

UNIVERSITY OF TENNESSEE AT CHATTANOOGA

CAMPUS POLICY IMPLEMENTING UNIVERSITY OF TENNESSEE SAFETY POLICY 575 (PROGRAMS FOR MINORS) WITH RESPECT TO PROGRAMS FOR MINORS SPONSORED BY A UNIVERSITY UNIT

OBJECTIVE:

The objective of this policy is to implement University of Tennessee System Safety Policy 575 (Programs for Minors) ("SA 575") with respect to programs for minors sponsored by a University Unit at the University of Tennessee at Chattanooga.

POLICY:

SECTION 1. DEFINITIONS

The following terms used in this policy are defined in [University of Tennessee System Safety Policy 575](#): Covered Adult; Covered Program; Designated Official; Direct Contact; Minor/Child; Program Director; and University Unit.

SECTION 2. DESIGNATED OFFICIAL

The Chief Safety and Risk Management Officer shall serve as the Designated Official to ensure SA 575 is implemented on the campus of the University of Tennessee at Chattanooga.

SECTION 3. REQUIREMENTS FOR COVERED PROGRAMS SPONSORED BY A UNIVERSITY UNIT

A. Program Registration

At least thirty (30) days prior to the start of a Covered Program, the Program Director shall complete the **Programs for Minors Registration Form (FORM A)** and submit it to the Chief Safety and Risk Management Officer. The **Programs for Minors Registration Form** must be completed and signed by the Program Director and signed by the Department Head/Dean or Vice-Chancellor responsible for the unit that will operate the Covered Program.

Any requests for clarification as to whether a particular program or activity is subject to this policy, or a request for a waiver of any requirement of this policy, should also be sent to the Chief Safety and Risk Management Officer.

B. Background Checks

As required by SA 575, the Program Director shall ensure that a criminal background check has been conducted on a Covered Adult within the last four (4) years before allowing the Covered Adult to participate in a Covered Program. All Background check request forms and information can be found at <http://www.utc.edu/safety-risk-management/>. Requests for criminal background checks must be submitted by the Program Director to the Chief Safety and Risk Management Officer using **FORM H**.

The Chief Safety and Risk Management Officer will maintain a roster of individuals who are cleared to participate and the dates on which a new background check will be required. Upon receiving **FORM H** from a Program Director, the Chief Safety and Risk Management Officer will ensure that a criminal background check has been conducted or will be conducted on the Covered Adult.

All costs to conduct background checks will be paid by the Covered Program.

C. Training

Before allowing a Covered Adult to participate in a Covered Program, a Program Director shall ensure that, within the last two (2) years, the Covered Adult has received the online training developed by the system Office of Human Resources on how to prevent, recognize, report, and address child abuse, except as otherwise provided in SA 575. The Chief Safety and Risk Management Officer and the Program Director may provide additional training to meet specific needs of the Covered Program. Training resources can be obtained from the Chief Safety and Risk Management Officer at 423-425-5209.

In addition to online training, a Program Director shall require every Covered Adult to affirm in writing, using **FORM C**, that he/she has read, understands, and agrees to comply with Tennessee Law on the Mandatory Reporting of Child Abuse and Child Sexual Abuse. A Program Director shall submit the executed forms to the Chief Safety and Risk Management Officer, who shall retain the forms for at least two (2) years from the date of the end of the Covered Program.

D. Transportation

Transportation of minors by a Covered Adult during a Covered Program must be approved by the Chief Safety and Risk Management Officer using **FORM A**. Except in exigent circumstances, or as specifically authorized in writing by the Chief Safety and Risk Management Officer or the minor's parent or legal guardian, a Covered Adult shall not transport a minor who is not his/her own child without another Covered Adult being present, or transport a minor who is not his/her own child using his/her personal vehicle, during the Covered Program or to/from the Covered Program.

E. Medical Treatment

1. A Covered Program that involves strenuous physical activity shall require a parent/legal guardian of a minor to provide the Covered Program with the following forms executed by the minor's parent/legal guardian:
 - Medical Information and Medical Treatment Release and Authorization Form (**FORM B**)
 - Authorization for Self-Administration of Prescription Medication (**FORM B1**)
 - Authorization for Dispensation of Over-the-Counter Medication (**FORM B2**)
 - Release, Hold Harmless, and Indemnification Agreement (**FORM D**)

2. In connection with a Covered Program that involves strenuous physical activity, a minor's medications may be dispensed by an Covered Adult under the following circumstances:
 - a. A Covered Adult may dispense prescription or over-the-counter medication to a minor for the minor to self-administer if the minor's parent or legal guardian has provided written authorization for the minor to self-administer the medication, using **FORM B1**.
 - b. The Covered Program shall keep medications in an appropriate and secure location.
 - c. At the appropriate time for dispensation of a medication, a Covered Adult shall allow the minor to self-administer the appropriate medication dose as shown on the container.
 - d. The Covered Program shall maintain a record showing the date and time of each dispensation of medication and the signature of the person who dispensed medication.
 - e. Personal "epi" pens and inhalers may be carried by a minor during Covered Program activities if noted on **FORM B**.

F. Standards of Conduct for Covered Adults in Covered Programs Sponsored by a University Unit

1. All Covered Program activities involving minors shall be supervised by at least two (2) or more Covered Adults. There shall be no one-on-one contact between a minor and a Covered Adult unless one-on-one contact is essential to the program and has been approved in advance by the Chief Safety and Risk Management Officer. The term “one-on-one contact” shall mean private, unsupervised, face-to-face interaction between a minor and a Covered Adult without at least another Covered Adult, parent, or legal guardian being present.
2. The Program Director shall ensure that an appropriate ratio of Covered Adults to minors exists, based on the following factors:
 - a. The age of the minors participating in the Covered Program;
 - b. Whether the Covered Program involves an overnight stay; and
 - c. The nature of the activities involved in the Covered Program.
3. The Program Director shall develop and make available standards of conduct applicable to Covered Adults. The rules contained in **FORM E** are mandatory standards of conduct for Covered Adults in all Covered Programs. The Program Director may develop additional standards of conduct that do not conflict with the rules in **FORM E**.

G. Procedures for Covered Programs Sponsored by a University Unit with Overnight Stays

1. A Covered Program shall develop and make available to minors the rules and disciplinary procedures applicable to the Covered Program.
2. When dealing with minors for any overnight stay, all Covered Adults must wear an easily visible form of identification indicating his/her association with the Covered Program.
3. Prohibitions on the following must be included in the rules for minors participating in a Covered Program:
 - a. The possession or use of alcohol and other drugs, fireworks, firearms, and other weapons

- b. Violence
- c. Hazing
- d. Harassment in violation of the University's anti-discrimination policy
- e. Bullying, including verbal, physical, and cyber bullying
- f. Theft
- g. Use of tobacco products
- h. Misuse of, or damage to, University property
- i. Operation of a motor vehicle
- j. Inappropriate use of cameras or other imaging devices, including but not limited to the use of such devices in showers, restrooms, or other areas in which someone has a reasonable expectation of privacy
- k. Viewing pornography during the Covered Program, or making any form of pornography available to another minor participating in the Covered Program or assist another minor in any way in gaining access to any form of pornography
- l. In-room visitation of minors of the opposite gender participating in the Covered Program.
- m. In-room visitation by guests of minors participating in the Covered Program (visitation by guests of minors shall be restricted to visitation in the building lobby and/or floor lounges, and only during approved hours specified by the Covered Program)
- n. Leaving University property during a Covered Program without the approval of the Program Director or his/her designee

SECTION 4. SANCTIONS FOR FAILING TO COMPLY WITH THIS POLICY

A Covered Program in violation of this policy may be denied permission to continue operation in connection with UTC. Any violations of this policy by an individual will be handled in accordance with other applicable University policies and procedures, which

for University employees may include disciplinary action up to and including termination of employment. In addition, a person who fails to comply with Tennessee laws on mandatory reporting of child abuse and child sexual abuse can face criminal prosecution.

SECTION 5. EXCEPTIONS

Exceptions to this policy may be granted by the Chief Safety and Risk Management Officer, following consultation with the UTC Human Resources Officer and the Office of the General Counsel.

Section 5 of SA 575 provides three exceptions to the requirements of Sections 3 and 4 of SA 575, the use of two of which requires the Program Director to complete a form and submit it to the Chief Safety and Risk Management Officer. A Program Director requesting the use of the first exception (“large number of volunteers”) should complete **FORM F** and submit it to the Chief Safety and Risk Management Officer in advance of the use of the exception. A Program Director requesting the use of the third exception (“exceptional circumstances”) should complete **FORM G** and submit it to the Chief Safety and Risk Management Officer after the Program Director’s use of exception.

Forms Section for Reference:

Programs for Minors Registration Form (FORM A)

Medical Information and Medical Treatment Release and Authorization Form (FORM B)

Authorization for Self-Administration of Prescription Medication (FORM B1)

Authorization for Dispensation of Over-the-Counter Medication (FORM B2)

Tennessee Law on Mandatory Reporting of Child Abuse and Child Sexual Abuse acknowledgement (FORM C)

Release, Hold Harmless and Indemnification Agreement (FORM D)

Standards of Conduct for Covered Adults (FORM E)

Request for Exception to SA 575 Requirement of Criminal Background Checks and Training for Volunteers (FORM F)

Notification of Exceptional Circumstances Requiring Exception to SA 575 (FORM G)

Fair Credit Reporting Act Authorization and Consent to Release Information Form (FORM H)