

Indiana State University
Procedures for Programs Involving Minors

In February 2013, the Indiana State University Board of Trustees approved [Policy 901 – Programs Involving Minors](#), a policy to provide instruction on the protection of minor children (under 18 years of age) involved in campus programs. These guidelines are intended to provide procedures for programs involving minors that are administered by departments and organizations at Indiana State University.

Exclusions

The Programs Involving Minors policy does not apply to the following activities:

- Public Events (e.g., basketball or football games, concerts, theater productions)
- Minors who are enrolled as students of the University.
- Minors on campus as part of a group, one-time day visit supervised by an organization (e.g., field trips for the purpose of attending a performance or a campus tour).
- Minors who are accompanied by their parent/legal guardian.
- Off-campus programs not administered or supervised by ISU that may utilize ISU faculty, students, or staff in any capacity (e.g., off-campus service-learning, internships, student organization volunteer activities).

Criminal Background Checks

Criminal Background Checks are required for all University personnel – volunteers, staff, and faculty – that are associated with University-sponsored programs that include minors.¹ Criminal background checks are required for staff with both direct and indirect responsibility for supervision of minors.

All University personnel covered by the Policy for Programs Involving Minors must complete a criminal background check every two years. Initial background checks are normally completed as part of the hiring process.

Criminal background checks are completed by ISU Human Resources. The University utilizes Reference Services Inc. to conduct criminal background checks. The cost for each check currently is \$28.00. Currently, the University pays for criminal background checks of new non-exempt and exempt staff and faculty. The employer (department) is responsible for the cost of criminal background checks for student employees. In some cases volunteers pay for their criminal background checks. In other cases, the sponsoring program pays for the criminal background check.

Staff members and volunteers with a criminal record of sexually based offenses or crimes against children are prohibited from participation in programs that involve minors. Staff members and volunteers with a criminal record of a Level 1, 2, or 3 felony in the past 10 years also are prohibited from participation. If a criminal background check includes other offenses or Class A, B, or C felony convictions older than 10 years, the program will consult with Human Resources to determine if those offenses should preclude participation.

¹ Volunteer includes unpaid interns, service-learning students, and other unpaid student personnel.

Student Conduct Check

Student Employment Programs completes a student conduct check for all new student employees and current student employees that submit a request to work more than 20 hours a week. When Student Employment Programs is notified that a student is in poor conduct standing, the hiring department is notified and is asked to determine their plans for continuing or terminating employment.

Students that are in violation of the ISU Sexual Misconduct Policy are not eligible for employment with programs that involve minors. In the case that a student has been found in violation of ISU's Sexual Misconduct Policy, Student Employment Programs will notify the hiring department following the student conduct check that the student is ineligible for employment.

Selection and Screening of University Personnel

Departments must develop an appropriate selection and screening program for staff and volunteers that work with minors. This process must include the following:

1. Written position description. All University personnel that work with minors should have a written job description that includes expectations for working with minors, minimum qualifications, and screening requirements.
2. Written application. The University applications used by Human Resources and Student Employment are sufficient. All paid staff must complete one of these on-line applications. Written applications also should be used for volunteers. The written application should include references, work/volunteer history, and a release to check references.
3. Reference check. Once the written application is received, the department/program should conduct reference checks. Ideally, references should include both professional and personal references. Students, in particular, may not have sufficient work history to have a professional reference. In this case, personal references are sufficient. Former teachers, coaches, guidance counselors, and pastors are examples of personal references that are appropriate for student volunteers.
4. Personal interview. The interview should be used to explore why the individual wants to work with minors, discuss previous experience, and explain policies and procedures regarding work with minors.
5. Criminal background check. The criminal background check is completed once a decision to offer employment or a volunteer opportunity has been made.

Departments must maintain documentation of the selection and screening process for a period of two years from the end of the program for one-time or short term programs or two years from the separation of the employee from the University for on-going programs.

Training Requirements

Staff and volunteers that are covered by this policy must complete required training prior to beginning work with minor children. The mandatory training program, *Protecting the Rights of Minors On Campus*, is available to students and employees and can be accessed in the MyISU portal through Sycamore eLearning. Staff members and volunteers should complete the entire training, print the certificate of completion, and provide a copy to their supervisors. Completed training is valid for a period of two years. After that time, the training program must be completed again.

Departments and programs may require additional training

Scheduling Programs That Involve Minors

The following scheduling procedures must be followed by any department/program in the University that is planning a program involving minors.

Programs involving minors that are subject to these guidelines include the following types of programs and activities.

- One-Time or Special Events
 - o On-campus, University-sponsored programs
 - o On-campus, externally-sponsored programs
 - o Off-campus, University-sponsored programs
- On-Going programs

The following sections provide specific procedures for scheduling each category of program.

Procedures for One-Time and Special Events, Camps, and Workshops

The procedures in this section apply to programs and events that are not part of the on-going work of a department or organization. Events in this category include special, one-time events and regularly occurring annual or semesterly events. An example of this category of program is summer camps. The staff and volunteers for these types of events tend to change from program to program.

Procedures for University-Sponsored Programs and Events

1. All groups must complete the facilities use agreement located on the Conference and Event Services website. The facilities use agreement must be completed for every program regardless of whether or not the program location is in a space scheduled by the Conference and Event Services office.
 - a. For events held in HMSU, Dede Plaza, the Quad, Tirey Hall, Tilson Auditorium, University Hall Theater and Atrium, Magna Carta room, and Hulman Center, the agreement will be signed by a representative of the organization and a representative of Conference and Event Services.
 - b. For events held in classroom buildings or other academic spaces (including gyms, laboratories, performance venues, community garden, etc.), the agreement will be signed by a representative of the organization and the building/facility/space manager.All signed agreements will be submitted to Conference and Event Services. A copy of the signed agreement will be forwarded to the appropriate building/facility manager.
2. Sponsoring organizations will indicate on the facilities use agreement if the scheduled program involves minors. Programs involving minors will complete an additional application that describes the program and, if the program is subject to the minor policy, lists the names, employee/student ID numbers and E-mail addresses of all adult employees and volunteers that will interact with minors as part of the program or activity.
 - a. Employees/volunteers who have not had a criminal background check in the past two years should submit a paper copy of the Criminal Background Check consent. The sponsoring organization is responsible for the cost of completing required Criminal Background Checks.
 - b. The program application will include verification that all employees and volunteers have read and understand the University's minor policies and received appropriate training.

3. The sponsoring organization will submit to Human Resources the list of employees and volunteers for verification of a current criminal background check and clear criminal record for each participant. Verification will be provided to the sponsoring organization and Conference and Event Services. When verification is completed, Conference and Event Services will notify the sponsoring department and building/facility manager that the program can be scheduled. **Under no circumstances should volunteers or employees have contact with minors prior to completion of the Criminal Background Check.**
4. The sponsoring organization is responsible for maintaining records indicating that each volunteer and employee has read the minor policy and received appropriate training.
5. The sponsoring organization is responsible for collecting written agreements for participation from parents or guardians of all minors participating in programs covered by the minor policy.

Procedures for On-Campus Programs Sponsored by External Organizations

1. Any external individual or group interested in scheduling University facilities, including classrooms or other primarily academic spaces, for a program or event must complete a contract with Conference and Event Services. Individual or groups scheduling facilities managed by Intercollegiate Athletics must complete a contract with Intercollegiate Athletics. Facility managers and schedulers must not independently schedule external users in University facilities. Conference and Event Services staff will coordinate with facility managers/schedulers to assure that external use of facilities does not conflict with on-going academic or extracurricular activities. Conference and Event Services and Intercollegiate Athletics will issue contracts with external organizations that include certification that the organization is in compliance with the ISU Minor Policy.

Procedures for Off-Campus Programs/Events Sponsored by Campus Groups

1. Sponsoring departments/organizations will submit to their Vice President's office a program description, including the nature of the involvement of minors, and list of volunteers and staff.
2. Staff and volunteers that have not completed a criminal background check in the past two years will submit a paper copy of the criminal background check consent form.
3. After verification from HR, the Vice President's office will approve the program.

Procedures for Employees and Volunteers with On-Going University Programs

Some departments and programs work with minors as a routine part of their on-going activities. Examples of this type of program include the Community School of the Arts.

On an annual basis, Directors will provide to their Vice President information regarding on-going programs that involve minors as a routine part of their day to day operations. For each program, a description of activities involving minors and a list of current staff, including student employees and volunteers, should be provided. The list should include E-mail addresses and 991#s. Human Resources will verify a current criminal background check for each staff member or volunteer.

Employees/volunteers who have not had a criminal background check should submit a paper copy of the Criminal Background Check consent.

As new staff are hired, full and part-time exempt and non-exempt administrative staff and faculty will receive a criminal background check at the time of hire as a routine part of the hiring process. As

departments hire new student workers, criminal background checks must be required at the time of hiring. If a student employee is required to work with minors, that information must be included in the position description. Student employees in such positions cannot start their jobs until the criminal background check is completed.

Volunteers with on-going University programs should be screened prior to beginning their volunteer work with the program. Prior to having contact with minors all new staff and volunteers must undergo appropriate training and certify that they have read and agree to abide by the University's minor policy.

Reporting Suspected Child Abuse or Neglect

Both Indiana law and the Indiana State University policy for Programs Involving Minors require that any person who has reason to believe that a child is a victim of child abuse or neglect has an affirmative duty to make an oral report to Child Protective Services (1-800-800-5556) or local law enforcement, including the ISU Police Department. The ISU policy for Programs Involving Minors requires that faculty, staff, students volunteers, and other University personnel report any suspected abuse of minors to the ISU Police Department. The ISU Police Department will report suspected abuse to Child Protective Services.

In addition to reporting suspected abuse or neglect to law enforcement or Child Protective Services, all University employees and volunteers and required to report suspected cases of sexual harassment or sexual abuse of a minor during a University program to the Equal Opportunity and Title IX Office.

Prevention Strategies

Establishing clear expectations regarding behavior of staff and volunteers is key to protecting minors involved in our programs. The following guidelines will help staff and volunteers from getting into situations that put the staff member, volunteer or minor at risk.

Parental Consent and Communication – Express written consent from a parent or guardian is required for participation in the University programs described in these procedures. Parents/guardians must be provided accurate and complete information about the nature of the program and participant rules and regulations.

Arrival and Departure of Minor Participants – Minor participants can be released for departure to a custodial parent/legal guardian. Release of a minor participant to a non-parent/guardian requires prior written parental/guardian consent. Parental consent is also required in the case that a minor is responsible for their own departure from a program.

Electronic Communications – Staff and volunteers should not communicate with minor program participants via E-mail, text messages, social networking sites, or other methods unless there is a clear educational purpose and the communication is program related. Staff who regularly use social networking sites to communicate with constituents should consider establishing separate professional and personal accounts.

Private Instruction/Tutoring – If staff or volunteers are providing one-on-one instruction, tutoring, or counseling, that activity must occur in a classroom, office, or lab with a window opening in the door or in an area that is observable by parents and/or other educators. Private instruction or tutoring should only occur at scheduled times during the office's established working hours, which may vary from the

University's 8:00 a.m. – 4:30 p.m. workday and include evenings and weekends. Private instruction and tutoring in private homes is prohibited.

Personal Relationships with Minors – Except in cases where a relationship already existed outside of the University program (i.e. neighbors, relatives), staff and volunteers should not meet with minor participants outside of University-sponsored programs and activities.

Bathroom/Locker Room Use – If minor participants (i.e. young children) require monitoring in the bathroom or locker room, they should be monitored by an adult of the same gender. Volunteers or staff should not enter private bathrooms alone with a minor. Two adults should be present if children are changing clothes or showering.

Transportation – Volunteers and staff should not transport minor participants in their personal vehicles before, during, or after scheduled programs. Staff or volunteers are allowed to bring minors to campus to participate in programs if they have an existing relationship outside of the program with the minor. For example, an employee would be allowed to transport his niece to a University-sponsored camp.

Program Marketing and Promotion – Description of University programs for minors that are used for marketing or otherwise distributed to the public must include an accurate description of activities and appropriate age and skill level.

Photographic Images – Minors must not be photographed or videoed by University personnel without the written permission of a parent or guardian. Any use of images that include minor children require a signed photo release.

Documentation Requirements

All departments and programs are responsible for maintaining appropriate documentation as outline in this section. Documentation should be maintained for a period of two years.

Sponsoring Program/Department

- Employment and volunteer applications and completed reference checks for all personnel working in programs involving minors
- Certificate of completion of on-line training for every staff member and volunteer
- Documentation of completed criminal background check
- Completed facilities use agreement (if applicable)
- Verification that staff and volunteers have read and agree to abide by these procedures and the Policy for Programs Involving Minors
- Program description for each program involving minors and list of approved staff and volunteers
- Written agreements for participation from parents or guardians of all minors participating in programs covered by the minor policy
- Program descriptions and criminal background checks for personnel associated with off-campus events

Conference and Event Services

- Completed facilities use agreement

I hereby acknowledge that I have read, understood, and agree to the policies and procedures for programs involving minors for Indiana State University.

Signature

Date

4/19/2021