

LUTHER COLLEGE

POLICIES AND PROCEDURES

Department: Human Resources
Subject: Minors on Campus Policy
Date Issued: February 26, 2025
Approved By: President's Cabinet – February 26, 2025

I. Policy

This policy sets forth guidelines for College programs that involve minors.

II. Purpose

The purpose of this policy is to promote the well-being and security of minors entrusted to the College's care during their participation in College programs. This policy is intended to facilitate a safe, inviting, and productive environment by setting forth screening, training, and conduct requirements for Responsible Adults.

III. Scope

This policy applies to all persons who supervise, interact, teach or are otherwise involved with minors during programs that are sponsored by or held at the College.

This policy excludes the following situations:

- Undergraduate programs, classes or activities in which all individuals under the age of 18 are enrolled or admitted students such as orientation visits, etc
- Prospective students participating in campus visits through the Admissions department shall be covered under their program-specific policy
- Non-youth programs where minors are working as employees or volunteers. Luther Employees and volunteers will still be required to comply with the code of conduct when working with minors
- Events or situations in which minors may visit but where the college is not accepting care, custody, or control for the minor(s)

IV. Terms and Definitions

- "Minor": a person under the age of eighteen (18)
- "Adult": an individual 18 years of age or older
- "Responsible Adult": individuals, paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee minors in program activities, or recreational, and/or residential facilities. This includes but is not limited to faculty, staff, volunteers, counselors, students, interns, employees of temporary employment agencies, and independent contractors/consultants. The Responsible Adults' roles may include positions as counselors, chaperones, coaches, instructors, etc.
- "College Housing": residential facilities owned by or under the control of Luther College used to accommodate living and sleeping arrangements.
- "Direct Contact": positions with the possibility of care, supervision, guidance or control of minors and/or routine interaction with minors.

- “Youth Programs”: organized events, activities, and curricula offered by various academic or administrative departments of Luther College, or by non-College related groups using Luther College facilities designed for participation by minors. This includes but is not limited to day camps, overnight camps, individual lessons, workshops, and conferences. For the purposes of this policy, an athletic camp owned or operated by a Luther College Athletics employee (including but not limited to an athletic camp operated by a limited liability company owned by a College coach), either on or off campus, and in which prospective student-athletes participate, shall be considered a Youth Program with a sponsoring department.
- “Sponsoring department”: the academic or administrative area of the College which offers a youth program or gives approval for housing or use of facilities.

V. Procedures and Guidelines

Campus-Wide Policy

This policy describes screening, training, and conduct requirements for faculty, other academic appointees, staff, student employees, volunteers, contracted employees, and others who staff Luther college-affiliated youth programs and youth programs conducted on campus or with college resources, regardless of college affiliation.

A sponsoring department offering or approving a program which involves minors, provides College housing for minors participating in a program, or a non-College group being sponsored for a program, whether utilizing College housing or not, shall identify a Youth Program Administrator.

Youth Program Administrators are responsible for:

1. Registering youth programs and certifying compliance with required actions as described below prior to minors being present for a youth program ([Registration for Activities Involving Minors on Campus](#))
2. Ensuring that youth program employees and volunteers have received the required training
3. Retaining records of training, hiring documents, and volunteer forms
4. Develop and implement a program-specific policy and procedure if needed. The extent of procedures and associated participation agreements, waivers, health declaration or medical treatment forms, emergency plans, etc will be commensurate with the youth program characteristics such as type, participant profile, duration, etc. At minimum, you must establish:
 - a. The notification of the minor’s parent/legal guardian in case of an emergency. Responsible adults within the youth program, as well as participants and their parents/legal guardians, must be advised of this procedure in writing prior to the minor’s participation in the youth program.
 - b. Receiving a signed copy of each participant’s Liability Release and Medical Treatment Authorization Form and sharing with the Campus Programming or Dorian Office.
 - c. Adopting and notifying minors about a grievance procedure to handle complaints from the youth program participants and their parents and guardians promptly and equitably.
 - d. Maintaining appropriate staffing ratios and verifying if the Youth Program falls under the scope of this campus-wide policy.
 - e. Identify if participants need to be restricted from certain areas of the campus, facilities, or from utilizing certain equipment.
5. Complete a program summary report ([Program Summary Form](#))

Screening

No member of the Luther College community or contractor shall serve as an Responsible Adult in a youth program unless and until such a person has:

- Completed the background screening process outlined in this policy and any program-specific Minors on Campus policies; and
- Completed Luther's minors on campus training program

Those who qualify and wish to serve as Responsible Adults, will receive (at minimum) basic screening as follows:

Current college faculty, staff, and students

- Completed self-disclosure form

Non-current staff, emeriti, alumni

- Completed self-disclosure form
- Reference checks with phone contact (*if person is not known to the hiring manager*)
- Personal interview (*if person is not known to the hiring manager*)
- Background check including criminal history and sex offender registry checks via Human Resources
- Any program-specific screening
- Motor vehicle driving record search (*if adult will be driving minors*)

The timing and frequency of screening must be done as follows:

1. Initial screening:
 - a. New employees at the point of hire
 - b. Returning or seasonal employees upon rehire
 - c. Consultants/contractors prior to commencing any project
2. Current Employees:
 - a. All current employees determined to be subject to background screening will be required to complete a self-disclosure form upon implementation of this policy, unless an equivalent screening has taken place within the past year
 - b. Internal job transfers or any change of duties that adds activities with direct contact with minors, prior to commencing those duties
3. Rechecks:
 - a. All current employees determined to be subject to background screening will complete a self-disclosure form every year
 - b. A criminal background check will be conducted upon self-disclosure of criminal activity
 - c. The college reserves the right to conduct background checks of current employees when it has reasonable grounds to do so (e.g., no recent check was performed, a workplace incident has occurred, upon self-disclosure of criminal activity, or upon the college being informed of such an activity)

In accordance with federal law, the college must secure a signed authorization which permits the college to obtain background check results from a third-party reporting agency. Such authorization shall remain in effect for the duration of an individual's employment with the college, unless or until employment duties no longer include contact with minors.

If any screening reveals information that could affect the individual's suitability for their role in the youth program, the college will follow its usual policies and procedures regarding confidentiality, assessing the results, informing the youth program, the individual, and completing any other applicable processes.

The cost of background checks will be borne by the Program.

Training

Youth Program Administrators and Responsible Adults training must take place prior to involvement in the program and refresher training will be required every two years.

Training for the Responsible Adults must include, at a minimum, information about:

- Examples of appropriate and inappropriate behavior with Minors, as outlined in the Code of Conduct
- Protecting participants from emotional or physical mistreatment and abuse-prevention training
- Reporting requirements
- Responsibilities and expectations
- Policies, procedures, and enforcement regarding interactions with Minors
- Appropriate crisis/emergency responses
- Safety and security precautions
- Confidentiality issues involving minors (*Health history, photo waiver, etc*)
- College responsibility/liability
- How to request local and on-campus emergency services

Training for the attending minors must include, at a minimum, information about

- Safety and security procedures
- College and program rules
- Behavioral expectations

Staffing

To ensure adequate supervision of minors while they are on college property, the number of Responsible Adults plus parent(s) or legal guardian(s) at a youth program should reflect American Camp Association (ACA) standards.

- 5 years or younger
 - 1:5 for overnight campers
 - 1:6 for day campers
- 6-8 years
 - 1:6 for overnight
 - 1:8 for day
- 9-14 years
 - 1:8 for overnight
 - 1:10 for day
- 15-18
 - 1:10 for overnight
 - 1:12 for day

Participants may be restricted from certain areas of the facilities or from utilizing certain equipment, particularly if there are not sufficient Responsible Adults available to maintain appropriate supervision.

Medications

Participants' medications may be distributed by Responsible Adult staff, under the following conditions:

- The participant's family provides the medicine in its original pharmacy container labeled with the participant's name, medicine name, dosage and timing of consumption. Over-the-counter medications must be provided in their manufacturers' container.
- Staff shall keep the medicine in a secure location, and at the appropriate time for distribution shall meet with the participant.

- The staff member shall allow the participant to self-administer the appropriate dose as shown on the container.
- Luther employees that are not licensed healthcare professionals will not administer medications that cannot be self-administered. Families should be making arrangements for administration of these medications in advance of camp.
- Personal epinephrine injectors and inhalers may be carried by the participant during activities

Reporting

All college employees who, in the course of employment, receive information related to physical or sexual abuse of minors must immediately report such information in accordance with the [Child Abuse Reporting Policy](#).

College employees and volunteers shall report any situations involving inappropriate activity (as defined in the [Luther Code of Conduct for Interacting with Minors on Campus](#)) with a Minor to their supervisor or youth program administrator, who will complete the ([Complaint and Incident Form](#)). These reports will be reviewed by Human Resources.

Compliance

Violations of this policy may result in disciplinary action for an employee, volunteer, or unit/department/organization, up to and including probation, suspension, and/or termination of employment/volunteer duties, reassignment of duties to prohibit interaction with minors, or dissolution of any program involving minors.

VI. Confidentiality and Records

Human Resources will retain all background check records.

Campus Programming maintains health history documents and will share necessary information with Responsible Adults associated with the camp.