

POLICY FOR THE PROTECTION OF MINORS

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I. POLICY STATEMENT

As a Catholic and Franciscan institution, Franciscan University stands with the Catholic Church in seeing "in men and women, in every person, the living image of God himself. This image finds, and must always find anew, an even deeper and fuller unfolding of itself in the mystery of Christ...and [the Church] invites all people to recognize in everyone...a brother or sister 'for whom Christ died.'" (Compendium of the Social Doctrine of the Church # 105). This understanding is the basis for the University's commitment to promote and to defend the human dignity of all persons as Franciscan University strives to provide a safe environment for all individuals in its community. The University has particular concern for those who are potentially vulnerable, including minor children, who require special attention and protection. All members of the Franciscan University community are expected to foster and maintain an appropriate and secure environment for minors. Moreover, all Franciscan University students, faculty and staff are responsible for understanding and complying with this Policy.

As a part of its mission, Franciscan University engages in a wide range of academic, spiritual, recreational and service programs that serve or include minors. The purpose of this Policy is to promote the safety and welfare of minors who participate in such programs and to provide for the proper supervision of those minors. Through this Policy, the University explains its standards, obligations and expectations for those in the University community who work in an activity or program with minors.

This Policy establishes:

- Standards of conduct guidelines for interacting with minors in activities and programs.
- Obligations and procedures for reporting suspicions of abuse or neglect of minors.
- Guidelines for the operation of activities and programs that involve minors.
- Training requirements for individuals working in activities and programs with minors.
- Background screening requirements for individuals working in activities and programs with minors.
- Guidelines and standards of conduct for individuals to abide by when working in activities and programs with minors.

This Policy also establishes requirements for non-University organizations, affiliates, entities and individuals that operate programs or activities involving minors on campus, and requires that University agreements with such organizations, affiliates, entities and individuals reflect those requirements.

II. DEFINITIONS

Activities and Programs with Minors: Any: (1) event, operation, or endeavor operated, conducted, sponsored, organized or permitted by the University, (2) that includes minors, and (3) during which parents or guardians are not expected to be responsible for the care, custody or control of the minors. Generally, it includes but is not limited to, a planned and/or regular event that includes Minors such as a conference, camp, laboratory experience, internship, club, workshop, project, lesson, team, practice, enrichment program, or tours which are offered by an academic or administrative unit of Franciscan University, whether on or off campus, or by non-University organizations using campus facilities.

Child Abuse or Neglect: Endangerment of a Minor's physical or mental health due to injury, act or omission, including but not limited to:

- Engaging in sexual activity, as defined under Section 2907 of the Ohio Revised Code, with a child where such activity would constitute an offense under that Chapter.
- Endangering a child as defined in Section 2919.22 of the Ohio Revised Code.
- Denying to a child, as a means of punishment, proper or necessary subsistence, education, medical care or other care necessary to a child for the child's health.
- Using restraint that causes a child pain or injury.
- Administering prescription drugs or psychotropic medication to a child without the written approval and ongoing supervision of a licensed physician;

- Providing alcoholic beverages or controlled substances to a child. For the purpose of this Policy, this does not include the offering of the Precious Blood during communion to someone under the age of 21.
- Committing of any act, other than by accidental means or by actions taken in self-defense or under similar justifiable circumstances, that results in any injury or death to a child or commission of any act by accidental means that results in any injury or death to a child and that is at variance with the history given of the injury or death.
- Inflicting by any individual of physical or mental injury that threatens to harm a child's health or welfare.

Minor: Any individual under the age of eighteen (18) as used in this Policy. Except with respect to the reporting of suspected child abuse and neglect covered in Section XVIII of this Policy, this term shall exclude enrolled students for academic credit and student employees of the University who are under the age of eighteen (18).

One-on-One Contact: An intentional or purposeful interaction when one individual to whom the Policy applies is alone with one minor.

Program Administrator: An individual(s) designated as the primary contact for the program or activity. A Program Administrator must be a Franciscan University faculty or staff member.

Responsible Adult: An individual, age 18 and older, paid or unpaid, who participates in an activity or program where the individual may have one-on-one contact with a Minor, or contact with a group of Minors. This includes but is not limited to: volunteers, counselors, directors, facilitators, chaperones, group leaders, youth ministers, prayer ministers, administrators, and supervisors of programs involving minors.

Volunteer: Any individual working in an unpaid capacity in an activity or program with minors.

Youth Protection Officer: Individual appointed by the President of the University with responsibility for:

- Maintaining this Policy and annually evaluating it for effectiveness.
- Providing advice to the campus community on Policy requirements and best practices.
- Developing and providing tools and online resources to assist Program Administrators in meeting Policy requirements (background screening, template documentation, training, abuse or neglect reporting, etc.).
- Assessing Policy compliance, reporting results and any associated recommendations to the University's designated administrators (the President and Vice President of Human Resources).
- Appropriate handling of Policy violations including required referrals to Human Resources or other appropriate supervisor and/or diocesan, law enforcement, or child protection services as necessary.
- Provides support for the training program and background checks, including maintenance of training and background check records.

III. SCOPE AND APPLICABILITY

The scope and applicability of this Policy are as follows:

(1) Franciscan University administrators, faculty, staff, appointees, students, graduate associates, interns, independent contractors, volunteers and non-University organizations, affiliates and entities that work in activities and programs with minors fall within scope of this Policy.

(2) All activities and programs with minors are within the scope of this Policy except as explicitly excluded in section (3) below. This includes, but is not limited to:

- (a) Activities and programs with minors the university operates on campus or in university facilities, including but not limited to: overnight camps, religious conferences, instructional and enrichment programs, day camps, academic camps, and sports camps.
- (b) Activities and programs with minors the university operates that do not take place on campus, including but not limited to outreach and community service activities.
- (c) 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).

(3) This Policy and its requirements do **not** apply to:

- Undergraduate and graduate academic programs in which individuals under the age of 18 are enrolled for academic credit or who have been accepted for enrollment, except with respect to the reporting of suspected child abuse or neglect.
- Events on campus open to the general public, which minors attend.
- Minors working for the University as employees.
- Activities and programs with minors granted a specific exemption from part or all of the Policy in advance of the event taking place, after a written request has been reviewed and approved by the Youth Protection Officer (or designee).
- Minors receiving health care services at the University's Wellness Center.
- Incidental interaction between an adult guest, invitee or University employee with a minor.
- Franciscan University students who have a Minor relative, friend or other guest visit them on campus overnight provided that they register the visitor at least 24 hours in advance of the stay by completing the guest housing registration form with the Resident Director assigned to the student's residence hall. The student must provide documentation that the Minor's parent or guardian approves the visit and the Minor's parent or guardian must complete the Youth Liability Release Form.
- Performances or events open to the general public which are not specifically targeted toward children (such as liturgies, athletic competitions, plays, concerts, lectures).
- Events or activities where parents/guardians are expected to or explicitly required to provide supervision.
- On-line courses.

- Official Franciscan University Admissions related activities for prospective students, age 16 and over, including alumni interviews, visits by candidates for admission and prospective students. However, such prospective students will be required to complete a Youth Liability Release Form. Franciscan University community members engaged in such Admissions-related activities will, at minimum, be required to comply with the Standards of Conduct set forth herein for interacting with Minors. The Program Administrator (as defined below) for these activities will provide copies of the standards to relevant parties and determine whether additional procedures, such as training and screening, are required.
- Tutoring and mentoring by full-time Franciscan University students who are registered in recognized organizations (e.g. Big Brother/Big Sister), or participating in community service activities sponsored by an administrative or academic unit of the University provided that such activities take place only in public settings (such as libraries and dining halls) during normal operating hours; Program Administrator (as defined above) for these activities will provide copies of the guidelines to relevant parties and determine whether additional procedures, such as training and screening, are required.
- University personnel and third party vendors that support the activities or programs with minors, but who do not have direct and continuous contact with the minors themselves.

IV. MINORS NOT PARTICIPATING IN A FRANCISCAN UNIVERSITY OR APPROVED NON-UNIVERSITY PROGRAM

Franciscan University, as an institution of higher learning that generally serves an adult population, is generally not a proper setting for Minors who are not directly accompanied by a parent or guardian unless they are registered in an activity or program planned for Minors and adequately supervised by adults who have the appropriate training and credentials. Accordingly:

- Franciscan University students who have a Minor relative, friend or other guest visit them on campus overnight must register the visitor at least 24 hours in advance of the stay by completing the guest housing registration form with the Resident Director assigned to the student's residence hall. The student must provide documentation that the Minor's parent or guardian approves the visit and the Minor's parent or guardian must complete the Youth Liability Release Form.
- Franciscan University students may not babysit Minors in their campus housing, including but not limited to dormitory rooms and Assisi Heights. This prohibition applies even if the student is not being paid for babysitting.
- Pursuant to other University policies and/or Federal and/or State laws and regulations, Minors should not be present in certain facilities and environments. Children of University employees, who are neither students at the University nor have official business on campus, are not allowed to roam the campus nor should they be on campus for the purpose of receiving child care.
- Minors must not be left unsupervised on Franciscan University's campus. It is the responsibility of those who bring minors to campus (including Franciscan University

Program Administrators or those individuals designated by third party programs) to ensure appropriate and continuous supervision.

V. OBLIGATIONS OF PROGRAM ADMINISTRATORS

Program Administrators must seek authorization from the Youth Protection Officer (or designee) at least forty-five (45) days prior to hosting minors on campus or off-campus for a program or activity. Program Administrators who are offering programs or activities must provide a detailed plan on the University's Registration Form to the Youth Protection Officer (or designee) for approval, which must include at a minimum:

- Name of Program
 - Program description
 - Program Administrator / contact information
 - Number of Minor participants / age range of participants
 - Program dates / duration / location
 - Details on any disrobing activities or overnight stays
 - Information on whether the program will involve travel
 - List of the program's Responsible Adults and all contact information
 - Creating and facilitating Program-specific trainings, if applicable.
 - Confirmation that the rules and discipline measures applicable to the activity or program have been/will be provided to the participants.
 - Provide the Youth Protection Officer with an executed Youth Liability Release Form and any other documentation requested by the Youth Protection Officer to verify compliance with the requirements set forth in this Policy.
- Prior to approving the program, the Youth Protection Officer (or designee) must receive the above information as well as evidence that the Program Administrator and Responsible Adults have completed the required training and background check process and other mandatory requirements as outlined in this Policy. In addition, the Program Administrator must complete all required forms as directed by the University's Christian Outreach Office as it relates to the Steubenville Conferences.
 - The Youth Protection Officer (or designee) may, upon consideration of the facts and circumstances disapprove of a planned event or ask for additional information.

VI. OBLIGATIONS OF RESPONSIBLE ADULT

No member of the Franciscan University community or third party shall serve as a Responsible Adult in an activity or program that includes Minors unless and until such a person has:

- Completed Franciscan University's youth protection training program;
- Completed the background screening process outlined in this Policy;
- Signed a Standards of Conduct form; and is

- Approved by the Youth Protection Officer (or designee).

VII. STANDARDS OF CONDUCT

Those persons entrusted with the care of Minors devote much attention to planning and executing activities which are beneficial to the growth and development of the Minors. At the same time, these Responsible Adults must be vigilant to guard against actual or potential situations that could create the risk of harm or injury, or which even give rise to suspicions of potential abuse. All members of the Franciscan University community, contractors, volunteers and Responsible Adults participating in a Program must demonstrate good judgment and discretion, professionalism and maturity, and must abide by the following standards of conduct when interacting in activities and programs with minors:

DOs

- Abide by all rules, requirements, and procedures set forth in the Policy for the Protection of Minors. Do not allow a Minor to participate in a program without the express written consent of the Minor's parent or guardian. In addition, the Minor's parent or guardian must allow for emergency medical care as warranted by the program.
- Accept supervision and support from professional staff while involved in the activity/program.
- Accept the responsibility to professionally represent the activity/program and Franciscan University of Steubenville.
- Conduct myself in a courteous and respectful manner, exhibit good sportsmanship and be a positive role model for minors.
- Respect, adhere to and enforce the rules, policies and guidelines established by the activity or program and the University.
- Refrain from engaging in any criminal conduct.
- Comply with all applicable civil rights laws and policies, including and not limited to Franciscan University of Steubenville's policies.
- Perform duties in a responsible and timely manner.
- Self-disclose felony or misdemeanor convictions that occur within three (3) days of pleading guilty/no contest or being convicted.
- Disclose if you have been background checked and have had a break of service for less than twelve (12) months, any convictions that occurred during the break within three (3) business days of commencement of participation in activities and programs with minors. If the break in service is longer than twelve (12) months, you must be background checked again.
- Endeavor to provide a safe and healthy experience for all participants.
- Comply with all University policies and procedures.
- Report any child abuse or neglect in accordance with the University's Policy and Reporting Obligations for Known or Suspected Abuse or Neglect.

DON'Ts

- Spend time alone, either on or off campus, with a Minor away from others. Unobserved or unsupervised one-on-one contact between a minor and any Responsible Adult is prohibited unless authorized by the Youth Protection Officer (or designee). Approved one-on-one interactions may only take place in open, well-illuminated spaces or rooms observable by other adults from the activity or program with minors. Otherwise, at least two adults must be present for any activity involving Minors. Any Responsible Adult requesting to have one-on-one interactions with a minor must complete an Exemption Request form no later than sixty (60) days prior to the event taking place and will be reviewed by the Youth Protection Officer (or designee) for approval or denial.
- Engage in any sexual activity, actions, make sexual comments, tell sexual jokes, or share or view sexually explicit material with or within the vicinity of Minors.
- 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.
- Provide gifts to Minors or their families independent of items provided by the Program.
- Administer prescription drugs or psychotropic medication to a minor without the written approval from the parent/guardian and ongoing supervision of a licensed physician
- Touch Minors in a sexual manner or in any 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).
- Restrain a Minor except as required to protect a Minor or others from harm. All incidents involving such conduct, whether or not required to protect a Minor or others from harm, must be documented and disclosed promptly to the Program Director and the Minor's parent/guardian
- Shower, bathe, or undress with or in the presence of a Minor.
- Provide any gifts to Minors outside of novelties provided to all Minors by virtue of participation in the Program (e.g. t-shirts, trophies, etc.)
- Photograph or video any Minors without the express prior written consent of their parents as demonstrated and documented through the execution of a legal agreement created for such purpose.
- Engage in any abusive conduct of any kind toward, or in the presence of, a Minor, including but not limited to cursing, verbal abuse, corporal punishment, hitting, punching, poking, inappropriate touching, bullying, hazing, or horseplay.
- Provide alcohol or illegal drugs to a Minor.
- Use, possess, or be under the influence of alcohol or illegal drugs while on duty or when responsible for a Minor's welfare. Presence or consumption of tobacco, alcohol, or illegal drugs around Minors is strictly prohibited.
- Possess firearms or weapons of any kind in the presence of Minors.
- Make plans to meet with Minors outside of established times for Program activities.
- Engage or converse with Minors through email, text messages, social networking websites, or other forms of social media at any time except and unless there is an educational or programmatic purpose and the content of the communications is consistent with the mission, scope and purpose of the Program and the University.
- Use a personal vehicle to transport Minors.

- When transporting Minors in a Program, more than one adult from the Program must be present in the vehicle, except when multiple Minors will be in the vehicle at all times through the transportation.
- Tell children “this is just between the two of us” or use similar language that encourages Minors to keep secrets from their parent/guardians.
- Hold a sponsored activity in your home.
- In the case of supervising minors overnight, enter a minor’s room, bathroom facility, or similar area without another adult in attendance, consistent with the guideline of not having one-on-one contact with minors, except in the event of a health or safety emergency.
- Under any circumstances, physically, sexually, verbally, or emotionally abuse or fail to provide the basic necessities of care applicable to the activity/program, such as food or shelter, to participants.

NOTICE: All Program Administrators and Responsible Adults must sign a Standards of Conduct form before they participate in any activities and programs with minors.

ADDITIONAL STANDARDS OF CONDUCT FOR STEUBENVILLE CONFERENCES: Those Program Administrators and Responsible Adults participating in the Steubenville Conferences involving minors shall further abide by additional rules and directives specifically for the conferences as directed by the University’s Christian Outreach Office.

VIII. RATIO OF STAFF MEMBERS TO MINORS

Program staff should make every effort to ensure all activities and programs involving minors are supervised by at least two staff members consisting of Responsible Adults and/or Program Administrators. Some of the factors to be considered in determining requirements for supervision are the number and age of participants, the activity and program involved, type of housing available, and age and experience of staff members. It is acceptable for an individual program staff member to provide program services to a group of participants (e.g., classroom instruction or outdoor activities) if the activity is conducted in an open or public area where the group is visible to others outside the group at all times. This includes classroom or meeting activities where open doors or windows allow for a clear line of sight.

The ratio of program staff to program participants must reflect gender distribution of the participants, and should, at a minimum, meet the following:

- (a) *Standards for resident/overnight activities and programs are:*
 1. One staff member for every five participants ages 4 and 5
 2. One staff member for every six participants ages 6 to 8
 3. One staff member for every eight participants ages 9 to 14
 4. One staff member for every ten participants ages 15 to 17
- (b) *Standards for day activities and programs are:*
 1. One staff member for every six participants ages 4 and 5
 2. One staff member for every eight participants ages 6 to 8
 3. One staff member for every ten participants ages 9 to 14

4. One staff member for every twelve participants ages 15 to 17

IX. REQUIRED PROGRAM RULES

Each program and activity is required to develop and consistently apply rules to ensure responsible, smooth, and safe program administration. These program rules must take into consideration the program's nature, duration, location, as well as the age and maturity of minor participants. Program rules should also be communicated to parents/guardians and minors in advance of the program or activity. Program rules should take into consideration the following topics:

- a. Coming/Going Of Minor Participants

Programs and activities serving minors must ensure that they have appropriate rules and procedures established relating to the "coming and going" of minors to a program site or location. These rules must identify at which point minors are under the care and custody of program/activity staff and when minors are no longer under the care and custody of program/activity staff.

- b. Student Discipline

Programs and activities serving minors must ensure that they clearly communicate behavior expectations for minors, the consequences of non-compliance with a program rule or expectation, and the process for determining and communicating those consequences.

- c. Accommodations for Minors with Disabilities

The University complies with laws that protect individuals with disabilities from discrimination, including the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504). Programs and activities serving minors have a responsibility to ensure compliance with these laws, and must provide: (1) a process for a parent/guardian (or minor) to identify that a minor has a disability, and (2) reasonable accommodations to a minor with a disability to provide equal opportunity to participate in the program/activity. The Individuals with Disabilities Education Act (IDEA) which provides added protection for minors in K-12 educational environments does **not** apply to University-provided programs/activities.

Parents or minors seeking reasonable accommodations must request such supports and provide documentation showing that: (1) the minor is an individual with a disability, and (2) the requested supports are needed to provide the minor with an equal opportunity to participate in the program or activity. An example for the Procedures for the Implementation of the Accessibility Support Policy for Program can be found in Appendix A.

Based on the documentation provided, the program/activity, in consultation with the University's Director of Student Academic Support Services (or designee), will determine the individual minor's eligibility for reasonable modifications or necessary supports. If the program/activity determines that a minor is eligible, then the program/activity will notify the parent and the minor of the modifications/supports that will be provided for the minor.

Examples of reasonable modifications or necessary aids and services for supplemental enrichment activities include positioning the minor in close proximity to the instructor, movement breaks, and project modifications. Due to the limited timeframe for programs/activities, extended time may not be available. All modifications/supports are determined on a case-by-case basis.

Service Animals: The University permits the use of service animals by individuals with disabilities. A service animal is a dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including physical, sensory, psychiatric, intellectual, or other mental disability. Parents or students must notify program/activity staff in advance that a student will be accompanied by a service animal.

Program/activity staff, in consultation with the University's Director of Student Academic Support Services (or designee) will ask a parent/student to remove a service animal in the following circumstances:

- Program/activity staff determines that the animal is out of control and the handler does not take effective action to control it; or
- The animal is not housebroken.

d. Student Records

The University strives to protect the privacy of the individuals it serves. Personally identifiable information and documentation relating to a minor participating in a program or activity, or their parent/guardian, should be kept confidential and secured.

Programs and activities should treat the educational records of minors in generally the same manner as the University treats student records. As a best practice, programs and activities should follow the guidelines set forth by the Family Educational Rights and Privacy Act, ("FERPA") as described in the University's Policy Statement on the Family Educational Rights and Privacy Act.

e. Non-discrimination

Discrimination is inconsistent with the values of Franciscan University and the Catholic Church. Franciscan University's policies and procedures prohibiting illegal discrimination and harassment shall apply to programs governed by this Policy. Persons participating in programs governed by this Policy, including minors, are subject to removal from the program in the event they violate the University's policies prohibiting illegal discrimination and harassment.

X. EMERGENCY AND MEDICAL ISSUES

Programs and activities are expected to ensure to develop appropriate procedures related to medical issues that may arise in serving minor children. At a minimum, these procedures must address the following topics:

a. Communication and Notification of Emergency

1. Program/activity staff should establish an appropriate procedure for response and 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. An example can be found in Appendix B.
2. Program/activity staff should maintain a list of all program participants and a directory of program staff. This list should include participant's name; local room assignment (if applicable); gender, date of birth, address, and phone number(s) of parent or legal guardian, as well as emergency contact information.
3. Program/activity staff should provide information to the parent(s) or legal guardian(s) detailing the manner in which the participant can be contacted during the program.

b. Medical Treatment, Administration of Medicines and Emergency Services¹

1. Program/activity staff should obtain a Health Form (example can be found in Appendix C) for each program participant. All forms should include the following:
 - a. A statement informing the parent/guardian that the minor should carry medical insurance information with them.
 - b. A statement authorizing the release of medical information and emergency treatment in case the parent/guardian/emergency contact cannot be reached for permission.
 - c. A list of any medical conditions the minor may have, including any allergies that could impact his/ her participation in the program.
 - d. All emergency contact information including name, address and phone number of the emergency contact.
 - e. Information related to the minor's immunizations.
2. Programs/activity staff should obtain a **Prescription & Non-Prescription Medication Release** (example can be found in Appendix D) for each program participant. Distribution of participants' medicines by program staff should be handled in the following manner:

¹ This section does not apply to programs of very short duration, such as a 1-hour music lesson, where a parent / guardian would be readily available in the unlikely event medical issues arise.

- a. The participant's family provides the medicine in its original pharmacy container labeled with the participant's name, medicine name, dosage and timing of consumption. Over-the-counter medications should be provided in their manufacturer's container.
 - b. Programs/activity staff should keep the medicine in a secure location, and at the appropriate time for distribution should meet with the participant.
 - c. The Programs/activity staff member should allow the participant to self-administer the appropriate dose as shown on the container.
 - d. Parent(s) and/or guardian(s) are expected to make arrangements for the administration of any medicine that the participant cannot self-administer. P Programs/activity staff will not administer medicine.
 - e. Devices for the self-administration of medications which are prescribed by a physician may be carried by the participant during program activities (Examples include personal "epi" pens and asthma inhalers)
 - f. Participants can self-administer over-the-counter medication that they bring themselves, but only with prior approval. Program staff should make reasonable efforts to have basic first-aid kits available if needed.
3. Programs/activity staff should arrange for medical care appropriate for the nature of program activities including on-site emergency medical service coverage if needed.

XI. OVERNIGHT ACTIVITIES OR PROGRAMS

The Program Administrator(s) are required to adopt and implement rules and regulations for proper supervision of minors in University housing. At a minimum, the following must be included:

- Written permission signed by the parent or legal guardian for the minor to reside in University housing.
- A curfew time which is age appropriate for the participants, but in no case shall it be later than midnight for any minor.
- In-room visitation must be restricted to participants of the same gender.
- Guests of participants (other than parent/legal guardian or other activity or program participants) are restricted to visitation in the building lobby and/or floor lounges, and only during approved hours specified by the program.
- The activity or program must comply with all security and safety procedures specified by the University.
- No one is allowed to sleep in any stairwell, hallway or lounge.
- No one under the age of 13 is allowed to sleep in a dorm, to include nursing infants.
- When a dorm is locked, a participating minor must be accompanied by two (2) staff members at all times when retrieving something from his/her dorm room.

- Entire dorms are designated either male or female.
- Staff members must stay on the same floor as the participants of their gender.
- Staff members will have their own designated bathroom, preferably on a different floor than the participants, if possible.
- Staff members must abide by any further directives imposed by the Youth Protection Officer, as appropriate.

XII. REQUIRED EDUCATION FOR PARTICIPATING MINORS

The Program Administrator will make available to participants the rules and discipline measures applicable to the activity or program. The activity or program participants and staff must abide by all applicable University regulations and all policies and may be removed from the activity or program for non-compliance with rules by the program administrator.

Education for visiting minors must include the following at a minimum:

- Safety and security procedures;
- University rules related to the facilities and activities;
- Rules established by the program and this Policy; and
- Behavioral expectations including, but not limited to, bullying and hazing.

The Program Administrator is responsible for developing and enforcing all program rules and must be able to provide information included in this Policy to participants. Parents or legal guardians of minors will be provided the name and phone number of a program administrator who they can contact if they have questions or concerns about their child. They will also be instructed on how to report and what to report for incidents including, injuries, dangerous situations, and suspicious or concerning behavior.

XIII. PROHIBITED ACTS FOR PARTICIPATING MINORS

Prohibited acts for participating minors include, but are not limited to:

- The use of alcohol or controlled substances.
- Engaging in sexual misconduct, contact, activity or conduct of any kind, with others.
- Engaging in bullying or hazing or other behaviors that endanger themselves or others, which are disruptive to other participants or guests, or which cause damage to university facilities.
- Theft of property regardless of the owner.
- Use or possession of tobacco.
- Misuse or damage of University property. Charges will be assessed against those participants who are responsible for damage or misuse of University property.
- Use of digital devices (i.e., cameras, etc.) in areas where privacy is expected by participants.
- Possession of firearms or weapons, of any kind.

- Operating a motor vehicle while attending and participating in the activity or program unless approved by the Plan Administrator for a reasonable purpose.
- Any violation of the proscribed conduct as described in the University's Code of Student Conduct.
- The inappropriate use of cellphones, cameras, imaging, and digital devices.
- Any violation of any city, state or federal criminal laws.
- Failure to comply with all University policies and procedures.

NOTICE: Participating Minors who violate this Policy will be subject to sanction, up to and including removal from an activity or program or the University.

XIV. REQUIRED TRAINING FOR PROGRAM ADMINISTRATORS AND RESPONSIBLE ADULTS PARTICIPATING IN PROGRAMS AND ACTIVITIES WITH MINORS

Program Administrators and Responsible Adults who participate in University-run or affiliated programs or activities involving minors must complete appropriate training. At a minimum, the training must meet the following requirements:

- Background screening requirements.
- Basic warning signs of abuse or neglect of minors.
- Guidelines for protecting minors from emotional and physical abuse and neglect.
- Requirements and procedures for reporting incidents of suspected abuse or neglect or improper conduct.
- Training may be expanded depending upon the program or activity and the person's role in the program or activity as determined by the Program Administrator and/or Youth Protection Officer (or designee), as appropriate.
- The Program Administrator is responsible for registering themselves and Responsible Adults for the training program and monitoring compliance with the training requirement.
- Training of Program Administrators and Responsible Adults must take place prior to involvement in the Program and refresher training will be required every three (3) years.

Specific requirements and procedures for training appear in Appendix E (Warning Signs for Child Abuse and Neglect) and Appendix F (Online Training for Protection of Minors).

NOTICE: Non-University organizations and entities that wish to operate programs or activities involving minors on campus must provide documentation to the University indicating that all individuals who will be interacting with minors (and anyone who supervises such individuals) have received training that meets or exceeds the minimum requirements of this section.

XV. REQUIRED CRIMINAL BACKGROUND CHECKS

Program Administrators and Responsible Adults must clear a background check prior to participation in programs or activities involving minors. At a minimum, the background check must meet the following requirements:

- The individual must complete a self-disclosure form disclosing any and all arrests or convictions involving crimes of a violent or sexual nature.
- The individual must agree to disclose any such arrest or conviction occurring thereafter to the Youth Protection Officer within three (3) days of such arrest or pleading guilty/no contest or being convicted.
- The background screening must include a criminal background check and a sex offender registry check using the U.S. Department of Justice's National Sex Offender Registry. Copies of the results from the screenings shall be provided to the Youth Protection Officer (or designee).
- The Program Administrator is responsible for providing a list of the Responsible Adults involved in Programs to the Youth Protection Officer (or designee).
- The Program Administrator is responsible for ensuring that all required screening has occurred.
- The Program Administrator shall coordinate the screening process for members of the Franciscan University community with the Youth Protection Officer (or designee).
- Screening for contractors or other individuals employed or otherwise affiliated with non-Franciscan University organizations shall be handled by such organization. The non-Franciscan University organization must certify to the University in writing that the required screening has occurred and that nothing in the background of the individual indicates their involvement in a crime of a violent or sexual nature, or bears adversely upon his or her ability to provide for the safety and well-being of Minors in accordance with University standards.
- The Program Administrator is responsible for monitoring compliance with the background screening requirement.
- The cost of background checks will be borne by the Activity or Program.
- The University may request additional information for certain individuals that it deems necessary to meet the requirements of this Policy.

A prior conviction shall not automatically disqualify a person from participating in an activity or program with minors. However, any person whose screening, after an individualized determination by the University, produces circumstances that bears adversely upon his or her ability to provide for the safety and well-being of Minors will be prohibited from having contact with Minors. Except where required by law, background screening of University faculty, staff and students that are conducted pursuant to this Policy will be used only for purposes consistent with this Policy and will otherwise be kept confidential. Records of background screening will be maintained separately from an individual's personnel or student file.

Specific requirements and procedures for background checks appear in Appendix G (Background Check Authorization and Self-Disclosure of Criminal Convictions).

XVI. EXTERNALLY-SPONSORED ACTIVITIES AND PROGRAMS WITH MINORS HELD ON CAMPUS

Contractual agreements with external organizations or individuals for the use of University facilities in connection with Activities and Programs with Minors must include compliance with these guidelines as a material term of the contract. Such contracts shall also include an indemnification provision in which the University is held harmless for all acts or omissions arising from or related to such Activities and Programs with Minors, including failure to comply with the guidelines set forth in this Policy. Additionally, such external organization or individual shall carry liability insurance with a minimum liability occurrence limit of \$3,000,000.00 naming the University as an “additional insured” on the certificate of insurance.

Any external organization or individual desiring to use a space owned by the University involving an activity or program with minors must complete a Facility Use Agreement.

XVII. ENFORCEMENT

Sanctions for violations of this Policy will depend on the circumstances and the nature of the violation, but may include the full range of available University sanctions applicable to the individual including suspension, dismissal, termination, and, where appropriate, exclusion from campus. The University may also take necessary interim actions before determining whether a violation has occurred. The University may terminate relationships or take other appropriate actions against non-University entities that violate this Policy. Additionally, depending on the circumstances, law enforcement authorities may be notified, where appropriate.

XVIII. POLICY IMPLEMENTATION AND MODIFICATION

Questions about the interpretation or application of this Policy should be raised with the Youth Protection Officer at 740-283-6238 or the Vice President of Human Resources at 740-283-6445, who shall update or modify the Appendices to the Policy as necessary and administer and oversee the implementation of the Policy in a manner that best achieves its goals. The Policy may be modified with the approval of the University President to reflect changes in the law, standards relating to the protection of minors, or University processes, or as otherwise necessary.

XIX. LIST OF PERTINENT DOCUMENTS UNDER THIS POLICY

- Registration Form
- Youth Liability Release Form
- Incident Report
- Standards of Conduct
- Policy and Reporting Obligations for Known or Suspected Abuse or Neglect

- Appendix A- Procedures for the Implementation of the Accessibility Support Policy for Program
- Appendix B-Sample Medical and Emergency Response Procedures
- Appendix C-Sample Health Form
- Appendix D- Sample Prescription & Non-Prescription Medication Release
- Appendix E- Warning Signs for Child Abuse and Neglect
- Appendix F- Online Training for Protection of Minors
- Appendix G-Background Check Authorization and Self-Disclosure of Criminal Convictions

XX. IMPORTANT CONTACT INFORMATION

- John J. Pizzuti, J.D., Youth Protection Officer
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- Jefferson County Prosecutor's Office
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