POLICY TITLE	Minors on Campus and at University-Sponsored Events	**Policy Number**	704
Section	Risk Management and Health	**Approval Date**	October 12, 2016
Subsection	Risk Management	**Effective Date**	October 12, 2016
Responsible Office	Office of the Vice President of Finance and Auxiliary Services	**Last Review**	June 15, 2023

1.0 PURPOSE

1.1 Utah Valley University is committed to ensuring the safety and well-being of minors who are involved in our programs, services, or activities, or who visit our campuses. The purpose of this policy is to describe the obligations that administrators, faculty, staff, students, volunteers, and others working with minors must fulfill to provide for their protection, to fulfill our obligations as mandated by law, and to provide the best possible experience for any minor visiting our campuses or participating in university-related programs.

2.0 REFERENCES

2.1 *The Child Abuse Prevention and Treatment Act (CAPTA) of 1974,* reauthorized 2010

2.2 *Jeanne Clery Disclosure of Campus Security Police and Crime Statistics Act (Clery Act)*

2.3 *Family Educational Rights and Privacy Act (FERPA)*

2.4 *Title IX of the Education Amendments of 1972*

2.5 Utah Code 62a-4a-101, 402, 403, 408, 411 *Utah Mandatory Reporting Requirements*

2.6 Utah Code 76-5-401 *Sexual Offenses*

2.7 Utah Code 76-5b-201 *Sexual Exploitation Act*

2.8 Utah Code 78A-6-105 *Definitions*

2.9 UVU Policy 162 *Title IX Sexual Harassment*

2.10 UVU Policy 251 *Traveling on University Business*

2.11 UVU Policy 252 *International Travel for Students, Faculty, and Staff*

2.12 UVU Policy 333 *Background Checks*

2.13 UVU Policy 541 *Student Rights and Responsibilities Code*

2.14 UVU Policy 601 *Classroom Instruction and Management*

2.15 UVU Policy 635 *Faculty Rights and Professional Responsibilities*

2.16 UVU Policy 710 *Clery Act Compliance*

3.0 DEFINITIONS

3.1 Accompanying minor: A minor child who has been approved by the University to accompany a parent or legal guardian participating in university-authorized travel.

3.2 Authorized adult: Individuals 18 years of age or older, whether paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee, or have access to, minors in university-sponsored or co-sponsored programs/activities. This includes but is not limited to faculty, staff, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, independent contractors/consultants, and on-campus vendors. Authorized adults' roles may include positions such as counselors, chaperones, coaches, instructors, etc. This definition does not include (a) temporary guest speakers, presenters, and other individuals who have no direct contact with program participants other than short-term activities supervised by an authorized adult, (b) individuals who are 18 years of age or older functioning exclusively in a participant capacity in university-sponsored or co-sponsored programs/activities, such as participants attending an athletic camp, or (c) adults supervising or working with minors in a non-UVU program such as individuals or groups renting or otherwise using university facilities.

3.3 Child abuse: At a minimum, any act or failure to act that results in death, serious physical or emotional harm, or sexual abuse or exploitation of a minor, or an act or failure to act that presents an imminent risk of serious harm to a minor.

3.4 Direct contact: Providing care, supervision, guidance, or control of minors, and/or routine interaction with minors.

3.5 Enrolled minor: An individual younger than 18 years of age who is enrolled or accepted for enrollment at the University or who is concurrently enrolled or dually enrolled in university programs while also enrolled in elementary, middle, or high school.

3.6 Legitimate educational interest: The demonstrated "need to know" by officials of an institution who act in students' educational interest, including faculty, administration, clerical and professional employees, and other persons who manage student record information, including student employees.

3.7 Minor: For the purposes of this policy, an individual younger than 18 years of age who is not enrolled or accepted for enrollment at the University and who is not concurrently enrolled or dually enrolled in university programs while also enrolled in elementary, middle, or high school.

3.8 Non-university-sponsored programs/activities: A program or activity not sponsored by the University that is held on a university campus or at a university facility with or without an authorized rental agreement.

3.9 One-on-one contact: Personal, unsupervised interaction between any authorized adult and a minor participant without at least one other authorized adult, parent, or legal guardian present.

3.10 Program: For the purpose of this policy, a program, service, or activity specifically designed for minors as the participants that is offered on or off campus by the University or by non-university groups using university facilities. This includes but is not limited to instruction, student activities, workshops, sports camps, academic camps, conferences, pre-enrollment visits, or similar activities. This does not include regularly scheduled university courses or single performances or events open to the general public that are not targeted toward minors (such as varsity athletic competitions, plays, concerts, etc.).

3.11 Sponsoring unit: The academic or administrative unit of the University that sponsors a program or gives approval for the use of university facilities.

3.12 *Statement of Acknowledgment Form*: A form to be completed by authorized adults not employed by the University but assigned to work with minors in university-sponsored or co-sponsored events.

3.13 University facilities: Facilities owned/leased by the University.

3.14 University-sponsored or co-sponsored program/activity: A program in which university employees are present and participate that is sponsored by the University exclusively or in partnership with an outside organization.

3.15 Volunteer: An individual who donates his or her services, usually on a part-time basis, for public service, religious, or humanitarian objectives, not as an employee and without contemplation of pay or university employee benefits.

4.0 POLICY

4.1 Utah Valley University complies with all applicable federal, state, and local laws concerning the protection of minors in university-sponsored and co-sponsored programs. In addition to this policy, some of these programs (such as daycare) may be subject to stricter state and federal laws and regulations. In these instances, those stricter laws prevail.

4.2 This policy applies to all members of the university community, including all university employees, interns, and students, and also to all volunteers, contractors, vendors, authorized adults, minors, enrolled minors, and other individuals who use university facilities. The University requires all such persons to adhere to and act in accordance with this policy.

4.3 Failure to comply with the requirements set forth in this policy may lead to disciplinary action and/or revocation of permission to use university premises. University employees who fail to comply with this policy will be subject to discipline, up to and including termination of employment. Non-minor students who fail to comply with this policy will be subject to university sanction, up to and including suspension and expulsion. Minors and enrolled minors who violate this policy will be subject to sanction, up to and including removal from a program or the University. Programs that fail to comply with this policy will be subject to sanction, up to and including suspension of the program.

4.4 In keeping with the University's commitment to the protection of minors, and in compliance with applicable laws, any employee, student, or volunteer of the University who witnesses or has reasonable cause to suspect any abuse of a minor occurring on a university campus, at university facilities, or during university-sponsored programs/activities is required to report such conduct to UVU Police immediately or other law enforcement agencies as applicable.

4.4.1 This policy does not replace any additional requirements for reporting child abuse or neglect pursuant to state or federal statutory reporting requirements or to otherwise comply with UVU Policy 162 *Title IX Sexual Harassment* and UVU Policy 710 *Clery Act Compliance.*

4.5 The University requires that all program directors and other leaders of any university-sponsored or co-sponsored program who bring minors onto a university campus or to university facilities.

1) Complete the University's mandatory training acknowledging the need to comply with this policy and provide appropriate training in supervising minors to its authorized adults; and

2) Have an adequate number of authorized adults supervising minor program participants for the type of activity sponsored. Some of the factors to consider in determining "adequate number" are the number and age of participants, the activity(ies) involved, the type of housing if applicable, and the age and experience of the authorized adults.

4.6 University faculty, staff, students, or volunteers serving as authorized adults shall complete mandatory training at least every two years on the conduct requirements of this policy, as set forth in sections 5.2 and 5.3.

4.7 All non-enrolled minors who are on a university campus or in university facilities, whether as visitors, or university program/activity participants, are permitted in the general-use facilities (athletic fields, public spaces, academic buildings, food services areas, etc.) but may be

prohibited from entering certain areas or using certain equipment on a university campus to avoid potentially dangerous situations or inappropriate one-on-one contact with adults.

4.8 Accompanying minors on university-authorized domestic or international travel must comply with UVU Policy 206 *University-Authorized Travel* and Policy 608 *International Travel for Students, Faculty, and Staff*, and any other requirements set forth by the University.

5.0 PROCEDURES

5.1 Background Checks and Statement of Acknowledgment

5.1.1 Entities leasing or renting university facilities shall, in the University's facilities use agreement, review and sign statements that acknowledge their responsibility and liability for the protection of minors they supervise in their programs.

5.1.2 Authorized adults, whether employees or volunteers not employed by the University but assigned to work with minors in university-sponsored or co-sponsored programs, must sign and submit a *Statement of Acknowledgment Form* to the appropriate university program director before their interaction with minors begins. The program director is responsible for obtaining these signed forms and for maintaining and archiving them for five years.

5.1.3 All authorized adults assigned to work with minors in university-sponsored or co-sponsored programs, whether they are UVU employees or volunteers, must undergo a background check that will be reviewed and approved by People and Culture prior to individuals being hired and/or assigned to work with minors.

5.1.4 Based on the results of a background check, the Associate Vice President of People and Culture or his or her designee shall, in consultation with the University's General Counsel as needed, determine whether or not a university employee or volunteer will be permitted to participate in a program or activity covered by this policy. Results of background checks conducted under this policy shall be used only for the purposes of this policy. The University reserves the right to take appropriate disciplinary action, up to and including termination, in accordance with university policy, for employees who may have previously falsified or failed to disclose information. Copies of background check reports will be retained by People and Culture.

5.1.5 Each authorized adult shall self-report to the program director if, prior to or during the course of the authorized adult's service to the program, the authorized adult has any criminal charge pending, is arrested, criminally charged, or convicted for any offense involving child abuse or neglect, sexual offenses, sexual exploitation, domestic violence, and/or other acts of violence, or has been served with a protective order, a restraining order, or a stalking injunction.

The report must be made prior to beginning service in the program or within 72 hours of the arrest, charge, or notification of pending charge.

5.2 Mandatory Training for Authorized Adults

5.2.1 Training for university faculty, staff, students, and volunteers serving as authorized adults in UVU-sponsored or co-sponsored programs shall include the following:

1) Information about responsibilities, expectations, policies/procedures, enforcement, appropriate crisis/emergency responses, safety and security precautions, confidentiality issues involving minors, and basic university responsibility/liability;

2) Instruction on accessing emergency services on and off campus;

3) Instruction on mandatory reporting requirements if a program participant discloses any type of assault or abuse (at any time previously or during the program), or if an authorized adult has reason to suspect that the participant has been subject to such assault or abuse; and

4) Instruction on the prevention of abuse and recognizing signs of abuse.

5.2.2 Training of university employees shall be provided in coordination with the University's Office of People and Culture and Risk Management.

5.3 Rules of Conduct for Authorized Adults

5.3.1 While participating in programs covered by this policy, authorized adults shall not

1) Have one-on-one contact with minors. Two or more authorized adults must be present during activities where minors are present;

2) Have any direct electronic contact with minors, including via email, text message, social networking websites, or other forms of social media, at any time except and unless (a) there is an educational or programmatic purpose for the contact, and (b) the content of the communications is consistent with the mission of the program and the University. For concerns about whether the electronic communication meets both of these criteria, the dean or vice president over the program should be consulted.

3) Engage in abusive conduct of any kind toward, or in the presence of, a minor;

4) Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner, any minor. If restraint is necessary to protect a minor from self-harm or to protect others from harm, all incidents must be documented and disclosed to the program director and the minor's parent/guardian;

5) Transport minors, other than the driver's own child(ren), to or from university-sponsored activities, except as specifically authorized in writing by the minors' parents or legal guardians and then only if the authorized adult is not alone in the vehicle with one minor;

6) Engage in rough or sexually provocative games, including horseplay with, or in the presence of, any minor;

7) Allow inappropriate touching or other forms of misconduct prohibited by the University, including between minors;

8) Swear or use sexually based language, use or respond to sexual innuendo, or make sexually suggestive comments towards, or in the presence, of any minor;

9) Personally consume or provide alcohol or illegal drugs to any minor. Authorized adults shall not use or provide prescription drugs or any medication to any minor unless specifically authorized in writing by the parent or legal guardian;

10) Make sexual material (except for course-appropriate biology/anatomy material needed for the program) in any form, including printed and electronic, available to minors participating in programs covered by this policy, or assist them in any way in gaining access to such materials;

11) Shower, bathe, or undress with, or in the presence of, any minors;

12) Tell minors "this is just between the two of us" or use similar language that encourages minors to keep secrets from their parent or legal guardian; or

13) Leave a minor or minors under the supervision of a person who is not an authorized adult—for example, with a guest presenter, during a field trip, etc.

5.3.2 All incidents involving inappropriate conduct, whether or not required by law or other university policy to protect a minor or others from harm, must be documented and disclosed promptly to the program director and the minor's parent/guardian.

5.3.3 If an allegation of inappropriate conduct is made against an authorized adult participating in a program, he or she will discontinue any further participation in programs and activities covered by this policy until such allegation has been appropriately investigated and resolved.

5.4 Requirements for Supervising Adults in Non-UVU Programs

5.4.1 Non-UVU organizations, vendors, licensees, or others who are authorized to come onto a university campus or to use university facilities for events, programs, or activities that will include participation of minors shall ensure that they provide training on and have proper procedures in place on how to properly supervise minors and to report abuse of a minor.

5.5 Reporting of Abuse and Code of Conduct Violations for Authorized Adults

5.5.1 Utah state law includes a mandatory reporting obligation that requires any person who "has reason to believe" that a minor has been subjected to abuse or neglect, including sexual abuse, to immediately notify the Utah State Office of Child and Family Services or a law enforcement agency (Utah Code Ann. § 62A-4a-403).

5.5.2 Reports of alleged child abuse shall be made to UVU Police or other law enforcement agencies as applicable. Such reports should include the name of the victim and assailant (if known), other identifying information about the victim and assailant, the location of the incident, and the nature of the incident. Along with initiating investigatory procedures, UVU Police shall notify the General Counsel of the report. The General Counsel shall update the President and the Board of Trustees through periodic reporting and as needed.

5.6 Communication and Notification

5.6.1 To report misconduct of any type or to prevent imminent danger, the following numbers should be called:

1) From a campus telephone: 5555 (UVU Police)

2) From a cell phone: (801) 863-5555 (UVU Police)

3) From any phone: 911 (police emergency number)

5.6.2 A third-party telephone hotline and website have been established to allow anyone to report misconduct anonymously. The telephone hotline is available throughout the work week during office hours at (877) 228-5401 (do not use for emergencies). After hours a message can be left and follow-up will occur on the next business day. Alternatively, reports can be made online anonymously and confidentiality through the Report Concerns webpage, the University's 24-hour hotline provider, which can be found at http://www.uvu.edu/audit/concerns.

5.6.3 In case of an emergency, including medical or behavioral problems, natural disaster, or other significant program disruptions, the University's sponsoring unit/program shall

1) Establish an appropriate procedure for the notification of the minors' parents or legal guardians.

2) Maintain a list of all participants, which shall include each participant's name, gender, age, address, and phone number(s) of parents or legal guardians, as well as emergency contact information.

3) Provide information to parents or legal guardians detailing the manner in which the participant can be contacted during the program.

5.7 Medical Treatment, Administration of Medicines, and Emergency Services

5.7.1 The sponsoring unit/program will obtain a university *Medical Information and Release Form* for each program participant if applicable. Program staff shall be responsible for reviewing all forms, securing the information on the forms, and for assessing needs of each program participant. *The Medical Information and Release Form* can be obtained from the Director of Emergency/ Risk Management.

5.7.2 Parents and/or guardians are expected to make arrangements with program leadership for the administration of any medicine that the participant cannot self-administer. The participant's parents and/or guardians will provide the medicine in its original pharmacy container labeled with the participant's name, medicine name, dosage, and timing of consumption. Over-the-counter medications must be provided in the manufacturer's container.

5.7.3 As needed, the program staff will keep medicine in a secure location and will meet with the participant at the appropriate time for administration.

5.7.4 Prescription medications that are self-administered may be carried by the participant during program activities (examples include but are not limited to personal "epi" pens and asthma inhalers). Program participants are prohibited from distributing any self-administered prescriptions they carry to any other program participant.

5.7.5 Program staff should make reasonable efforts to have basic first-aid kits available as needed.

5.7.6 The sponsoring unit will arrange for medical care, including emergency medical services, appropriate for the nature of program activities.

5.7.7 The sponsoring unit will notify UVU Police, EMS, and parents or legal guardians if emergency medical services are required.

5.8 Program Rules of Conduct for Participants

5.8.1 Program staff will develop and make available to participants the rules and disciplinary measures applicable to the program. These rules align with the University's Code of Conduct. The following must be included in the program rules:

1) The possession or use of alcohol and other drugs, fireworks, guns, and other weapons is prohibited;

2) The operation of a motor vehicle by minors is prohibited while minors are attending and participating in the program;

3) Rules and procedures governing when and under what circumstances participants may leave university property during the program;

4) Violence of any kind, including sexual abuse or harassment, will not be tolerated;

5) Hazing of any kind is prohibited. Bullying, including verbal, physical, and cyberbullying, is prohibited;

6) Theft of property regardless of owner will not be tolerated;

7) Use of tobacco or e-cigarette products is prohibited on university property or while participating in the program;

8) Misuse or damage of university property is prohibited. Costs resulting from damage or misuse of university property will be assessed against those participants who are responsible for the damage or misuse; and

9) The inappropriate use of camera, imaging, digital, and/or other recording devices is prohibited, including use of such devices in showers, restrooms, or other areas where privacy is reasonably expected by participants.

5.8.2 Program participants and authorized adults must abide by all program and university regulations and may be removed from the program for non-compliance with program and/or university policies and rules.

5.9 Informed Consent in Programs by Participants/Legal Guardians

5.9.1 Authorized adults will obtain signed university Media, Photo, and Video Release Forms, Medical Forms, and/or Informed Consent Forms from participants as part of the program registration process. These forms may be obtained from the sponsoring unit/program. All data gathered shall be confidential, is subject to records retention guidelines, and will not be disclosed, except as required by law.

5.10 Employees Bringing Minors to the Workplace

5.10.1 To reduce the potential for accidents and incidents in which minors either harm themselves or inadvertently create a hazard for others, the University addresses and complies with all applicable health, safety, environmental regulations and laws.

5.10.2 Employees may not bring their minor children to work with them on a regular basis. With advance approval from supervisors, and only on an exceptional basis, and if the visit does not violate the requirements of section 5.10.4 below, university employees may, for example, bring their minor child(ren) to work in an emergency situation or as part of a job shadowing program when approved in advance by the employee's supervisor. When employees bring minors to the

workplace, the University is not responsible for ensuring the minor is safe and well supervised. The employee is fully responsible for the safety and supervision of the minor for the entire visit. Specifically, employees who bring a minor to work must ensure the minor will not interrupt normal workplace activities.

5.10.3 Supervisors and department heads may place additional restrictions on the presence of minors in the workplace consistent with the environment and the demands of the work being performed.

5.10.4 Minor children of employees shall not be allowed to

1) Perform work of any kind at any time, as required by the U.S. Department of Labor;

2) Drive university-owned motorized vehicles, including golf carts;

3) Violate any university policies; and

4) Be present in the following high-risk areas:

a) Laboratories, workshops, studios, power plants, garages, and food preparation areas

b) Any area, indoors or out, containing power tools or machinery with exposed moving parts

c) Any area where university vehicles, such as snow machinery, grounds equipment, heavy-duty, or other motorized equipment, are being used

d) Any other high-risk area, including but not limited to rooftops and construction zones

5.10.5 In the unlikely event that a visiting minor becomes lost on campus, the host-employee should contact UVU Police at ext. 5555 or 911 for assistance in locating the minor.

5.10.6 Nothing in this policy interferes with the right of employees who are nursing mothers to take breaks to nurse their child or express milk for up to one year after the birth of the child, consistent with the *Fair Labor Standards Act (FLSA)* and Utah law. For additional information, employees and supervisors should contact the Employee Accommodations Coordinator in People and Culture.

5.11 Enrolled Students Bringing Minors to the Classroom

5.11.1 Minors of enrolled students are not permitted in university classrooms or laboratories unless they are an integral part of instruction. Under extraordinary, extenuating circumstances, faculty may grant permission for enrolled students to bring children into the classroom.

5.11.2 Instructors have the right to ask students who bring minors into university classrooms or laboratories to leave. Students who violate this policy are subject to discipline per UVU Policy 541 *Student Rights and Responsibilities Code*.

5.11.3 Enrolled students who bring minors to campus shall not leave minors unattended in hallways or restrooms or in public common areas. Enrolled students who bring minors to campus are fully responsible for the safety and supervision of such minors while on campus. If an unsupervised minor comes to the attention of university personnel or students, UVU Police may be contacted.

5.11.4 Parents/guardians are responsible for their minors' safety and behavior in the library, including in the Family Study Room. Minors should be supervised at all times. Library staff cannot oversee unescorted or unsupervised minors, nor be responsible for their safety. If an unsupervised minor comes to the attention of library personnel, UVU Police will be contacted.

5.12 Enrolled Minor Students

5.12.1 This section describes the obligations of faculty, staff, and others in working with enrolled minors to provide for the enrolled minors' protection, to fulfill the University's obligations as mandated by law, and to provide the best possible educational experience for all enrolled minors.

5.12.2 To provide a safe and secure environment for enrolled minors, the following student information may be provided to faculty and staff who have a legitimate need-to-know:

1) Student name

2) Date of birth

3) Enrollment status (e.g., undergraduate or graduate, full-time or part-time)

5.12.3 This information about enrolled minors may be disclosed to faculty, staff, or other university employees who will have a legitimate educational interest in the enrolled minors because they have significant interaction with the enrolled minor and need to be able to identify the student as an enrolled minor.

5.12.4 Faculty members who are notified or become aware that they have enrolled minors in the classes and organizations they supervise or advise are expected to comply with all applicable laws and university policies and exercise sound professional judgement in their interactions with enrolled minors.

5.12.5 In keeping with the University's commitment to the protection of minors, and in compliance with applicable state and federal laws, any faculty, staff, or other employee of Utah Valley University who witnesses or has reasonable cause to suspect any abuse (as defined in

section 3.3 and UVU Policy 162 *Sexual Harassment*) of an enrolled minor occurring on a university campus, at university facilities, or during university-sponsored programs, activities, or courses is required to immediately report such conduct to UVU Police or other law enforcement agencies as applicable.

POLICY HISTORY		
Date of Last Formal Review: June 15, 2023		
Due Date of Next Review: June 15, 2028		
Date of Last Action	**Action Taken**	**Authorizing Entity**
December 4, 2014	New, Temporary Emergency process, approved.	UVU Board of Trustees
December 3, 2015	Revision, Temporary Emergency process, approved.	UVU Board of Trustees
October 12, 2016	Revision, Regular policy process, approved.	UVU Board of Trustees
June 22, 2017	Non-substantive changes in section 2.0: * Policy 206 renumbered to 251 and renamed. * Policy 608 renumbered to 252 and renamed.	UVU Policy Office
March 2018	Non-substantive changes: * Number of policy changed from 115 to 704 for move into new 700-level numbering. * Section 2, Policy 407 renumbered to 710. * Changed section and subsection titles in header.	UVU Policy Office
August 14, 2020	Nonsubstantive changes made to sections 2.9; 4.4.1; and 5.12.5: Title of Policy 162 updated from *Sexual Misconduct* to *Title IX Sexual Harassment*.	UVU Policy Office
August 31, 2026	Non-substantive change: Replace "Ethics Point" with "Report Concerns"	UVU Policy Office

*More information on the formal review can be found in Policy 101 section 4.7.3.