

## SUPERVISION OF NON-STUDENT MINORS

### POLICY SUMMARY

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. This policy includes requirements for 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 University 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

### WHO SHOULD KNOW THIS POLICY

- Executive leaders and administrators who oversee programs that serve Non-Student Minors
- Non-Student Minor parents and legal guardians
- Laboratory personnel who supervise or otherwise interact with Non-Student Minors
- University Program staff and volunteers that serve or interact with Non-Student Minors

### DEFINITIONS

**Authorized Adult:** an individual that is eighteen (18) years of age or older, 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 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.

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

**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.

**Program Administrator**: the individual with overall responsibility for directing a Program involving Non-Student Minors.

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

## POLICY

### A. Registration

Programs that can reasonably anticipate interacting with Non-Student Minors shall at least thirty (30) calendar days prior to their commencement submit a completed Non-Student Minors Program Registration Form in accordance with the Supervision of [Programs Serving Non-Student Minors Registration Procedures](#). 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.

### B. Authorized Adults

All Authorized Adults who are present with or supervise Non-Student Minors, whether employed by or volunteering for the University, must comply with this policy. Programs that serve Non-Student Minors are encouraged to adopt additional program-specific policies or procedures as may be appropriate to supplement the requirements of this policy.

### C. 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; iv) research programs or activities approved by the Institutional Review Board where Non-Student Minors serve as human research subjects, v) Non-Student Minors employed by the University who are acting in the normal course and scope of their work.

### D. Program Development and Administration

Program Administrators and their staffs shall consider, at minimum, the following supervisory topics or issues when planning and implementing 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

## E. One-on-One Interactions

Generally, Authorized Adults will avoid One-on-One Interactions with Non-Student Minors and 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 Interactions with Non-Student Minors are necessary. Where One-on-One Interactions with Non-Student Minors can be reasonably anticipated and are appropriate, Programs will ensure that prior written institutional and parental approval is obtained using the *Disclosure and Approval for One-on-One Interactions with Non-Student Minors* form (or comparable forms containing, at minimum, the same information and legal effect). Additionally, in no event will an Authorized Adult have One-on-One Interactions with a Non-Student Minor outside of established times for Program activities or without first complying with the screening requirements outlined in Section K

## F. 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 for this purpose by calling 928-523-3611, or a report may be made by calling 911 in an emergency. 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 Administrator. 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.

## G. Image Capture and Use

Authorized Adults may only photograph, video, or otherwise capture or record images of Non-Student Minor participants in 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 form with the same content and legal effect.

## H. 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. 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.

## I. Medical Contact

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 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.

## J. Behavioral Expectations

Prior to a Non-Student Minor's participation in the Program, the *Behavioral Expectations for Non-Student Minors* form (or a comparable form) must be signed, dated, and returned by the Non-Student Minor's parent or

legal guardian to the Program staff. 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 form) to Program staff to acknowledge their agreement with its terms, which must include carefully reviewing this policy and understanding its requirements and limitations.

#### K. Criminal Background and Fingerprint Screening

Authorized Adults employed by the University who operate Programs serving Non-Student Minors 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 Programs shall be subject to background screening prior to working with Non-Student Minors and may also be subject to fingerprint screening where such a requirement is determined by the University to be both 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 Program. The Program 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.

#### L. Training

Each Program will train and re-train as necessary or advisable all Authorized Adults participating in the Program on this policy and its procedures. Each Program shall maintain a list of trained Authorized Adults and the date that the required training was completed. Each 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.

#### M. Assumption of Risk, Waiver, Release and Consent for Participation

Distribution and collection of the *Assumption of Risk, Waiver, Release, and Consent for Non-Student Minor Participation* form (or a comparable equivalent form with the same legal effect) is required prior to Program start. 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.

#### N. Record Keeping and Information Sharing

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 Program. The Program 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.

Program Administrators will retain all Program records (including the originals or official scans of all participant forms) until their Non-Student Minor participants turn eighteen (18) years and six (6) months of age and will provide the University with access to such records upon request.

#### O. 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, Animal Care Services animal housing facilities and procedure rooms, and similar spaces on campus.

2. Without exception, Non-Student Minors are always prohibited 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 Programs or activities such as a science fair or an approved research or other project, Non-Student Minors may enter or visit University laboratories not listed as off-limits in Section O(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. If applicable, 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 *Disclosure and Approval of One-on-One Interaction with Non-Student Minors* 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. Qualified personnel must supervise the Non-Student Minor 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 or unsafe activity or behavior in the University’s laboratories may result in ejection from University property.

#### P. Accountability and Enforcement

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. Program volunteers who violate this policy may be deemed ineligible by the University to participate in future Programs. Further, the University may, in its sole discretion, cancel a 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 the Programs; avoid unauthorized One-on-One Minor Interactions; immediately report any real or 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 Minor Parents or Legal Guardians:** read, understand and discuss the Program's behavioral expectations with their Non-Student Minor Program participants; provide the requested information and execute all required legal forms prior to the participation of the Non-Student Minor in any Program; grant or deny permission to use images of their Non-Student Minor for official programmatic purposes; know and comply with this policy if serving as an Authorized Adult.

**Office of Research Compliance:** ensure compliance with University policies including Section O above and applicable state and federal regulations; provides a conduit for Authorized Adults and Program officials to Environmental Health and Safety and institutional ethics boards.

**Program Administrators:** ensure Programs are registered in accordance with this policy; ensure Program's include 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.

## PROCEDURES

[Programs Serving Non-Student Minors Registration Procedure](#)

## RELATED INFORMATION

### Forms or Tools

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

[Behavioral Expectations for Authorized Adults](#)

[Behavioral Expectations for Non-Student Minors](#)

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

[Non-Student Minor Image Release](#)

[Program Serving Non-Student Minors Registration Form](#)

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

### Cross-References

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

### Sources

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

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

[Arizona Revised Statutes § 15-1649](#)

## **APPENDIX\***

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

[Non-Student Minors Safety Committee Charter](#)

\*Disclaimer: all documents, links, or other materials included in this policy's appendix are provided solely for the user's convenience and are not part of official University policy.