

Title/Subject: MINORS PARTICIPATING IN CMU ACTIVITIES

Applies to:  faculty  staff  students  student employees  visitors  contractors

Effective Date of This Revision: July 8, 2022

Contact for More Information: Office of General Counsel/Financial and Administrative Services

Board Policy  Administrative Policy  Procedure  Guideline

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### BACKGROUND:

Central Michigan University, through its various departments, registered student organizations, and community partners, 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 on CMU's owned property or off-campus at events that are managed by CMU.

### 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, who take part in CMU-sponsored activities, 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-sponsored activities. Finally, the purpose of this Policy is to outline protocols and guidelines for all 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. An Authorized Adult must be background checked annually and is responsible for oversight of staff that program staff that are not required to be background checked.
- **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 and/or routine individual interaction with minors.

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Authority: Robert O. Davies, President

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

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- **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" 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 accepted or 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 located on the campus of CMU or on an off-campus location.
- **Sponsoring Unit:** The CMU department that offers or sponsors a Program for a third party or requests 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 related 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-sponsored 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-sponsored activities are governed by this policy (faculty, staff, students, student employees, visitors, contractors). **It shall be the responsibility of the Sponsoring Unit's Senior Officer or Dean to maintain compliance with this policy. All events involving Minors on Campus except those listed 1-6 below must comply with the Registration section of this policy.**

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) Events on campus where the minor is under the supervision of a chaperone (e.g. K-12 teachers, support staff, parent chaperone).
- (4) IRB-approved research;
- (5) Minors who are CMU employees;
- (6) Campus tours and recruiting events hosted by admissions during normal business hours; or

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(7) Other Programs may be exempt from this policy. In order to receive an exemption, the Sponsoring Unit's Senior Officer or Dean (with consent of the Provost) shall submit a request to the Office of the President prior to registering the event. Exempted Programs are still required to register their events.

**PROCEDURE:**

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

Registration

At least 60 days or as soon as reasonably practical prior to hosting an event involving minors on campus, the leader of the Sponsoring Unit shall register the program with the Vice President of Financial and Administrative Services at this link: <https://forms.office.com/r/nP7Cwbzaa7>

- The name of the program
- The date of the program
- The number of anticipated minors participating
- The number of Authorized Adults to ensure there is an Authorized Adult to Minor ratio of 1:10.
- Primary contact and backup contact for the Program
- The name of the Dean, Vice President, or other authority who has approved the program
- The location of the program
- Whether the Sponsoring Unit received an exemption from this policy from the Office of the President

Planning

All programs that involve minors on campus and have not received an exemption must comply with this section. At least 30 days or as soon as reasonably practical prior to hosting an event involving minors on campus, the leader of the Sponsoring Unit shall submit the following documentation to Events and Conference Services:

- The names and attestation that all Authorized Adults have passed a criminal background check, and if required, provide the background check.
- Signed medical treatment authorization if it is required
- Signed media and liability releases
- Proof of insurance if required by policy
- Review and follow all steps set forth in the Facility Use Policy 3-46

Further, the sponsoring unit must:

- 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.
- 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.
- 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 prospective student-athletes participating in pre-enrollment and pre-acceptance campus visits, the recommendation for two Authorized Adults shall be waived. This recommendation also does not apply to

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licensed counselors, psychologists, medical personnel, or other clinicians providing psychological, counseling, or other healthcare services to Minors.

- 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 the 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 the use of such devices in showers, locker rooms, restrooms, or other areas where privacy is expected by participants.
  - 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.
- Adhere to CMU's rules and regulations for proper supervision of Minors in CMU housing. These rules are located in the office of Events and Conference Services and are incorporated herein by reference.

#### Background Check

Background checks shall be completed in the following manner

- Non-CMU Unit: Background checks shall be conducted yearly and must be on file or available on request by CMU.
- CMU Unit: CMU non-student employees completed background checks upon hire, and the Sponsoring Unit is permitted to use the upon hire background check as evidence of a current background check. A new background check must be completed every year for an Authorized Adult.
- CMU Student Employees: CMU student employees are required to complete background checks upon hire for positions that would be considered an Authorized Adult.
- Student-Athlete Hosting Prospective Student-Athlete: A student-athlete hosting a prospective student-athlete shall not be required to undergo a background check if the hosting student has signed a Student Host agreement.
- 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/docs/default-source/president's-division/general-counsel/administrative-policy-docs/7/p07009.pdf> (for students) and <https://www.cmich.edu/docs/default-source/president's-division/general-counsel/administrative-policy-docs/4/p04002.pdf> (for faculty and staff).

#### Training

The Sponsoring Unit shall ensure that each Authorized Adult who will be providing direct supervision of Minors shall attend minimally annual training on the conduct requirements of this Policy or as needed, 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.

#### Mandatory Reporter

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://www.legislature.mi.gov/\(S\(ai00cwymq5gmjycwwbl1204v\)\)/mileg.aspx?page=GetObject&objectname=mcl-722-623](http://www.legislature.mi.gov/(S(ai00cwymq5gmjycwwbl1204v))/mileg.aspx?page=GetObject&objectname=mcl-722-623). If

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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.

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).

*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.*