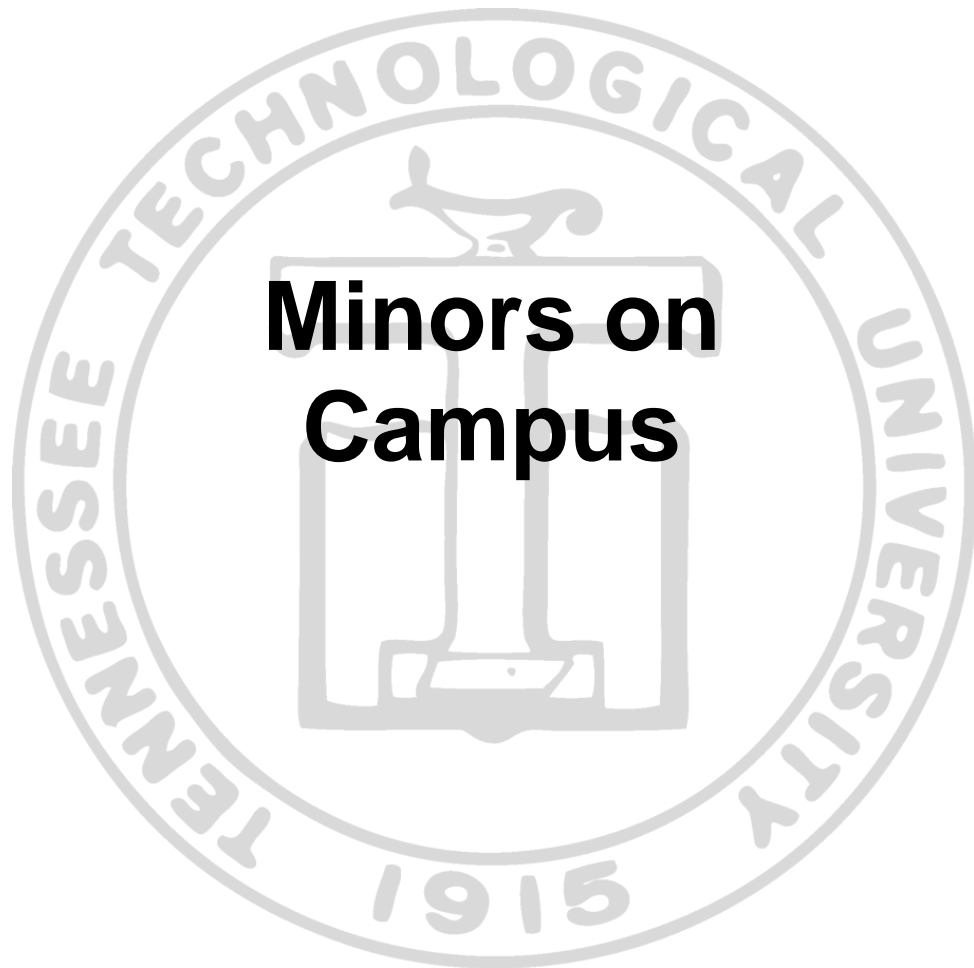


**Tennessee Technological University  
Policy No. 120**



*Effective Date: July 1, 2017*

**Policy No:** 120

**Policy Name:** Minors on Campus

**Policy Subject:** Minors on Campus

## **I. Purpose**

This policy describes procedures for the supervision, oversight, and protection of Minors who are involved in Programs held at Tennessee Tech Facilities, which includes space owned by or under the control of Tennessee Tech, including a Program's rental or use of an off-campus space.

## **II. Scope**

This policy does not apply to

- A.** events that are open to the general public, including but not limited to sporting events, festivals, commencement ceremonies, concerts, etc., and
- B.** programs when parents/legal guardians are expected to provide supervision of Minors, provided that Tennessee Tech communications related to such Programs explicitly state this requirement, and
- C.** groups who rent Tennessee Tech Facilities for limited periods (e.g., 2 hours) as long as parents/legal guardians are present and responsible for the oversight of the participants, and
- D.** visits by prospective students that do not involve overnight housing in Tennessee Tech Facilities, and
- E.** licensed child care facilities affiliated with Tennessee Tech and subject to the applicable Tennessee Department of Human Services regulations, and
- F.** students who are "dually enrolled" in Tennessee Tech credit-granting courses while also enrolled in elementary, middle, and/or high school unless such enrollment includes overnight housing in Tennessee Tech Facilities

## **III. Review**

This policy will be reviewed every four years or whenever circumstances require review, whichever is earlier, by the Office of the University Counsel with recommendations for revision presented to the Administrative Council and University Assembly.

## **IV. Definitions**

- A.** Authorized Adult – individuals, age 18 and older, paid or unpaid, who supervise, chaperone, or otherwise oversee Minors in Programs. This includes, but is not

limited to, faculty, staff, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and independent contractors/consultants. The Authorized Adults' roles may include positions as counselors, chaperones, coaches, instructors, etc. Authorized Adults are considered to be mandated reporters as defined by Tennessee law.

- B.** Direct Contact – a position with responsibilities for the care, supervision, guidance, or control of Minors.
- C.** Minor – a person under the age of 18 who is not enrolled in credit-granting courses at Tennessee Tech.
- D.** One-On-One Contact – personal, unsupervised interaction between any Authorized Adult and a participant without at least one other Authorized Adult, parent/legal guardian, or supervising adult being present.
- E.** Programs – activities or events offered by various academic or administrative units of Tennessee Tech. This includes, but is not limited to, workshops, sport camps, academic camps or competitions, conferences, and similar activities.
- F.** Sponsoring Unit – the academic or administrative unit of Tennessee Tech that offers a Program for Minors.
- G.** Program Director—the Tennessee Tech employee who is directly responsible for the Program.
- H.** Tennessee Tech Facilities – facilities or space owned by or under the control of Tennessee Tech.

## **V. Policy and Procedures for Programs Operated by Tennessee Tech**

The Sponsoring Unit shall:

- A.** Establish a procedure for the notification of the Minor's parent/legal guardian in case of an emergency. Authorized Adults with the Program, as well as participants and their parents/legal guardians, must be advised of this procedure in writing prior to the participation of the Minors in the Program.
- B.** Maintain a list or have immediate access to a list of all Program participants and a directory of Program staff. This list shall include participant's name, local room

assignment (if applicable), gender, age, address, phone number(s) of parent/legal guardian, and emergency contact information.

- C.** Provide information to the parent/legal guardian detailing the manner in which the participant can be contacted during the Program. (see 120 Introduction to Program Template Letter)
- D.** For events involving more than five minor participants, advise University Police of the name and dates of the Program and provide a Program contact person.
- E.** Require a participant's parent/legal guardian to complete the 120 Participant Information and Releases Form. Any request to amend this form must be approved by the Office of the University Counsel prior to its distribution or use.
- F.** Consult with Tennessee Tech's Health Services and Office of Disability Services, as applicable, for matters related to the need for accommodations or access to medications.
- G.** Arrange appropriate emergency medical services at all locations. Questions regarding the medical care appropriate for the nature of the Program should be discussed with the Director of University Health Services.
- H.** Ensure all Program activities involving Minors are supervised by at least two or more Authorized Adults and have an appropriate ratio of Authorized Adults to participants. The ratio of Authorized Adults to Program participants must generally reflect the gender distribution of the participants and meets the following:
  - At least one Authorized Adult for every eight Minors ages 4 and 5
  - At least one Authorized Adult for every ten Minors ages 6 to 14
  - At least one Authorized Adult for every twenty-five Minors ages 15 to 17
- I.** Develop and make available to participants the rules and discipline measures applicable to the Program. (see 120 Template Participant Rules) The following must be included in Program rules unless the Program Director receives written permission from the Office of University Counsel to adapt or omit the rule(s):
  - 1.** The possession or use of alcohol and other drugs, fireworks, and weapons is prohibited.

2. The operation of a motor vehicle by Minors during the Program is prohibited unless required by the nature of the Program.
  3. The parking of staff and participant vehicles must be in accordance with Tennessee Tech parking regulations.
  4. Rules and procedures governing when and under what circumstances participants may leave Tennessee Tech property during the Program.
  5. No violence, including but not limited to sexual violence, will be tolerated.
  6. No discrimination or harassment will be tolerated.
  7. Hazing of any kind is prohibited. Bullying including verbal, physical, and cyberbullying is prohibited.
  8. No theft of property will be tolerated.
  9. No use of tobacco products or electronic nicotine delivery systems (vaping) will be tolerated.
  10. Misuse or damage of Tennessee Tech property is prohibited. Charges will be assessed against those participants who are responsible for damage or misuse of Tennessee Tech property.
  11. The inappropriate use of cameras, imaging, and digital devices is prohibited, including use of such devices in areas where privacy is expected by participants.
- J.** Assign an Authorized Adult who is at least 21 years of age to be accessible to participants. This Authorized Adult must also reside in the housing unit, if applicable.
1. Require all Authorized Adults to have a background check no more than five years old on record with Tennessee Tech at the time of hire and/or beginning work with Minors. The cost of the background check is the responsibility of the Sponsoring Unit.
  2. Authorized Adults are required to notify the appropriate Human Resources representative of an arrest (charged with a misdemeanor or felony) or conviction for an offense enumerated in the 120 Arrest and Conviction Self-Disclosure Form within 72 hours of knowledge of the arrest or conviction.

The Tennessee Tech Arrest and Conviction self-disclosure form provides the list of arrests and/or convictions that must be disclosed and this form must be used to provide the information in writing to the Associate Vice President of Human Resources. This includes any arrests or convictions that occur between the date of disclosure for a Tennessee Tech run background check and the date work begins.

**K. Inform Authorized Adults that they shall:**

- 1.** Not have one-on-one contact with Minors unless specifically exempted by the Office of the University Counsel from this requirement,
- 2.** Not have telephonic communications with Minors, except in extenuating circumstances,
- 3.** Not have any direct electronic contact with Minors without another adult being included in the communication,
- 4.** Not enter a Minor's room, bathroom facility, or similar area without another adult in attendance, except in extenuating circumstances,
- 5.** Not engage in abusive conduct of any kind toward, or in the presence of, a Minor,
- 6.** Not strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any Minor,
- 7.** Not pick up or drop off Minors at their homes or other locations, other than the Authorized Adult's child(ren), except as specifically authorized in writing by the Minor's parent/legal guardian,
- 8.** Not provide alcohol or illegal drugs to any Minor,
- 9.** Not provide prescription drugs or any medication to any Minor unless specifically authorized in writing by the parent/legal guardian as being required for the Minor's care or the Minor's emergency treatment,
- 10.** Not make sexual materials in any form available to Minors or assist them in any way in gaining access to such materials,

**L.** Ensure that if an allegation of inappropriate conduct has been made against an Authorized Adult, s/he shall discontinue any further participation in Programs until such allegation has been satisfactorily resolved.

**M.** Require each Authorized Adult to attend annual mandatory training on the conduct requirements of this policy, on protecting participants from physical and sexual abuse, neglect and psychological harm and on appropriate or required reporting of incidents of improper conduct to the proper authorities including, but not limited to, appropriate law enforcement authorities. Such training (see 120 Working with Minors on Campus Training) must include the following information:

1. If a Program participant discloses any type of assault or abuse (at any time previously or during the Program) to anyone, or an Authorized Adult has reason to suspect that the participant has been subject to such assault or abuse, the Authorized Adult, as a mandated reporter, must inform the Program Director immediately, unless the Authorized Adult believes the Program Director may be involved in the allegations or the Minor is in immediate danger.
2. The Program Director and the Authorized Adult will then call 1-877-237-0004 (the Tennessee Department of Children’s Services Child Abuse Hotline) together if the situation requires an emergency response. If the Program Director cannot make the call, or if the Program Director or his/her designee does not call 1-877-237-0004, the Authorized Adult must immediately call 1-877-237-0004 if the situation requires an emergency response. Please note that a call to this hotline is treated as a “911” call. The caller should not disconnect before speaking to a representative from the Department of Children’s Services.
3. If the Authorized Adult believes the situation presents immediate danger to a Minor, the Authorized Adult should call University Police immediately, followed by a call to 1-877-237-0004 (the Tennessee Department of Children’s Child Abuse Hotline). Please note that a call to this hotline is treated as a “911” call. The caller should not disconnect before speaking to a representative from the Department of Children’s Services.
4. If the report relates to a past event where there is no immediate threat to a Minor (e.g., the report is based on a past event and the alleged abuser is not known to be currently in contact with Minors), the Program Director or the Authorized Adult must provide written notification within 48 hours of filing

the oral report to the [Department of Children's Services Abuse or Neglect](#) here..

5. The Program Director will immediately contact University Police if that has not already occurred.
6. The Program Director must notify the appropriate senior administrator, the University Counsel, and Title IX Coordinator (if applicable) as soon as practical, but this notification should not delay unreasonably the notification requirements outlined in the sections above.
7. Authorized Adults must make all reasonable efforts to ensure the safety of Minors participating in Programs, including removal of Minors from dangerous or potentially dangerous situations, irrespective of any other limitation or requirement.

N. A Program Director may request the Office of University Counsel to exempt the Program from specific requirements. All such requests must be submitted to the Office of University Counsel in writing on the 120 Required Language for Request for Exemption from Minors on Campus Requirements form and at least two weeks before the Program, except with good cause.

## **VI. Policy and Procedures Specific to Programs that Include Overnight Housing**

In addition to the requirements specified in Section V, the Sponsoring Unit must also adopt and implement procedures for proper supervision of Minors in Tennessee Tech housing. (see 120 Template Overnight Participant Rules) The following must be included:

1. Written permission signed by the parent/legal guardian for the Minor to reside in Tennessee Tech housing.
2. A curfew time that is age-appropriate for the participants, but in no case shall it be later than midnight.
3. A rule that in-room visitation is restricted to participants of the same gender.
4. A rule limiting guests of participants (other than a parent/legal guardian and other Program participants) to visitation in the building lobby and/or floor lounges, and only during approved hours specified by the Program.



5. A requirement that participants comply with all security measures and procedures specified by Tennessee Tech Office of Residential Life.
6. A prohibition, except in extenuating circumstances, of an Authorized Adult entering a Minor's room, bathroom facility, or similar area without another adult in attendance.
7. A requirement that there be separate accommodations for adults and Minors other than the Minors' parents/legal guardians.

## **VII. Policy and Procedures for Events Under the Supervision of P-12 Organizations**

In cases where a P-12 entity is bringing students to Tennessee Tech property for an event, the department must notify the P-12 event supervisor in writing that the P-12 entity is at all times solely responsible for the supervision, oversight, and protection of all of its participants. (see 120 Language for P-12 / Parents)

## **VIII. Policy and Procedures for Non-Tennessee Tech Events**

An authorized representative for a non-Tennessee Tech event using Tennessee Tech Facilities must provide Tennessee Tech with an attestation that it has substantially similar requirements for the supervision, oversight, and protection of Minors. Tennessee Tech must receive the attestation at least thirty (30) days prior to this scheduled use of Tennessee Tech Facilities, except with good cause, as well as sign an approved agreement for use of Tennessee Tech facilities, if applicable. (see 120 Non-TTU Attestation of Compliance with Minors on Campus Requirements).

## **IX. Penalty for Violations**

Failure to comply with this policy may result in sanctions, including but not limited to denial of use of facilities, termination of a contract for use of facilities, and disciplinary action.

## **X. Exceptions**

Any exceptions to the application of this policy must be approved by the Office of the University Counsel.

**XI. Interpretation**

The President or his/her designee has the final authority to interpret the terms of this policy.

**XII. Citation of Authority for Policy**

T.C.A. § 49-8-203(a)(1)(E)

Approved by:

Administrative Council: September 7, 2016

Academic Council: September 7, 2016

University Assembly: November 16, 2016