P. Protection of Minors Procedures

Mount St. Joseph University values the health, safety, and well-being of minors and is committed to providing a safe environment for minors on campus and who participate in University programs. In keeping with this value and to fulfill this commitment, the University has adopted a Protection of Minors Policy ("Policy") and related registration and operational processes. This Policy and processes apply to all members of the University community and all offices, divisions, and departments of the University. Failure to comply may lead to disciplinary action, up to and including dismissal, and revocation of the opportunity to use University property or facilities.

All camps, events, programs, and activities that are intended for minors and that take place on campus, in University facilities, or under the supervision of the University, whether operated by the University or third parties ("Programs"), are subject to this Policy. For exceptions please see the Protection of Minors Policy. The following steps will be required for all programs involving minors:

1. **Register the Program**

   The individual that is responsible for a Program ("Program Director"), or his or her designee, shall register the Program with the Chief Compliance and Risk Officer at least 60 days before the start of the Program. (Please note that this notification is separate from any registration or reservation requirements of the Office of Campus Facilities.) This registration shall be in writing and provide, at a minimum, the following information:

   - the name and purpose of the Program,
   - the date and time of the Program,
   - the number and ages of expected Program participants,
   - the names and current email addresses and phone numbers of Program staff and volunteers*,
   - the location of the Program,
   - an indication of whether the Program will involve overnight activities, and
   - copies of all Program marketing materials and participation agreements as described below

* Programs that are discrete, occasional events for which a large number of volunteers are essential should be discussed with the Chief Compliance and Risk Officer before preparing such a roster.

If this information changes before or during the Program, the Program Director, or his or her designee, shall promptly notify the Chief Compliance and Risk Officer (and Campus Facilities if appropriate) of any such changes in writing. Based on the registration and other relevant information, the University may refuse to participate in or make University property or facilities available for the Program.
2. Obtain and Submit Appropriate Documents

The Program Director, or his or her designee, shall obtain and submit the following documents, as applicable, in connection with each Program:

- **Participation Agreement**: Before a minor may participate in a Program, his or her parent or legal guardian, and the minor when applicable, must sign a written agreement and provide it to the Program Director (“Participation Agreement”). Participation Agreements must be in a form acceptable to the University. While they may vary from Program to Program, they must include a general description of the Program, indicate whether the Program is affiliated with the University, require parental consent for the minor to participate in the Program, include appropriate medical releases and insurance information, include appropriate liability waivers and release forms for media/video/photographs where applicable, and include a reference to the University’s Misconduct Reporting Hotline. Participation Agreement form(s) must be submitted to the Chief Compliance and Risk Officer with the Program registration.

- **Facilities Use Agreement**: If a Program is operated by a third party and requires the use of University property or facilities, the Program Director, or his or her designee, must complete and submit an agreement to Mount St. Joseph University Office of Campus Facilities (“Rental Agreement”). The Rental Agreement will identify the required University property or facilities and outline the terms and conditions governing its use.

- **Prospective Student Overnight Visits**: The Office of Admission and other departments sometimes arrange for prospective students to visit Mount St. Joseph University on an overnight stay. The sponsoring office or department is responsible for seeing that the prospective student and their parent(s) or guardians complete an Emergency Information Form provided by Admission. The form must be completed and returned to the Office of Admission on a business day (Monday through Friday, 8:30 a.m. to 4:30 p.m.), and at least 24 hours prior to the scheduled visit.

3. Submit Required Authorizations for Annual Background Checks

All adults who are reasonably expected to directly work with, instruct, or otherwise interact with minors during or in connection with a Program must undergo a County Criminal Background Check based on a Former Residence Trace and National Offender Watch check. This requirement applies to all University employees, third-party employees, and Program volunteers unless the program is subject to alternative measures and safeguards as discrete, occasional events as determined by the Chief Compliance and Risk Officer. Before an adult may begin with the Program, these checks must be conducted and evaluated by an agency selected and approved by the University’s Office of Human Resources. County Criminal Background Checks based on a Former Residence Trace and National Offender Watch checks must be completed on all adults every year. It is the responsibility of the Program Director, in consultation with the University’s Office of Human Resources, to ensure that appropriate background checks are completed. Any expenses associated with background checks for University Programs will be charged to the appropriate cost center along with other Program expenses. Successful completion of the background check process is required for the individual to be considered an Authorized Adult.

The University reserves the right to prohibit adults from participating in a Program as a result of information found through the background check process. A decision not to permit an individual
to participate in a program or activity covered by this Policy based on the results of a background check will be made by the Director of Human Resources after consultation with the appropriate administrative officer and the Chief Compliance and Risk Officer, or others as needed. The results of background checks conducted under this Policy will be used only for the purposes of this Policy, except that the University reserves the right to take appropriate action with respect to employees who may have falsified or failed to disclose information material to their employment on employment applications uncovered as a result of the background check, including and up to immediate termination of employment. Copies of background check reports will be retained in the Office of Human Resources.

Programs that are discrete, occasional events for which a large number of volunteers are essential may elect to adopt alternative measures and safeguards for the use of one-time volunteers. Measures put in place must include that: volunteers work only in public places; they will not be permitted to work alone with minors; and they must be supervised by an individual for whom a recent background check has been completed. All such programs or events should compile a list of the individual names and address of volunteers prior to the event and submit plans for alternative measures to the Chief Compliance and Risk Officer for approval during the registration process.

4. Complete Online Training

All University employees, volunteers and outside parties seeking residence hall/facility use who are reasonably expected to directly interact with minors during or in connection with a Program must participate in Mount St. Joseph University Protection of Minors online training unless the program is subject to alternative measures and safeguards as discrete, occasional events as determined by the Chief Compliance and Risk Officer. Third party Program Directors may certify the completion of comparable training for their staff and volunteers as a substitute for MSJ training, although the third party Program Director will be required in all circumstances to complete the MSJ training. Training shall be completed annually before an adult begins working with minors. Participation in training shall be documented, with the adult signing a statement indicating his/her understanding and receipt of the University’s policies and procedures.

Training shall address:

- policies regarding interactions with minors,
- responsibility for modeling respectful behaviors,
- consequences of conduct violations involving minors,
- behavioral signs that minor victims may exhibit,
- sexual abuse and sexual harassment,
- inappropriate behavior with children,
- reporting requirements and procedures,
- other appropriate topics.

Online training access for all authorized adults should be coordinated between the Program Director and the Office of Human Resources.
5. Third Party Background Checks and Training

The following items must occur prior to any Campus Program for Minors being conducted by a third party (any vendor or individual not affiliated with Mount St. Joseph University on University grounds or in University facilities. In addition to any required facility use agreement:

a) The third party must, within 15 days of the program, submit to Mount St. Joseph University written documentation indicating that each individual who will be working or volunteering at the program has completed an acceptable Sexual Abuse and Child Molestation Training program unless the program is subject to alternative measures and safeguards as discrete, occasional events as determined by the Chief Compliance and Risk Officer. At a minimum, the third party Program Director will be required in all circumstances to complete the MSJ training in addition to any other training program that may have been completed.

b) The third party must certify to the University that no individual who will be working or volunteering at the program has any felony criminal convictions or any conviction for any crime(s) related to abuse, neglect, exploitation, assault, sexual offense, or any offense involving a Minor unless the program is subject to alternative measures and safeguards as discrete, occasional events as determined by the Chief Compliance and Risk Officer. If the third party cannot make such a certification, the third party Program Director and other program staff as may be designated by MSJ will be required to complete the MSJ background check process.

c) The third party must agree to indemnify and hold harmless Mount St. Joseph University from any and all liability and claims arising from the program.

d) The third party must agree to maintain insurance acceptable to Mount St. Joseph University, including listing the University as an additional insured and providing a certificate of insurance before the program occurs. Insurance policy must include a sexual abuse and molestation endorsement.

e) All individuals providing coaching, instruction, refereeing or supervision of elementary, junior high and high school age athletes for third party activities must provide confirmation that they have completed a Concussion Management Training course acceptable under ORC 3707.52. A list of acceptable courses is available through the University’s Athletic Training Department.

6. Adhere to Required Practices

- Every Minor must be provided with reasonable and appropriate supervision by an Authorized Adult while that Minor is on campus.
- Every Program at which Minors are present must have a minimum Authorized Adult to Minor ratio of the following:

<table>
<thead>
<tr>
<th>Ages</th>
<th>Overnight Program</th>
<th>Day Only Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 and under</td>
<td>N/A</td>
<td>Accompanied by parent/guardian at all times unless Program is offered through University’s Charlotte Schmidlapp Children’s Center</td>
</tr>
<tr>
<td>6-8</td>
<td>1 staff to 6 overnight participants</td>
<td>1 staff to 8 day only participants</td>
</tr>
<tr>
<td>9-13</td>
<td>1 staff to 8 overnight participants</td>
<td>1 staff to 10 day only participants</td>
</tr>
<tr>
<td>14-18</td>
<td>1 staff to 10 overnight participants</td>
<td>1 staff to 12 day only participants</td>
</tr>
</tbody>
</table>

This information is part of Mount St. Joseph University’s Employee Handbook.
* Staff to participant ratios for overnight programs reflect minimum expectations. The University reserves the right to determine the appropriate ratio for each program.

- For purposes of complying with the staff to participant ratios at overnight camps for high school athletic teams, the coaches who accompany their teams shall be counted as staff.
- Every Program should establish security and emergency measures for Minors, including but not limited to:
  - Drop off and pick up procedures (At a minimum such measures shall require every Minor to be checked-in on a daily basis; the collection of contact information from the Minor’s parent or guardian; communication of how parents or guardians may reach their Minor in the event of an emergency; a requirement that Minors under 13 must be checked out with signature of parent or guardian; and containment of Minors in specified space during free time, mealtimes, or before the Program begins); where to go if lost; and, steps to take in the event of an emergency on campus (i.e. fire, tornado, etc.).
- With prior written consent from the parent or legal guardian of a Minor who drives him or herself to a Program, such Minor may be allowed to drive offsite during lunch time.
- At no time may an Authorized Adult leave a Minor in the care of a person that is not an Authorized Adult or in an area that is off-limits to Minors.
- Authorized Adults may not release a Minor under the age of 13 to anyone other than a custodial parent or legal guardian without written authorization from the parent/guardian that his/her child may be released to that individual.
- Restroom supervision for Minors under the age of 13: Authorized Adults will make sure the restroom is not occupied by suspicious or unknown individuals before allowing Minors to use the facilities. An Authorized Adult will stand outside the doorway while Minors are using the restroom. If Authorized Adults must assist younger children, doors to the facility must remain open.
- Appropriate plans should be in place for first aid and medical treatment as well as dispensing of medication.
- Program Director is required to meet with Mount St. Joseph University Chief of Police or their designee regarding general University emergency procedures and any particular safety/security requirements of the program.
- All individuals providing coaching, instruction, refereeing or supervision of elementary, junior high and high school age athletes must provide confirmation that they have completed a Concussion Management Training course acceptable under ORC 3707.52. A list of acceptable courses is available through the University’s Athletic Training Department.

7. Comply with Behavioral Expectations

Adults should be positive role models for minors and act in a caring, honest, respectful, and responsible manner that is consistent with the mission and guiding principles of the University. Therefore, adults working in Programs must follow the following behavioral expectations:

- Do not engage in any sexual activity, make sexual comments, tell sexual jokes, or share sexually explicit material (or assist in any way to provide access to such material) with minors.
• Do not be alone with a single minor. If one-on-one interaction is required, meet in open, well illuminated spaces or rooms with windows observable by other adults from the Program, unless the one-on-one interaction is expressly authorized by the University.
• Do not meet with minors outside of established Program times. Any exception requires written parental consent and must include more than one adult from the Program.
• Do not invite individual minors to your home. Any exception requires authorization by the Program Director and written parental consent.
• Do not engage in or communicate with minors through e-mail, text messages, social networking websites, internet chat rooms, or other forms of social media at any time, except and unless there is an educational or programmatic purpose and the content of the communication is consistent with the purpose of the Program.
• Do not touch minors 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 purpose of the Program, and/or for a clear educational, developmental, or health related (e.g., treatment of an injury) purpose. Any resistance from the minor should be respected.
• Do not engage in any abusive conduct of any kind toward or in the presence of, a minor, including but not limited to, verbal abuse, striking, hitting, punching, poking, spanking, or restraining. If restraint is necessary to protect a minor from harm, all incidents of restraint must be documented and disclosed to the Program Director and the minor’s parent or guardian.
• Do not use, possess, or be under the influence of alcohol or illegal drugs while on duty or when responsible for a minor’s welfare.
• When transporting minors in a Program, more than one adult from the Program must be present in the vehicle, except when multiple minors will be in the vehicle at all times through the transportation. Avoid using personal vehicles if possible. Use of University vehicles also requires adherence to all policies and procedures established by the Department of Public Safety/Campus Police regarding vehicle use.
• Taking any photographs or videos of Minors or posting photographs or videos on a digital, electronic, hosted media, web-based service or any other medium without first obtaining a release in this regard from the Minor’s parent or legal guardian is prohibited.
• Possession of or use of any type of weapon or explosive device is prohibited when working in the Program or in the presence of a minor in the Program.

8. Report Abuse

If you see something, say something. Every member of the community is expected to report any abuse or suspected abuse of minors to the University Department of Public Safety/Campus Police, Human Resources, and to the Program Director. Abuse includes inappropriate interactions, neglect, or inadequate care provided by a parent, guardian, custodian, or caretaker.

Certain members of the University community may have a mandated obligation under Ohio law to report such abuse or suspected abuse. Mandatory reporters as defined under the Ohio Revised Code (OCR) must report to a municipal or county peace officer or the University Department of Public Safety/Campus Police or a public children services agency if they know or suspect that child abuse or neglect has occurred or that a threat of such abuse exists. If a
mandatory reporter makes a report under ORC outside of the University then the mandatory reporter must report to Mount St. Joseph University Department of Public Safety/Campus Police as well. Mandatory reporters include, but are not limited to health care professionals, licensed psychologists, therapists, day care center employees, teachers and other school employees. Additional information on mandated reporting can be found at Child Welfare Information Gateway (Ohio specific).

The University Department of Public Safety/Campus Police can assist in providing contact information for reporting to the appropriate social services department. It is the policy of the University that no individual making a good faith report of abuse or suspected abuse will be retaliated against in the terms and conditions of employment or educational program.