



<b>Policy Title: Protection of Minors on Campus</b>	<b>Effective Date: 7/16/2024</b>
<b>Policy Number:FA-PO-1217</b>	<b>Date of Last Review: N/A</b>
<b>Oversight Department: University Services</b>	<b>Next Review Date: 7/16/2027</b>

## 1. PURPOSE

The purpose of the *Protection of Minors on Campus Policy* is to bring awareness to the presence of minors (under 18 years of age) participating in Radford University (University)-related programs and activities on university property and in university facilities. To safeguard these individuals and provide for their well-being and comply with applicable laws, this Policy prescribes minimum requirements for screening and supervision of individuals working with minors.

## 2. APPLICABILITY

This Policy applies to Radford University. It applies to programs in which minors (as defined below) are participants when the program:

1. Is sponsored by the University, such as programs that receive direct university funding or are conducted or organized by the University, or
2. Occurs in whole or in part on the University campus or in University facilities (as defined below).

## 3. DEFINITIONS

**Approving Unit:** Radford University Conference Services gives approval for the Covered Program's use of University housing and facilities. The Approving Unit also ensures the Covered Program's compliance with the requirements of this policy.

**Authorized Adult:** An individual, 18 years of age or older, paid or unpaid, who supervises, chaperones, interacts with, or otherwise oversees minors in program activities, such as a counselor, coach, instructor, or program director. This includes but is not limited to faculty, staff, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and independent contractors/consultants. To be an Authorized Adult, the individual must (1) be cleared through a criminal background check and National Sex Offender Registry screening and (2) be documented on the Covered Program's directory of program staff.

**Covered Program:** Program with "minor participants," as defined below. A covered program includes programs offered by the University (or any unit of the University) as well as programs of outside groups (hosted programs) using University facilities. Programs include, but are not limited to, activities such as camps (day and overnight), competitions, athletic training or conditioning activities, academic programs, workshops, conferences, tours, and organized visits.

**Hosted Program:** A hosted program is a program conducted on Radford University's campus or in University facilities and administered or financially supported by a non-Radford University entity. Examples include outside sports camps, athletic training or conditioning activities, or a student organization program in which no Radford University staff member acts as a program supervisor.

**Minor Participant:** A person under the age of eighteen (18) who has not matriculated as an enrolled student at the University. High school students who are concurrently enrolled at the university and are "students" as defined by [SA-PO-1300 Standards of Student Conduct](#) are not considered to be "minor participants" when participating in the enrolled course(s).

**Non-Authorized Adult:** Individual who is employed or who is volunteering for a Covered Program and has contact with Minor Participants during a Covered Program but does not supervise, chaperone, interact or oversee Minor Participants (e.g., camp shop manager, concession sales).

**Program Supervisor:** Individual with ultimate primary responsibility for the Covered Program. While programs may have various individuals who serve in a supervisory capacity, this individual has the authority to make the ultimate decisions concerning the program, including placement and removal of program staff.

**Review Team:** Team composed of a representative from the Approving Unit and the RUPD to assess the results of positive background checks, affirmative disclosure of arrests, or complaints filed against an Authorized Adult during their participation in a Covered Program.

**University facilities:** Property (including motor vehicles, golf carts, and watercraft), buildings, or other facilities owned, leased, or controlled by the University.

**Volunteer:** Any person who, of their own free will, provides goods or services, without the promise or expectation of financial gain, to the University or to a Covered Program, as defined in this Policy.

## 4. POLICY

### I.) Covered Program Requirements

- A.) All Covered Programs involving minors at Radford University are required to register with the Approving Unit and follow guidelines and procedures as established by the

Approving Unit and this policy. The Approving Unit is responsible for maintaining a record of all youth and minor programs, overseeing the system for criminal background checks, and ensuring compliance with this policy. The Approving Unit has the authority to deny requests for or halt the commencement of programs that do not meet the requirements contained in this policy.

- B.) Covered Programs: It is the Policy of Radford University that Covered Programs with minor participant(s) will only be permitted to use University facilities if the Approving Unit ensures that all the safety-related requirements outlined in this Policy are met. An Approving Unit must, for each program, either take the required actions or require (such as through a contract) the Covered Program offering or conducting the program to take the required actions contained in this policy.
- C.) Compliance with Policy & Insurance Coverage:
- i.) Compliance with this Policy rests with the leadership of the department or unit for programs offered by the university and/or the Approving Unit (defined above), who shall ensure that programs and activities involving minors meet the requirements of this Policy.
  - ii.) Contractual agreements concerning personnel or facilities related to programs, including Minor Participant(s), must include compliance with this Policy as a term of the contract. When appropriate, such contracts shall also include requirements for sufficient insurance coverage for the acts or omissions of other program participants, third-party employees, or agents of the Hosted Program. The Approving Unit must confirm with the Office of Risk Management that the Hosted Program's insurance policy meets the coverage level required to be sufficient. The University shall also be added as an additional insured on the insurance policy of the hosted program.
- D.) Contact Information and Protocols. Program Supervisor shall:
- i.) Establish and maintain a list of all program participants (minors and non-minors). This list shall include the participant's name, local room assignment (if applicable), gender, age, date of birth, address, phone number(s) of parent or legal guardian, and emergency contact information for two designated people to call if a parent cannot be reached. The list shall also include, for each program participant, a list of the participant's allergies, sensitivities, and dietary restrictions.
  - ii.) Compile a directory of all program staff (including Non-Authorized Adults ) that includes: Name, verification of age requirement, address, employment position in the Covered Program, background completion date for each Authorized Adult, results of the background check and NSOR screening, any affirmative disclosure of arrest or criminal conviction as required under Section III.A of this Policy, and assessment of and rationale for approval/disapproval for involvement in the Covered Program despite the adverse information or unfavorable results. The directory shall also include the name, address and telephone number of a person to be contacted in case of an emergency.
  - iii.) Notify parent/legal guardians how to contact their child during the program in case of emergency.

- iv.) Establish a procedure for the notification of minor participants' parent/legal guardian including in case of emergency.
- v.) The personally identifiable information collected for the program participants and program staff shall be collected and/or stored in accordance with the University's Data Storage and Media Protection Policy.

E.) Supervision of Minor Participants. All Covered Programs shall provide at least two (2) or more Authorized Adults who are responsible for supervising minor participants at all times, including mealtimes and in the evenings with overnight camps.

**II.) Resident (Overnight Camps) and Day Programs**

A.) In addition to at least (2) Authorized Adults, the University requires the following counselor-to-camper ratio, as established by the VA State Board of Education Administrative Code 8VAC20-790-670.

- i.) When a group of children receiving care includes children from different age brackets, the age of the youngest child in the group shall be used to determine the staff-to-children ratio that applies to that group.

<b>Ages of Minor Participants</b>	<b>Two Authorized Adults for # of Participants</b>	<b>Additional Authorized Adults</b>
4-5 years old	1-10 participants	One additional for every 5 participants e.g., 11-15 participants (3 Authorized Adults); 16-20 participants (4 Authorized Adults); etc.
School age through 8 years old	1-18 participants	1 additional for every 6 participants e.g., 19-24 participants (3 Authorized Adults); 25-30 participants (4 Authorized Adults); etc.
9-12	1-20 participants	1 additional for every 8 participants e.g., 21-28 participants (3 Authorized Adults); 29-36 participants (4 Authorized Adults), etc.

B.) Program Rules: Program participants shall be informed about relevant safety and security procedures, University policies, rules established and enforced by the Covered Program, and behavioral expectations. Program rules shall include an explanation of how and to

whom relevant complaints may be made. Program participants must be told that non-compliance can result in discipline, including separation from the program.

- i.) Programs with participants over 11 years old shall include in its Program Rules University regulations containing prohibitions on and requiring compliance with:
    - [Smoking Policy](#)
    - [Weapons Regulation](#)
    - [SA-PO-1300 Standards of Student Conduct](#)
    - [HR-PO-1402 Reporting Suspected Child Abuse or Neglect Policy](#)
    - [GEN-PO-1004 Animals on University Property Policy](#)
    - [GEN-PO-1002 Discrimination and Harassment Policy](#)
    - [IT-PO-5102 Data Storage and Media Protection Policy](#)
  - ii.) Program rules shall prohibit the operation of a motor vehicle by minors while attending or participating in the program and unauthorized departure from University property (if applicable).
- C.) Resident programs – programs with minors housed in University facilities– must also adopt and enforce the following:
- i. Written permission is signed by the parent/guardian for the minor to reside in University housing. This permission may be part of the application for the program.
  - ii. An age-appropriate curfew.
  - iii. In-room visitation is to be restricted to participants of the same gender.
  - iv. Guests of participants are restricted to visitation in the building lobby and/or floor lounges and only during approved hours specified by the program.

### III.) Background Checks

A.) **Multistate Criminal Background Check:** All Authorized Adults participating in a Covered Program are required to clear (a) a multistate criminal background check and (b) a National Sex Offender Registry (NSOR) screening prior to engaging in activities where they are responsible for supervising, chaperoning, or otherwise overseeing minors in program activities. The criminal background check and NSOR screening shall be retained on record with the Radford University Police Department for a period of two (2) years from the date of the results. The Radford University Police Department shall make the records available for an audit by the leadership of the Approving Unit and/or any University official with responsibility for monitoring this Policy. Motor vehicle violations will be considered for Authorized Adults who will transport Minor Participants.

- i.) The sensitive data collected during the background check and NSOR screening shall be collected and/or stored in accordance with the University's Data Storage and Media Protection Policy.

B.) **Results of Background Check:** If a criminal background check reveals adverse information or unfavorable results, the Review Team committee will conduct an individualized assessment using criteria designed to identify potential risk to

minors. A prior conviction shall not automatically disqualify a person from participating in a program or activity.

- i.) Except where required by law, criminal background checks of University faculty, staff, and students that are conducted pursuant to this Policy will be used only for purposes consistent with this Policy and will otherwise be kept confidential. Records of background checks will be maintained separately from an individual's personnel or student file.
- ii.) The cost for background checks for non-employees or subsequent background checks for University employees, volunteers, and students is the responsibility of the Covered Program.

C.) **Re-Screening of Personnel:** Authorized Adults, including University employees or volunteers, must complete the multistate criminal background check and NSOR screening within one (1) year of initial involvement with a Covered Program and every two (2) years thereafter.

#### **IV.) Requirements for Authorized Adults**

Authorized Adults must follow and enforce all applicable laws, University regulations and policies. Authorized Adults shall be removed from the program and/or the Covered Program may be terminated for non-compliance with these requirements.

#### **V.) Behavioral Expectations**

- A.) Authorized Adults participating in covered programs shall not:
  - i.) Engage in any sexual activity, make sexual or sexually suggestive comments, tell sexual jokes, or share or view sexually explicit material in any form with or within the vicinity of a Minor Participant.
  - ii.) Have one-on-one, private contact with a Minor Participant (e.g., behind closed doors, not in public view).
  - iii.) Meet with Minor Participants outside of established times for program activities. Any exceptions require written parental authorization and must include more than one Authorized Adult from the Covered Program.
  - iv.) Communicate through their personal instant message accounts, social networking websites, and internet chat rooms with a Minor Participant, or engage in any other form of direct electronic contact (e.g., text message, Facetime, WhatsApp) with a Minor Participant without another Authorized Adult or a parent or guardian of the Minor Participant being included in the communication.
  - v.) Insist that any communication with a Minor Participant is "just between the two of us" or use similar language that encourages a Minor Participant to keep secrets from their parents/guardians.

- vi.) Enter a Minor Participant's room, bathroom facility, or similar area without another Authorized Adult in attendance, consistent with the Policy of not having one-on-one contact with minors.
- vii.) Sleep in the same private room as any Minor Participant, except for an Authorized Adult who is the parent or guardian of the Minor Participant.
- viii.) Engage in abusive conduct or physical violence of any kind, including corporeal punishment, to the Minor Participant.
- ix.) Touch a Minor Participant 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 Covered Program's mission and culture, and/or for a clear educational, developmental, or health-related (e.g., treatment of an injury) purpose. Any resistance from the Minor Participant should be respected.
- x.) Pick up or drop off a Minor Participant to or from their home, other than the Authorized Adult parent or guardian of the Minor Participant, except as specifically authorized in writing by the minor's parent or legal guardian. Other travel with minors must comply with the prohibition on one-on-one contact.
- xi.) Use, possess, or be under the influence of alcohol or illegal drugs while on duty or when responsible for a Minor Participant's welfare.
- xii.) Provide alcohol or illegal drugs to any Minor Participant. Authorized Adults shall not provide prescription drugs or any medication to any Minor Participant unless specifically authorized in writing by the parent/legal guardian as being required for the Minor Participant's care or emergency treatment.

## **VI.) Complaints or Allegations Against Authorized Adults**

- A.) If an allegation of misconduct has been made by a Minor Participant against an Authorized Adult participating in a Covered Program, the Authorized Adult shall discontinue participation in programs and activities covered by this Policy. Resolution of the allegation shall include the following steps:
  - i.) Accused individuals will be provided notice of the complaint and an opportunity to respond to allegations within 24 hours of receipt of a complaint.
  - ii.) Limited inquiry conducted by a member of the Review Team is permissible to confirm details of the allegation or rebuttal to the allegation. Assessment of the complaint and the response, as well as any information obtained through the inquiry, shall be conducted by the Review Team.
  - iii.) The Review Team shall determine initially if further participation by the Authorized Adult is fully permissible, permissible in a modified form, or not permissible at all based on the nature of the allegations, the status of the complainant, the status of the Authorized Adult and any aggravating or mitigating factors (e.g., previous misconduct of the same or different nature).
  - iv.) The Review Team shall ensure that any alleged criminal conduct shall be reported to the Radford University Police Department or the police in the jurisdiction where the alleged conduct occurred.

- v.) The Review Team shall conduct a full investigation involving the appropriate parties and University processes that apply, including but not limited to, the Human Resources Department if involving an employee and the Office of Institutional Equity if applicable. The Review team shall consult with the Vice President for Finance and Administration to determine the final resolution of the allegation of misconduct.

B.) Affirmative Obligation to Disclose Violations of Policy or Arrests -

- i.) Authorized Adults are required to self-report any violation of behavior expectations (as set forth in Section V in this Policy) committed by themselves or other Authorized Adults to the Program Supervisor immediately but no longer than 24 hours after the violation.
- ii.) Authorized Adults are required to disclose to the Program Supervisor any arrest or criminal conviction that occurs after the background check and before the end of the Covered Program. Program Supervisors are responsible for notifying the Approving Unit and/or Department Head within 24 hours of being notified of disclosure by an Authorized Adult for review by the Review Team committee.

## VII.) Mandatory Reporting

### A.) Suspected Abuse or Neglect of a Minor

- i. Under Virginia law, all university employees and all Authorized Adults are required to report suspected abuse or neglect of a minor. The reporting requirement arises when the employee or Authorized Adult, in their professional or official capacity with the university or the program, has reason to suspect abuse or neglect. All employees must report suspected child abuse or neglect in accordance with the University's Reporting Suspected Child Abuse or Neglect Policy. ([report-suspected-child-abuse](#)) This requirement does not apply to licensed psychologists in the course of providing psychological and counseling services to minors.
- ii. Any Authorized Adult is required (pursuant to this policy and Code of Virginia § 63.2- 1509) to report the matter as soon as possible, but not longer than 24 hours after having reason to suspect a reportable offense of child abuse or neglect.
- iii. Reports must be made to the Child Protective Services' toll-free child abuse and neglect hotline (in Virginia:(800) 552-7096) or to the [local department of social services](#). The abuse or neglect can be reported to the department of the county or city where the minor resides or where the abuse or neglect is believed to have occurred.
- iv. If the individual suspecting the abuse or neglect has actual knowledge that the same matter has already been reported, they are not required to report it.
- v. The Authorized Adult making the report must disclose all information that is the basis for his or her suspicion to the Department of Social Services, and upon



request, must make available any information, records, or reports that document the basis for the report.

- vi. The person making a report must cooperate with the investigating agency and must make related information, records, and reports available to the investigating agency unless such disclosure violates the Family Educational Rights and Privacy Act. (Information about FERPA is available in the university's Student Records Privacy Policy found here [FERPA Policy | Office of the Registrar | Radford University](#).)
- vii. Any Authorized Adult making a report or providing records or information pursuant to this policy and Code of Virginia § 63.2-1509, or who testifies in any judicial proceeding arising from such reports or information, is immune from civil or criminal liability, or administrative penalty or sanction, unless such employee acts in bad faith or with malicious purpose. More information, including guidance on what constitutes and how to identify child abuse, is available in the [Guide for Mandated Reporters in Recognizing and Reporting Child Abuse and Neglect](#) (pdf) published by the Commonwealth of Virginia's Department of Social Services.

### **VIII.) Training**

- A.) All Authorized Adults or program staff working with minors in a Covered Program are required to be trained in policies and issues related to minor health, wellness, safety, and security. This training must be completed annually and may differ based on role. The Program Supervisor is responsible for providing documentation of training completion to the Approving Unit. Groups staying overnight and housed in University facilities will be required to provide documentation of completed training as part of the housing use agreement. Documentation must be provided before groups will be allowed to check in to University Housing facilities. At a minimum, training must include:
  - 1. Basic warning signs of abuse or neglect of minors,
  - 2. Guidelines for protecting minors from emotional and physical abuse and neglect,
  - 3. Requirements and procedures for reporting incidents of suspected abuse or neglect or improper conduct,
  - 4. Mandated reporting requirements,
  - 5. Appropriate crisis and emergency responses,
  - 6. Safety and security precautions, and
  - 7. Discipline and dismissal for policy violations.
- B.) Training may be expanded depending upon the program or activity and the person's role in the program or activity.
- C.) Non-university organizations and entities that wish to operate Covered Programs involving minors on the University campus or in University facilities must provide documentation to the Approving Unit indicating that all Authorized Adults (and anyone who supervises such individuals) have received training that meets or exceeds the minimum requirements of this section.

## 5. PROCEDURES

### I.) Enforcement

- A.) Covered Programs must be able to provide satisfactory evidence of compliance with all of the prerequisites of this Policy at least twelve (12) calendar days prior to the scheduled use of University facilities to the Approving Unit.
- B.) The Approving Unit shall retain the compliance records described above in accordance with the Library of Virginia record retention schedules.
- C.) **Failure to Comply:** Violations of this Policy should be reported to the head of the Approving Unit and/or the Oversight Department. Failure to comply with the requirements set forth in this Policy may lead to disciplinary action, including termination and/or revocation of the opportunity to use University facilities and land. Radford University supports an environment free from retaliation.
- D.) **Retaliation:** Retaliation against any employee who brings forth a good faith concern, asks a clarifying question or participates in an investigation is prohibited.
- E.) Violations involving actual or suspected abuse or neglect of a minor must be reported as described in this Policy.

## 6. EXCLUSIONS

1. Pre-enrollment visits by prospective high school students, including prospective athletes hosted by University-enrolled student(s), programs run through the undergraduate admission office, and programs for the selection of scholarship recipients;
2. Minors as guests of an enrolled student (Current Radford University students can be subject to the University's Student Code of Conduct for misconduct of their guests);
3. University performances or events open to the general public for which minors attend at the sole discretion of their parent or guardian (e.g., homecoming parade, intercollegiate sporting events, lectures, concerts, performances);
4. Other activities or programs on campus or in University facilities in which the minor is participating under the sole discretion and supervision of their parent, guardian, or chaperone(s) (e.g., school field trip).

## 7. APPENDICES

None

## 8. REFERENCES

[Smoking Policy](#)  
[Weapons Regulation](#)  
[SA-PO-1300 Standards of Student Conduct](#)

[HR-PO-1402 Reporting Suspected Child Abuse or Neglect Policy](#)  
[GEN-PO-1004 Animals on University Property Policy](#)  
[GEN-PO-1002 Discrimination and Harassment Policy](#)  
[IT-PO-5102 Data Storage and Media Protection Policy](#)

## 9. INTERPRETATION

The authority to interpret this policy rests with the President of the University and is generally delegated to the Vice President for Finance and Administration.

## 10. APPROVAL AND REVISIONS

The President of the University and the President's Cabinet have approval authority over this policy and all subsequent revisions.

[Click here to enter text on history of policy, including prior revisions.](#)

DATE: \_\_\_\_\_

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**Bret Danilowicz, Ph.D., President (*signature*)**

**For questions or guidance on a specific policy, contact the Oversight Department referenced in the policy.**