

Title/Subject: MINORS PARTICIPATING IN CMU ACTIVITIES

Applies to: faculty staff students student employees visitors contractors

Effective Date of This Revision: September 25, 2014

Contact for More Information: Office of General Counsel

Board Policy Administrative Policy Procedure Guideline

BACKGROUND:

Central Michigan University, through its various departments, presents many and varied opportunities for children under the age of 18 to participate in various activities. Michigan's Child Protection Law requires that any instances of suspected child abuse or neglect be reported to the state in a timely fashion. As part of its commitment to safeguard and protect all people on its campus, CMU reiterates its commitment that it will do everything necessary to protect all minors (children under the age of 18) participating in CMU's academic, athletic, or social activities.

PURPOSE:

The purpose of this Policy is to comply with the relevant portions of the Michigan Child Protection Law, and to promote the safety of children participating in CMU activities, or who take part in CMU sponsored or affiliated programs, and to ensure that any impermissible treatment of children is dealt with swiftly and effectively. Further, the purpose of this Policy is to provide members of the CMU community, as well as members of the community at large who are present on CMU's campus, a mechanism by which they can report any wrongdoing involving children participating in CMU-authorized activities. Finally, the purpose of this Policy is to outline protocols and guidelines for all CMU organizations to follow in order to provide a safe and secure environment for children who take part in CMU-sponsored activities.

DEFINITIONS:

- **Authorized Adult:** Any person, employed with or volunteering at CMU, who is 18 years of age or older, and who interacts with, supervises, chaperones, oversees, or otherwise interacts with minors in Program activities, or at recreational or residential facilities. This includes, but is not limited to, faculty, staff, volunteers, graduate and undergraduate students, and contractors. If the Authorized Adult is a counselor, CMU administrator, or faculty member (coaches included), that person is also a Mandatory First Reporter under Michigan's Child Protection Act. If the Authorized Adult is in a different role, that person is a Permitted Reporter.
- **CMU Facilities:** Facilities owned by, or under the control of, CMU.
- **Direct Contact:** Positions with the possibility of care, supervision, guidance, or control of minors and/or routine interaction with minors.
- **Legal Guardian:** Person who is not the Minor's parent but has been legally placed *in loco parentis*.
- **Mandatory Reporter:** As defined in section 722.623 of the Child Protection Law, any person in a "professional"

Authority: George E. Ross, President

History: None

Indexed as: Minors on Campus; Sports Camps; Academic Programs; Recreational Activities; Workshops; Conferences.

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role *vis a vis* a Minor <http://legislature.mi.gov/doc.aspx?mcl-722-623>, including but not limited to physician, physician assistant, nurse, person licensed to provide emergency medical care, audiologist, psychologist, counselor, social worker, school administrator, teacher, law enforcement officer, or child care provider.

- **Minor:** A person under the age of 18 years who is not enrolled or accepted at CMU (a person under the age of 18 who is enrolled in CMU is considered a student and is not subject to this Policy). Students who are “dual-enrolled” in CMU programs or classes while also enrolled in elementary, middle or high school are not included in this policy unless such enrollment includes overnight housing in university facilities.
- **One-on-One contact:** Personal, unsupervised interaction between an Authorized Adult and a Minor without at least one other Authorized Adult, Parent, or Legal Guardian present.
- **Permitted Reporter:** Any person who has reasonable cause to suspect child abuse or neglect, as defined by section 722.624 of the Child Protection Law. <http://legislature.mi.gov/doc.aspx?mcl-722-624>
- **Program:** Any program or activity offered by CMU (academic, administrative, athletic, or recreational). This includes but is not limited to workshops, sports camps, academic camps, conferences, and all similar activities.
- **Sponsoring Unit:** The CMU unit that offers a Program or gives approval for housing or use of Facilities.

POLICY:

In order to effectively supervise, and for the general welfare of, minors who participate in its activities, it is the policy of CMU to act in accordance with the enclosed Procedures and Guidelines. This Policy provides mandatory processes to be followed by each CMU Department, Office, College, or Program that sponsors activities involving minors. The Policy also establishes CMU and certain of its personnel as Mandatory Reporters, as defined by Michigan’s Child Protection Law (as described below), where appropriate. As such, it is the policy of CMU for all Mandatory Reporters to follow the procedures and guidelines set forth below in reporting any suspected abuse or neglect of any minor who is participating in a CMU-approved program.

All members of CMU’s community (and all invitees onto CMU’s campus) who are in a supervisory role with respect to a minor’s participation in CMU activities are governed by this policy (faculty, staff, students, student employees, visitors, contractors).

PROCEDURE:

A Sponsoring Unit offering or approving a Program that involves Minors or that provides CMU housing for Minors participating in a Program, or a non-CMU group being sponsored for a Program, whether utilizing CMU housing or not, shall:

1. Have a plan or process for the notification of the Minor’s Parent or Legal Guardian in case of an emergency, including medical or behavioral problems, natural disasters, or other significant Program disruptions.
2. For Programs greater than one day in duration, provide a list of Program participants and a directory of Program staff to the Sponsoring Unit and CMU Police. This list should, if practicable, include participant’s name, local room assignment, gender, age, address, phone number (if any), and phone number of Parent or Legal Guardian, as well as emergency contact information.
3. For Programs greater than one day in duration, and to the extent practicable, provide information to each participant’s Parent or Legal Guardian detailing the manner in which the participant may be contacted during the Program.
4. Provide a Medical Treatment Authorization Form to CMU Health Services, if required by the Program.

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5. Ensure adequate supervision of Minors while they are participants in Programs, and at all times that they are present on CMU owned or controlled property. Every effort will be made to ensure that no minor is left alone with any adult in a “behind closed doors” situation, unless the Minor’s Parent or Legal Guardian remains in close proximity. When CMU students are hosting high school students, including prospective student-athletes participating in pre-enrollment campus visits, the recommendation for two Authorized Adults shall be waived. This recommendation also does not apply to licensed counselors, psychologists, medical personnel, or other clinicians providing psychological, counseling, or other healthcare services to Minors.
6. Develop and inform the Minor participants and their Parent(s) or Legal Guardian(s) as to the rules and disciplinary measures applicable to the Program. Program participants and staff must abide by all relevant CMU policies and may be removed from the Program for non-compliance with the policies. The following should be included in Program Rules:
 - The operation of a CMU owned or controlled motor vehicle by minors is prohibited while they are attending and participating in the Program.
 - Participants should not leave CMU owned or controlled property during the Program without written permission.
 - Inappropriate use of cameras, imaging, and digital devices (e.g. camera phones) is prohibited, including use of such devices in showers, locker rooms, rest rooms, or other areas where privacy is expected by participants.
7. Obtain any necessary media and liability releases as part of the Program registration process. All data gathered shall be confidential, to the extent permitted by law, and shall not be disclosed.
8. Ensure that Authorized Adults who have supervisory authority over Minors have a completed current background check on record with CMU or the Sponsoring Agency at the time of hire and/or beginning work with Minors. When there are high school students, including prospective student-athletes, participating in pre-enrollment campus visits, the hosting CMU student(s) will not be required to undergo a background check. Current CMU policies on criminal background checks will be followed in observing the requirements of this section. They can be found at https://www.cmich.edu/office_president/general_counsel/Documents/p07009.pdf (for students) and https://www.cmich.edu/office_president/general_counsel/Documents/p04002.pdf (for faculty and staff).
9. Adhere to CMU’s rules and regulations for proper supervision of Minors in CMU housing. These rules are located in the office of Camps and Conferences and are incorporated herein by reference.
10. Require the Program to provide an adequate number of Authorized Adults, who must be at least 18 years of age, in accordance with CMU’s Office of Camps and Conferences Policy. This policy is located in the office of Camps and Conferences and is incorporated herein by reference.
11. Ensure that each Authorized Adult who will be providing direct supervision of Minors shall attend periodic training on the conduct requirements of this Policy, on protecting participants from abusive emotional and physical treatment, and on required reporting of incidents of improper conduct to the appropriate authorities including but not limited to law enforcement authorities. If a program participant discloses any type of assault or abuse (during the Program or prior to participation in the Program) to a Mandatory Reporter, or if the Mandatory Reporter has reasonable cause to suspect a Minor has been subject to abuse or neglect, that Mandatory Reporter shall follow the procedure outlined in the Michigan Child Protection Law (sec. 722.623) for the reporting of said suspected abuse or neglect. That procedure can be found here: http://michigan.gov/dhs/0,4562,7-124-7119_50648_44443-157836--,00.html . If the Minor discloses any type of assault or abuse (during the Program or prior to participation in the Program) to a Permitted Reporter, or if the Permitted Reporter has reasonable cause to suspect that a Minor has been subject to abuse or neglect, the Permitted Reporter may immediately report said abuse or neglect to CMU Police, who will then act as prescribed by Michigan’s Child Protection Law.

Authorized Adults responsible for supervision of Minors in a Program shall NOT:

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- Be left alone with any Minor in a “closed door” situation unless a Parent or Legal Guardian remains in close proximity. Authorized Adults should not have any direct electronic contact with Minors without another Authorized Adult being included in the communication.
- In the case of adults supervising Minors overnight, an Authorized Adult shall not enter or be present in a Minor’s room, bathroom, locker room, or similar area without another Authorized Adult present, except in extenuating circumstances.
- Separate accommodations for adults and Minors are required, unless two or more Authorized Adults are sharing such accommodations, other than for the Minor’s Parent(s) and Legal Guardian(s).
- Engage in any sexual activity, make sexual comments, tell sexual jokes, or share sexually explicit material with Minors or assist in any way to provide such materials to minors.
- Engage or allow minors to engage them in romantic or sexual conversations, or related matters, unless required in the role of resident advisors, counselors, or health care providers.
- Touch Minors in a manner that a reasonable person could interpret as inappropriate. Touching should generally only be in the open and in response to the Minor’s needs, for a purpose that is consistent with the Program’s mission and culture, or for a clear educational, developmental, or health related purpose (e.g., treatment of an injury). Any resistance from the minor should be respected.
- Use profanity, vulgarity, or harassing language that would violate CMU’s Nondiscrimination Policy.
- Engage or communicate with Minors through email, text messages, social networking or other social media websites, internet chat rooms, online video or computer games, at any time and unless there is an educational or Programmatic purpose and the content of the communication is consistent with the mission of the Program and CMU.
- Provide alcohol or illegal drugs to any Minor.
- Pick up Minors from or drop off Minors at their homes, other than the driver’s children, except as specifically authorized in writing by the Minor’s Parent(s) or Legal Guardian(s).
- Provide prescription drugs or medication to any Minor without the express written authorization of the Minor’s Parent(s) or Legal Guardian(s), or in the case of a medical emergency.

If an allegation of inappropriate conduct has been made against an Authorized Adult providing supervision of Minors in a Program, the individual shall immediately discontinue any further participation in any CMU Programs or activities covered by this Policy until such allegation has been resolved.

Authorized personnel/signatories for non-CMU groups using CMU facilities are expected to comply with all requirements of this Policy. Any violations of this policy will subject the violator to appropriate progressive discipline, and may result in immediate suspension of the Authorized Adult and discipline up to and including termination of employment (for faculty and staff) and dismissal from the university (for students).

This Policy does not apply to: (1) undergraduate and graduate academic Programs in which Minors are enrolled for academic credit or who have been accepted for enrollment; (2) events on campus that are open to the general public and which Minors attend at the sole discretion of their parent(s) or guardian(s); (3) IRB-approved research; (4) Minors who are CMU employees; or (5) other Programs as may be designated from time to time by an appropriate CMU official in advance and in writing as exempt from this Policy or sections of this Policy.

Any exceptions to this Policy must be in writing and approved by the Office of the President.

Central Michigan University reserves the right to make exceptions to, modify or eliminate this policy and or its content. This document supersedes all previous policies, procedures or guidelines relative to this subject.