

Non-Student Minors on Campus Policy

May '2014

Authority: Chancellor

Responsible Office: Risk Management, Safety & Security

Executive Summary

The purpose of this policy is to take affirmative steps to safeguard and protect minor children from potential abuse while visiting the UNC Charlotte campus, attending University-offered programs and events, or participating in third party programs and activities that utilize campus facilities.

Policy Details

I. Policy Statement

It is the policy of The University of North Carolina at Charlotte to implement standards and procedures for the protection of minors participating in programs and activities that are occurring on its campus and for programs and activities that are under the control or direction of the University, regardless of location.

II. Definitions

- A. **Authorized Adult:** An individual age eighteen (18) and older, paid or unpaid, who interacts with, supervises, chaperones, or otherwise oversees Non-Student Minors in Program activities or in University Facilities. The term “Authorized Adult” does not include individuals who provide volunteer services that are limited in nature (such as a lecture or presentation), or who have no direct individual contact with, or oversight of, Non-Student Minors.
- B. **External Organization:** An organization or individual from outside of the University that uses University Facilities to conduct a Program pursuant to an approved contract or other use agreement with the University.
- C. **Non-Student Minor:** A person under the age of eighteen (18) who is not enrolled or accepted for enrollment at the University. The term “Non-Student Minors” does not include students who are “dually enrolled” in University programs while also enrolled in primary or secondary schools, or students enrolled in an early college high school affiliated with the University.

- D. **One-On-One Contact:** Personal, unsupervised interaction between any Authorized Adult and a Non-Student Minor without at least one (1) other Authorized Adult, parent, or legal guardian being present.
- E. **Program:** Any activity that is under the direction or control of the University, regardless of its location, or an activity under the direction or control of an External Organization using University Facilities.
- F. **Program Organizer:** The External Organization, recognized student organization, or University department, unit, or employee that organizes or is responsible for the overall administration of a Program.
- G. **University Facilities:** Facilities owned by or under the control of UNC Charlotte.
- H. **University-sponsored:** Under the direction and control of University employees acting under assigned job responsibilities.

III. General Requirements Affecting Non-Student Minors on Campus

A. All Non-Student Minors

1. Non-Student Minors are generally permitted in University Facilities only as invitees, participants, or visitors to University-sponsored events, unless enrolled in a Program on campus. Non-Student Minors are generally not permitted in University Facilities without an authorized purpose or express permission, or unless they are accompanied by an Authorized Adult.
2. All Non-Student Minors participating in a Program on campus are generally permitted supervised use of the University Facilities identified for that Program. The University reserves the right to restrict anyone, including Non-Student Minors, from certain areas or facilities or from utilizing specified equipment.

B. Pre-High School-Aged Children (children under the age of 14)

1. All pre-high school-aged children on the campus must be supervised at all times by an Authorized Adult.
2. Unsupervised or unescorted pre-high school-aged children are prohibited from entering areas such as storage rooms, equipment rooms, training rooms, dressing rooms or shower facilities, courts, fountains, swimming pools, and playing fields.

C. High School-Aged Children (children ages 14-17)

1. High school aged-children not participating in a Program on campus may have limited use of University facilities that are open to the public, such as the Library and the Student Union, as long as they meet behavioral standards expected of enrolled students and adhere to the reasonable direction of University officials. High school-aged children not meeting University community conduct standards for UNC Charlotte students may be directed to leave the campus and/or trespassed from the campus by Police & Public Safety.
2. High school-aged children are generally permitted at events and venues on campus that are open to the public. Examples of such events include athletic contests, musical or dramatic performances, and campus tours. The University reserves the right to determine, in its sole discretion, whether selected events or venues are appropriate for unescorted or unsupervised Non-Student Minors.

IV. Programs Involving Non-Student Minors

The following procedures and recommendations apply to all Programs involving Non-Student Minors:

A. Program Organizer

1. A Program Organizer must be appointed for each Program involving Non-Student Minors, whether the Program is sponsored by the University or by an External Organization.
2. The Program Organizer will be responsible for training employees and volunteers in, and adhering to, this Policy and any other rules or procedures applicable to the Program required by Risk Management, Safety & Security (RMSS).

B. Background Checks

1. For University-sponsored Programs, the Program Organizer is responsible for ensuring that criminal background checks for Authorized Adults are conducted in accordance with [University Policy 101.23, Employment-Related Criminal Background Checks and Criminal Activity Reporting](#).
2. For Programs sponsored by an External Organization or a recognized student organization, the Program Organizer must certify that all Authorized Adults affiliated with the Program have been subject to a criminal background check and a sex offender registry check within the previous twelve months. At a minimum, the criminal background check and sexual offender registry check must consist of a search conducted by a

qualified background check service provider, and include a review of criminal court records of all counties of residence based on the Authorized Adult's past seven (7) years of residential addresses.

3. The following types of convictions will normally render an individual ineligible to work or volunteer at a Program:
 - a. Drug distribution activity or felony drug possession
 - b. Sexual offenses, including stalking
 - c. Crimes of violence involving physical injury to another person
 - d. Child abuse, molestation, child pornography or other crimes involving child endangerment, including neglect and abandonment
 - e. Murder
 - f. Kidnapping
 - g. Any other crime involving moral turpitude

Additionally, no Authorized Adult may be listed on any sex offender registry.

C. Medical /Emergency Care

The Program Organizer will be responsible for:

1. Arranging adequate emergency medical services at all locations and access to such services. For University-sponsored Programs, medical care appropriate for the nature of the events, expected attendance, and other variables should be discussed with a representative from the Student Health Center.
2. Obtaining all necessary forms, including parental or guardian authorizations for participation, medical treatment, and dispensing medication, waivers of liability, and a list of any physical, mental, or medical conditions any Non-Student Minor might have, including any allergies that could impact his/her participation in the Program.
3. Establishing a procedure for the notification of the Non-Student Minor's parent/legal guardian in case of an emergency, including medical or behavioral problems, natural disasters, or other significant Program disruptions.
4. Providing information to parents or legal guardians detailing the manner in which a Non-Student Minor can be contacted during the Program.
5. Maintaining an up-to-date list of Program times and dates, locations, attendance (age range and number of participants), and a designated

Program contact, so that in the event of an emergency, appropriate measures may be taken. External Organizations must provide a copy of this list at least ten (10) days prior to the start of the Program to the University unit responsible for contracting for the University Facilities being utilized.

D. **Supervision**

1. All Programs involving Non-Student Minors must be supervised by at least two (2) or more Authorized Adults or by their parent(s) or legal guardian(s) at all times with at least a 1:12 supervision ratio. Authorized Adults will ensure One-on-One Contact with Non-Student Minors does not occur. For overnight Programs housed in University Facilities, Authorized Adults must reside in the same housing building, and preferably the same floor.
2. It is recommended the Program Organizer provide more supervision when considering factors such as: the number and age of participants, whether the participants have special needs, the activities involved, type of housing (if applicable), and the age and experience of the Authorized Adults. The standards set forth in subsection D (1) are the minimum requirements. It is strongly recommended that in addition the Program Organizer make efforts to obtain the following ratios:

Recommended standards for overnight Programs housed in University Facilities:

- One Authorized Adult for every 6 campers ages 6 to 8.
- One Authorized Adult for every 8 campers ages 9 to 14.
- One Authorized Adult for every 10 campers ages 15 to 17.

Children under the age of 6 are not eligible to participate in overnight Programs housed in University Facilities.

Recommended standards for other Programs:

- One Authorized Adult for every 6 campers ages 4 and 5.
- One Authorized Adult for every 8 campers ages 6 to 8.
- One Authorized Adult for every 10 campers ages 9 to 14.
- One Authorized Adult for every 12 campers ages 15 to 17.

3. When UNC Charlotte students are hosting high school students (including prospective athletes) participating in pre-enrollment visitation, the requirement for two (2) Authorized Adults shall be waived. The requirement also does not apply to licensed psychologists providing psychological and counseling services to Non-Student Minors.

4. Separate sleeping accommodations are required for Authorized Adults and Non-Student Minors, unless the Authorized Adult is a parent, guardian, or sibling of the Non-Student Minor. Signed written permission from a parent or guardian is required for a Non-Student Minor to stay overnight in University Facilities. All guests and visitors of Program participants staying in University housing are restricted to building lobby and lounge areas and only during the hours specified by the Program Organizer, which in no case shall be later than 12:00am.

E. Training / Guidelines

1. RMSS will develop and make available to the Program Organizer required training and specific rules or procedures applicable to the Program.
2. The Program Organizer is required to ensure all Authorized Adults working with Non-Student Minors are trained with training materials supplied by RMSS. This training must be completed before an Authorized Adult works with Non-Student Minors as part of the Program. The Program Organizer is responsible for documenting the training.

V. Duty to Report Inappropriate Conduct or Suspected Inappropriate Conduct

- A. Every member of the University community has an obligation to immediately report instances or suspected instances of the abuse of or inappropriate interactions with minors, including Non-Student Minors, to the Police & Public Safety Department and, if applicable, to the respective Program Organizer. This includes information about suspected abuse, neglect, or inadequate care provided by a parent, guardian, or custodian/caretaker.
- B. Further obligation is required under North Carolina law to make a report to the Director of the Department of Social Services in the county where the minor resides or is found. Police & Public Safety can assist in providing contact information for reporting to social service agencies.
- C. Individuals reporting inappropriate conduct or suspected inappropriate conduct in good faith are protected under North Carolina law from criminal and civil liability for making the report. Furthermore, it is the policy of the University that a good-faith report of suspected abuse or neglect must not be retaliated against in the terms and conditions of employment or educational program.
- D. In the event a Program Organizer suspects inappropriate conduct receives an allegation of inappropriate conduct, the Program Organizer must immediately:

1. Ensure the safety of any minors participating in the Program, irrespective of any other limitation or requirement, including removal of minors from dangerous or potentially dangerous situations.
2. Notify Police & Public Safety.
3. If the suspected or alleged inappropriate conduct involves an Authorized Adult participating in a Program, the Program Organizer must discontinue any further participation by that Authorized Adult in any activities covered by this Policy until the situation has been satisfactorily resolved.

VI. Responsibilities

- A. RMSS is responsible for generating the training, rules, and procedures applicable to specific Programs involving Non-Student Minors.
- B. Individual department heads are responsible for identifying all Programs involving Non-Student Minors held or sponsored by their department and for reporting such Programs to RMSS on an annual basis and as new Programs involving Non-Student Minors are developed.

VII. Exceptions

Programs may be granted an exception from this Policy based on unusual circumstances. Such exceptions must be requested in advance from the Associate Vice Chancellor for RMSS and provided to responsible department head in writing.

VIII. Compliance

Failure to abide with this Policy shall be considered a violation of University Policy in accordance with [University Policy 801, Violation of University Policy](#).