

SUPERVISION OF NON-STUDENT MINORS

POLICY STATEMENT

Northern Arizona University requires appropriate, reasonable safeguards for the supervision, care, and protection of non-student participants not yet eighteen (18) years of age in programs operated by the University or by third-parties using University Facilities. These requirements include among others program planning and record-keeping, background and fingerprint screening, limitations on adult one-on-one interactions and communications with minors, duties to protect and to report suspected abuse or neglect, medical protocols, parental permissions, training, and participant awareness forms.

REASON FOR THIS POLICY

Appropriate standards for the supervision of Non-Student Minors protect children and help to mitigate institutional risk associated with programs, services, or activities that serve or involve minors.

ENTITIES AFFECTED BY THIS POLICY

- All units that operate programs or activities that serve or interact with Non-Student Minors
- Minors Safety Committee
- Office of Research Compliance
- Third-parties that operate Non-University Minors Programs using University facilities

WHO SHOULD KNOW THIS POLICY

- University Program staff and volunteers that serve or interact with Non-Student Minors
- Laboratory personnel who supervise or otherwise interact with Non-Student Minors
- Non-University Program staff and volunteers that serve or interact with Non-Student Minors

DEFINITIONS

Authorized Adult: an individual older than eighteen (18) years of age, whether an employee or volunteer, who has complied with the requirements of this policy to be present with, or to supervise Non-Student Minors in support of, or to operate University or Non-University Minors Programs in the role of administrator, leader, educator, coach, counselor, chaperone, trainer, or in any other capacity.

Non-Student Minor: a person under eighteen (18) years of age not matriculated to the University as a student.

Non-University Minors Program: an event or activity or series of events or activities intended for or that serves Non-Student Minors that is operated by a third-party utilizing University Facilities, where the third-party acts in a custodial capacity for and supervises Non-Student Minor participants entrusted to their care and control. Examples of Non-University Programs include without limitation workshops, summer camps, or conferences that take place on University-controlled property.

One-on-One Minor Interaction: unsupervised direct personal interaction between an Authorized Adult and a Non-Student Minor without at least one other Authorized Adult, parent, or legal guardian present.

University Facilities: property or resources on or off-campus under the University's control.

University Minors Program: an event or activity or series of events or activities intended for or that serves Non-Student Minors operated by the University where the University acts in a custodial capacity for and supervises Non-Student Minor participants entrusted to their care and control. Examples include without limitation workshops, summer camps, or conferences but do not include programs that award college course credit or that serve students who have matriculated to the University.

POLICY

A. Minors Safety Committee

The Minors Safety Committee shall serve as the University's primarily entity responsible for promoting the safety of Non-Student Minors on campus. The Committee will work with all University and Non-University Minors Programs to recommend and advocate for Non-Student Minor protection best practices in accordance with this policy, and will compile and maintain the University's [Protection of Minors Safety Matrix](#). The Minors Safety Committee and each University and Non-University Minors Program shall cooperate to determine Non-Student Minors protection best practices that are consistent with this policy and the program's purpose, goals, administrative needs, operational practicalities. In the event that the Minors Safety Committee and a University Minors Program are unable to reach consensus regarding an appropriate suite of minors protection best practices, the vice president with jurisdiction over the program shall make the final determination.

B. Oversight, Nominations and Appointments

The Minors Safety Committee shall report to and be overseen by the Minors Safety Executive Oversight Committee, which shall consist of the following executive leaders, who shall nominate and appoint with the President's concurrence, the Minor Safety Committee's members as outlined below:

- i) The Vice President for Capital Planning and Campus Operations, who will nominate one member from Contracts, Purchasing and Risk Management (who will serve as the Committee's chair) and one member from the Northern Arizona University Police Department;
- ii) The Vice President for Enrollment Management and Student Affairs, who will nominate one member to represent University Minor Programs and one member to represent Non-University Minor Programs that operation on University property;
- iii) The Provost and Vice President for Academic Affairs, who will nominate one member from the College of Arts and Letters, one member from the College of Education, and one member from the College of Health and Human Services;
- iv) The Vice President for Research, who will nominate one member with expertise regarding Non-Student Minors in laboratories; and
- v) The Vice President for Intercollegiate Athletics, who will nominate one member.

C. Registration

University Minors Programs, Non-University Minors Programs, and other University-sponsored activities that can reasonably anticipate interacting with Non-Student Minors shall at least thirty (30) calendar days prior to their commencement submit a completed [Minors Program Registration Form](#) to the Minors Safety Committee. The purpose of registration is to confirm that each program addresses the safety of Non-Student Minors in its planning and administration and otherwise complies with the requirements of this policy. Registrations must be renewed annually. For recurring programs, a single annual filing is sufficient. Prior to its commencement, each program, event, or activity intending to serve or accommodate Non-Student Minors must be listed by the Minors Safety Committee on the University's *Protection of Minors Safety Matrix*.

D. Authorized Adults

All Authorized Adults who supervise Non-Student Minors, whether employed by or volunteering for the University or third-parties conducting Non-University Programs, must comply with this policy. University Minors

Programs and Non-University Minors Programs are encouraged to adopt additional program-specific policies or procedures as may be necessary or appropriate to supplement the requirements of this policy.

E. Exclusions

This policy does not apply to: i) programs that serve individuals under eighteen (18) years of age that have matriculated as students to the University; ii) University events open to the general public; iii) programs, events, or activities that are attended by Non-Student Minors while they are supervised by a parent, legal guardian, or an official of a school or other non-University organization or group; or iv) research programs or activities approved by the Institutional Review Board where Non-Student Minors serve as human research subjects. Further, this policy does not apply to Non-Student Minors employed by the University who are acting in the normal course and scope of their work or to programs, services, events, or activities that may be designated by the President as excluded from this policy or any of its specific provisions.

F. Non-Student Minor Program Development and Administration

Program leaders must consider, at minimum, the following supervisory topics when planning and implementing University Minor Programs and Non-University Minor Programs:

- Selection and training of Authorized Adults (includes both employees and volunteers)
- Background and fingerprint screening requirements
- The appropriate degree of supervision and the supervisor-to-participant ratio
- The nature or needs of the specific Non-Student Minor population to be served
- Safety and security planning and preparedness
- Mandatory legal forms required to enable participation
- Response protocols in the event of injury or illness
- Response protocols if an Authorized Adult or program participant is accused of misconduct
- Program orientations for Non-Student Minors and their parents or legal guardians
- Insurance, record-keeping, and record retention requirements

G. One-on-One Minor Interactions

Authorized Adults will avoid One-on-One Minor Interactions. Authorized Adults should be accompanied by another Authorized Adult, or a parent or legal guardian as their first and best option when interacting with a Non-Student Minor. There may be situational exceptions, however, in which One-on-One Minor Interactions are necessary. Where One-on-One Minor Interactions can be reasonably anticipated and are appropriate, University and Non-University Programs shall ensure that prior written institutional and parental approval is obtained using the *Approval for One-on-One Interactions with Non-Student Minors* and the *Disclosure of Potential One-on-One Interaction with a Non-Student Minor* forms (or comparable program-specific forms containing, at a minimum, the same information and legal effect). Additionally, in no event will an Authorized Adult have One-on-One Minor Interaction with a Non-Student Minor outside of established times for program activities or without first complying with the screening requirements outlined in Section L.

H. Duty to Report and Protect

Arizona law (A.R.S. §13-3620) requires that University personnel and other persons, including Authorized Adults, who have responsibility for the care or treatment of a minor who reasonably believe that the minor has been abused or neglected shall immediately report or cause a report to be made of this information to a sworn peace officer. The NAU Police may be contacted by calling 928-523-3611 (or 911 in an emergency) for this purpose. The NAU Police will be responsible for parental or legal guardian notification in such circumstances. An Authorized Adult making such a report will concurrently notify the program's senior administrator, who in the case of Non-University Programs, will immediately notify the program's University coordinator. Any Authorized Adult who reasonably suspects or becomes aware of a credible threat to the health, safety, or wellbeing of a Non-Student Minor will take immediate action to protect the Non-Student Minor from the perceived threat. Further, the program will prohibit an Authorized Adult who may reasonably be considered to pose a threat to the safety, security, or welfare of Non-Student Minors from having further contact with Non-Student Minors in the context of their program, unless and until the matter is properly resolved by the appropriate authority.

I. Image Capture and Use

Authorized Adults may only photograph, video, or otherwise capture or record images of Non-Student Minor participants in University and Non-University Programs for programmatic purposes. Prior to publishing a Non-Student Minor image, the program must obtain the express written authorization of the Non-Student Minor's parent or legal guardian using the *Non-Student Minor Image Release* form, or a comparable program-specific form with the same content and legal effect.

J. Communications

In furtherance of their official duties only, Authorized Adults may communicate with Non-Student Minors by telephone, via social media, or by other electronic means (e.g., email, texting, etc.). Such communications must be designed and intended to further official program purposes. Authorized Adults may not communicate with a Non-Student Minor in any manner that falls outside the scope of official program activities.

K. Medical Contact

University and Non-University Programs will, as appropriate, develop individualized protocols for medical contacts with Non-Student Minors. Such protocols may include collecting relevant medical information about Non-Student Minors, administration of medication to Non-Student Minors, and use by Non-Student Minors of healthcare provider-prescribed medical devices to treat emergency or chronic conditions (e.g., "EpiPens" or respiratory-related inhalers). At least one Authorized Adult with valid first aid and cardiopulmonary resuscitation ("CPR") certifications shall be reasonably accessible at all times during all program activities with access to an appropriate selection of first aid supplies. Program staff will immediately call 911 in the case of a medical emergency involving a Non-Student Minor, and will inform the parent or legal guardian as soon as possible.

L. Behavioral Expectations

Before a program expected to serve Non-Student Minors begins, the program will ensure distribution of the *Behavioral Expectations for Non-Student Minors* form (or a comparable program-specific equivalent) to all Non-Student Minors and their parents or legal guardians. Prior to a Non-Student Minor's participation in the program, this form must be signed, dated, and returned by the parents or legal guardians of Non-Student Minors, and by Non-Student Minors ten (10) years of age or older to acknowledge their agreement with its terms. All Authorized Adults that are expected to interact with Non-Student Minors in the conduct of the program must sign, date, and return the *Behavioral Expectations for Authorized Adults* form (or a comparable program-specific equivalent) to program staff to acknowledge their agreement with its terms, which must include carefully reviewing this policy and understanding its requirements and limitations.

M. Criminal Background and Fingerprint Screening

1. University Programs

Authorized Adults and University Minors Program administrators employed by the University are deemed to be acting in safety-sensitive roles for the purpose of Human Resources Policy 1.085 and are thus subject to background and fingerprint screening prior to working with Non-Student Minors. Additionally, Authorized Adults volunteering for University Programs shall be subject background screening prior to working with Non-Student Minors and may also be subject to fingerprint screening where such a requirement is determined to be practicable and materially beneficial. Authorized Adults who may reasonably be considered to pose a threat to the safety, security, or welfare of Non-Student Minors shall not be allowed to work with Non-Student Minors as part of any University Program. The program's senior administrator is responsible for ensuring compliance with all employee and volunteer screening requirements, including the mandate to repeat screening for employees and volunteers after a gap of six months or more in service.

2. Non-University Programs

Prior to working with Non-Student Minor participants in Non-University Programs, Authorized Adults not employed by the University shall undergo the same criminal background screening, with the exception of fingerprint screening, as University employees and volunteers. This includes the requirement for repeat screening after a gap of six months or more in service. Authorized Adults who may reasonably be

considered to pose a threat to the safety, security, or welfare of Non-Student Minors shall not be allowed to work with Non-Student Minors as part of any Non-University Program. The University reserves the right to review a Non-University Program's criminal background screening records at its discretion.

N. Training

Each University and Non-University Program will train and re-train as necessary or advisable all Authorized Adults participating in the program on appropriately safeguarding Non-Student Minors. This training must cover

all applicable laws, policies, and protocols, including Arizona law mandating the reporting of suspected child abuse or neglect. Each program must certify the completion of such training and will maintain a list of trained Authorized Adults and the date that the required training was completed. Each University and Non-University Minors Program will ensure distribution of this policy and its accompanying *Protocols for Authorized Adults Who Supervise Non-Student Minors* document to all Authorized Adults contributing to their program.

O. Assumption of Risk, Waiver, Release and Consent for Participation

Before a University and Non-University Program begins, each University and Non-University Minors Program will ensure distribution of the *Assumption of Risk, Waiver, Release, and Consent for Non-Student Minor Participation* form (or a comparable program-specific equivalent with the same legal effect). The parents or legal guardians of all Non-Student Minors must sign, date, and return the form to program staff to acknowledge their agreement with its terms and conditions prior to their Non-Student Minor's participation in the program.

P. Record-keeping and Information Sharing

University and Non-University Programs will obtain name and contact information for the parents or legal guardians of all Non-Student Minors participating in their programs. Such information will be used for any notification to include without limitation any i) health or safety issues affecting the Non-Student Minor, including medical or behavioral problems; or ii) program information such as cancellations or time or location changes. All programs will obtain contact information and will confirm the identity of any individual authorized by a parent or legal guardian to pick up a Non-Student Minor program participant from a University or Non-University Program. The program's senior administrator will provide their business contact information, and the contact information for other Authorized Adults supporting the program as may be appropriate, to all Non-Student Minor parents or legal guardians.

Q. Non-Student Minors in Laboratories

1. Except as provided for in this policy, Non-Student Minors are prohibited from accessing or being present in the University's laboratories. As used herein, the term "laboratory" refers to and includes all University research and clinical laboratories, engineering workshops, machine shops, greenhouses, and Animal Care Services animal housing facilities and procedure rooms.
2. Without exception, Non-Student Minors are prohibited at all times from entering, visiting, or working or conducting research in University laboratories that i) are designated Biological Safety Level 3 or Animal Biological Safety Level 3 or higher for recombinant or infectious organisms; or ii) store or contain "select agents" as defined by the Federal Select Agent Program or explosives, radioactive materials, radiation (X-rays), or acute toxins.
3. While participating in organized University programs or activities such as a science fair or an approved research project, Non-Student Minors may enter or visit University laboratories not listed as off-limits in Section P(2) above while under the appropriate supervision of a qualified University faculty member, researcher, or other trained official, in accordance with the following requirements:
 - a. The Non-Student Minor must first submit and the Environmental Health and Safety Office and the Office of Research Compliance must first approve a comprehensive written research proposal that includes i) a complete description of the project, ii) a listing of all materials that will be used, and iii) signed and dated parental or legal guardian and project sponsor (if any) consent forms;

- b. As appropriate, review by institutional ethics committees including the Institutional Animal Care and Use Committee, Institutional Biosafety Committee, and Institutional Review Board may also be required;
 - c. The Non-Student Minor and the Non-Student Minor's parent or legal guardian must read, sign, date, and return to the University any *Potential Hazards Information Form* that may be appropriate for the space and the risks present;
 - d. If applicable, the Non-Student Minor and the Non-Student Minor's parent or legal guardian must read, sign, date, and return to the University a *One-on-One Interaction with a Non-Student Minor* permission form;
 - e. Prior to entering a University laboratory, a Non-Student Minor must complete hazard-specific safety training appropriate for the space and the risks present, as determined by the Office of Research Compliance;
 - f. Prior to entering a University laboratory, personal protective gear appropriate for the hazards present must be issued to, and the Non-Student Minor must be instructed and be competent in their proper use;
 - g. Prior to the entry of a Non-Student Minor, the laboratory must first be in full compliance with all applicable health and safety regulations and protocols; and
 - h. The Non-Student Minor must be supervised by qualified personnel at all times when in a University laboratory.
4. Willfully violating the University's rules as stated herein that regulate access by or the presence of Non-Student Minors in University laboratories shall be considered misconduct subject to disciplinary action in accordance with applicable Arizona Board of Regents and University employee conduct policies. Potential sanctions include termination of employment. Violations of this policy, unsafe, or illegal activity in the University's laboratories committed by visitors or guests may result in arrest or ejection from University property.

R. Record Retention

University Minor Program and Non-University Minor Program senior administrators will ensure the retention of all program records (including the originals or official scans of all participant forms) until such time as Non-Student Minor participants turn eighteen (18) years and six (6) months of age and will provide the University with access to all such records upon request.

S. Accountability and Enforcement

University Program employees who violate this policy are subject to disciplinary action under applicable Arizona Board of Regents and University employee conduct policies up to and including termination of employment. University units that violate this policy may be prohibited from offering, sponsoring, hosting, or otherwise operating programs or activities that serve Non-Student Minors. Non-University Program employees or volunteers who violate this policy may be deemed ineligible by the University to participate in future Non-University Programs. Further, the University may, in its sole discretion, cancel a University or Non-University Program for non-compliance with this policy.

RESPONSIBILITIES

Authorized Adults: pass criminal background and fingerprint screening as applicable in accordance with this policy; ensure the safety and wellbeing of Non-Student Minors in their programs; avoid unauthorized One-on-One Minor Interactions; immediately report any perceived threats or abuse or neglect of Non-Student Minors; comply with all applicable mandates regarding images of and communicating with Non-Student Minors; complete program training and comply with the University's behavioral expectations for Authorized Adults serving Non-Student Minors.

Non-Student Minors: comply with their program's behavioral expectations as shared with them by their parent, legal guardian, or program officials; Non-Student Minors ten years of age or older agree in writing to comply with the University's behavioral expectations.

Minors Safety Committee: functions as the University's key primary advocate for protecting Non-Student Minors on University property; receives Non-Student Minor program or activity registrations and works with University and Non-University Minors programs to maintain the Protection of Minors Safety Matrix.

Minors Safety Executive Oversight Committee: provides administrative direction to and supervises the Minors Safety Committee; oversees the University's Non-Student Minor protection program and this policy.

Office of Research Compliance: functions as a key resource helping to ensure compliance with University policies including Section P above and applicable state and federal regulations; provides a conduit for Authorized Adults and minor program officials to access Environmental Health and Safety and institutional ethics boards.

University and Non-University Minor Program Senior Administrators: ensure the development of all required protocols, completion of training requirements, collection of required legal forms, avoidance of unauthorized One-on-One Minor Interactions, compliance with background and fingerprint screening as required, and compliance with all other applicable University policies and procedures including without limitation those regarding Non-Student Minor images and communications, information sharing with the University, and program record collection, record-keeping, and record retention.

Vice Presidents: make final determinations regarding implementation of Non-Student Minors protection practices or protocols for University Minors Programs within their area of jurisdiction.

PROCEDURES

[University and Non-University Minor Program Registration](#)

RELATED INFORMATION

Forms or Tools

[Approval for One-on-One Interactions with Non-Student Minors](#)

[Assumption of Risk, Waiver, Release, and Consent for Non-Student Minor Participation](#)

[Authorized Adult Behavioral Expectations](#)

[Disclosure of One-on-One Interaction with a Non-Student Minor](#)

[Parental Consent to Use Image of Non-Student Minors](#)

[Protection of Minors Safety Matrix](#)

[Non-Student Minor Behavioral Expectations](#)

Cross-References

[Northern Arizona University Human Resources Policy 1.085](#)

Sources

[Arizona Board of Regents Policy 6-709](#)

[Arizona Revised Statutes §13-3620](#)

APPENDIX

[Arizona Department of Child Safety Suspected Child Abuse Reporting Information](#)

[Minors Safety Committee Charter](#)

[Protocols for Authorized Adults Who Supervise Non-Student Minors](#)

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