managed by University faculty, staff, and Sponsored Student Organizations on behalf of the University. All University-Sponsored Programs must be registered.

Non-University-Sponsored Programs: Programs that are not operated on behalf of the University or under the University's control.

Resources

Michigan Mandated Reporters' Resource Guide: http://www.michigan.gov/documents/dhs/Pub-112_179456_7.pdf
(http://www.michigan.gov/documents/dhs/Pub-112_179456_7.pdf)

Michigan Department of Human Services Children's Protective Services: http://michigan.gov/dhs/0,4562,7-124-7119_50648---,00.html
(http://michigan.gov/dhs/0,4562,7-124-7119_50648---,00.html)

UMHS Child Protection Team is an expert medical team experienced in managing cases of suspected child abuse and neglect.

C.S. Mott Children's Hospital
1252 WH
1500 East Medical Center Drive, SPC 5268
Ann Arbor, MI 48109-5718
Phone: 734-763-0215
Fax: 734-936-8767

UMHS Pager System: 734-936-6266 Pager # 2750

<http://www.med.umich.edu/mott/cpt/> (<http://www.med.umich.edu/mott/cpt/>)

Use of University Facilities

University facility managers leasing or allowing the use of University facilities for non-University-Sponsored Programs or events primarily serving Minors are required to execute a standard rider maintained by Procurement Services to promote the health, wellness, safety and security of Minors consistent with this policy.

^[1] (https://spg.umich.edu/#_ftnref1) A Sponsored Student Organization is a recognized student organization that has a substantial and formal relationship with a sponsoring University unit and exists pursuant to the guidelines established by the appropriate campus division of student life. A SSO must be sponsored by an executive officer, dean, or director of a major academic or operational unit and must have a mission that is consistent with the missions of the University and sponsoring unit. A sponsorship agreement between the student organization and the sponsoring University unit must be on file with the appropriate campus student activities office.

^[2] (https://spg.umich.edu/#_ftnref2) SPG 201.89 (<http://spg.umich.edu/policy/201.89-0>) provides, in part, that: Discrimination and harassment on the basis of race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight or veteran’s status as set forth in Regents’ Bylaw 14.06 (<http://regents.umich.edu/bylaws/bylaws14.html#6>) and/or the Nondiscrimination Policy Notice (<http://hr.umich.edu/oie/ndpolicy.html>) will not be tolerated at the University of Michigan.

Notes

These policies require a level two password for access.

- UMHC Policy 02-05-013: Suspected Child Abuse and Neglect
- UMHC Policy 03-07-018: Minors: Consent to Confidential Health Services
- UMHC Policy 03-07-019: Access to and Disclosure of a Minor Patient’s Protected Health Information (PHI)

File Attachments

Printable PDF of SPG 601.34, Policy on Minors Involved in University-Sponsored Programs or Programs Held in Univ. Facilities (http://spg.umich.edu/sites/default/files/policies/601x34_0.pdf)

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- Related Policies:**
- Discrimination and Harassment (</policy/201.89-1>)
 - Employment of Minors (</policy/201.20>)
 - Non-Discrimination (</policy/201.35>)
 - Policy for Research with Human Participants (</policy/303.05>)
 - Sexual Harassment (</policy/201.89-0>)
 - Violence in the University Community (</policy/601.18>)
 - Weapon Possession (</policy/201.94>)

- Related Links:**
- UMHC Policy 02-05-013, Suspected Child Abuse and Neglect (<http://www.med.umich.edu/i/policies/umh/02-05-013.html>)
 - UMHC Policy 03-07-018, Minors: Consent to Confidential Health Services (<http://www.med.umich.edu/i/policies/umh/03-07-018.html>)
 - UMHC Policy 03-07-019, Access to and Disclosure of a Minor Patient’s Protected... (<http://www.med.umich.edu/i/policies/umh/03-07-019.html>)
 - OSEH Requirements for Minors Performing Research (<http://www.oseh.umich.edu/research/minors.shtml>)
 - Campus Student Sexual Misconduct Policies (<http://umich.edu/>)