

# MINORS ON CAMPUS

**POLICY TYPE:** ADM-MINORS

**RESPONSIBLE OFFICIAL TITLE:** VICE PRESIDENT FOR LEGAL AFFAIRS/GENERAL COUNSEL

**EFFECTIVE DATE:** 9/2/2024

**NEXT REVIEW DATE:** 9/2027

**SUPERSEDES POLICY:** N/A

**BOARD OF REGENTS REPORTING:** PRESIDENTIAL REPORT (INFORMATION ONLY)

## I. POLICY STATEMENT

### POLICY OVERVIEW

Northern Kentucky University (NKU) organizes and hosts many educational, arts, athletics, and similar programs in which minor children participate and learn. Through these programs, NKU serves its mission, both by creating and sharing knowledge and by contributing to the welfare of our communities. In doing so, NKU must ensure the safety and well-being of children who participate in these programs.

This policy governs all programs operated by NKU or hosted on its campus that involve participation of minor children, as described below. Exceptions to this policy are described below.

This policy applies to all NKU employees (including full-time, part-time, and student employees) and to all other individuals who are involved in programs governed by this policy, including NKU contractors and vendors, NKU students, volunteers, and employees of external entities.

### POLICY SCOPE

#### What programs are covered by this policy?

This policy applies to any program, activity, or event that is:

- Designed to serve minor children or otherwise is expected to involve the participation and/or attendance of minor children; and
- Operated, organized, or supervised by NKU, regardless of location; or is operated, organized, or supervised by an external entity, where the program takes place on NKU's campus or in another NKU-owned facility.

All such programs are referred to below as "**Youth Programs.**" Programs organized by NKU are "**NKU Youth Programs.**" Other programs are "**External Youth Programs.**" Minors are individuals who are 17 years old or younger.

For example, this policy applies to the following programs and activities:

- Camps, conferences, classes, workshops, and similar programs organized by NKU, including any NKU college, department, school, division, office, or student organization, whether on campus or off campus;
- Lessons conducted on NKU's campus (e.g., one-on-one or group music lessons); and
- Programs, camps, practices, and other programs that occur on NKU's campus and are organized or sponsored by K-12 schools or other external entities.

This policy also applies to other types of Youth Programs that fit within the general definition provided above, unless exempted as provided below. Youth Programs include both in-person and virtual programs, though certain requirements for virtual programs may be excused.

Section II below includes specific steps that must be followed for Youth Programs by NKU, K-12 schools, and other external entities.

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### **What programs are not covered by this policy?**

Many common activities involving minor children are not subject to the requirements of this policy. This policy does **not** apply to the following:

- Any program, activity, or event where the minor children in attendance are expected to be accompanied for the duration by their parent(s), guardian(s), or a chaperone designated by a parent or guardian;
- Any program, activity, or event that is open to the general public, on a ticketed or non-ticketed basis (e.g., intercollegiate athletics events, plays, concerts);
- Regular NKU courses, programs, and activities in which minors participate as dual-enrolled students (e.g., School-Based Scholars, Young Scholars Academy);
- Campus tours and similar class or group visits organized and supervised by K-12 school districts, where all minors are supervised throughout the visit by teachers and/or other district employees;
- Admissions-related programs, activities, and events directed towards minors who have been admitted for enrollment at NKU;
- Unplanned or incidental interactions by minors with NKU employees not as part of an organized program (e.g., during campus or facility tours); however, note that scheduled and/or on-going visits, such as individual lessons (e.g., music lessons), experiential learning, tutoring, mentoring, volunteering, or job shadowing are subject to this policy;
- Research activities approved by the Institutional Review Board;
- Private invitation-only personal events (e.g., family gatherings, weddings, birthday parties);
- Employment of minors by NKU, which is governed by the Employment of Minors policy;
- Participation by NKU employees or students in programs or activities that occur off NKU's campus and are operated by external entities, including student internships and similar placements for academic credit or professional licensure (note that the external entity's minors-related policies may apply); and
- Other programs/activities that are exempted in writing by Legal Affairs and Human Resources.

### **OVERVIEW OF REQUIREMENTS FOR YOUTH PROGRAMS**

Listed below are the basic requirements for NKU Youth Programs, External Youth Programs operated by K-12 districts or schools, and other External Youth Programs. The requirements are described in more detail in Section II below.

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#### **NKU Youth Programs**

1. Identify an NKU employee with responsibility for the program.
2. Register the program.

3. Ensure that program staff complete training regarding care of minors.
4. Obtain satisfactory background checks of supervising staff.
5. Gather appropriate documentation (e.g., signed waivers).
6. Ensure that minors are appropriately supervised during the program.

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### **External Youth Programs operated by K-12 schools or school districts**

1. Identify an NKU employee to serve as primary liaison with the program.
2. Register the program.
3. School must sign an appropriate host agreement with NKU, if requested by NKU.
4. School must ensure that supervising staff have received a satisfactory background check.

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### **Other External Youth Programs**

1. Identify an NKU employee to serve as primary liaison with the program.
2. Register the program.
3. External entity must sign an appropriate host agreement with NKU, if requested by NKU.
4. External entity must ensure that supervising staff have received a satisfactory background check.

## **MANDATORY REPORTING OF ABUSE OR NEGLECT; REPORTING OF OTHER INCIDENTS**

All individuals involved in Youth Programs must comply with applicable laws and NKU policies.

In particular, individuals must comply with state laws regarding mandatory reporting of abuse or neglect of minors. If anyone involved in a Youth Program witnesses or suspects the abuse or neglect of a minor, whether as part of the Youth Program or otherwise, the individual must immediately report the matter to the NKU Police Department or other appropriate law enforcement agency. An individual does not have to know for certain that abuse has taken place. ***When in doubt, report it.***

Kentucky state law requires the reporting of neglect, physical, sexual, and emotional abuse and dependency of children. The failure to report may result in criminal charges, per [KRS 620.030](#).

Retaliation against an individual who makes a good faith report regarding suspected or known misconduct or participates in the investigation of such reports is prohibited.

Also, NKU employees who observe or become aware of incidents involving personal injury, harassment, or other serious misconduct in a Youth Program should immediately report it to Human Resources.

## **OBTAINING POLICY EXEMPTIONS**

To seek an exemption or clarification whether a program is subject to this policy, contact the Office of Legal Affairs at [minorsoncampus@nku.edu](mailto:minorsoncampus@nku.edu). Legal Affairs and Human Resources are authorized to grant policy exemptions, with input from the relevant NKU division, college, department, school, or office.

Also, it may be appropriate to excuse particular policy requirements for certain large events and other unique programs. Large events with hundreds of attendees in open spaces, with no small-group or one-on-one component, may pose less risk than other Youth Programs and may warrant relief from certain requirements.

Although Youth Programs covered by this policy typically must be registered, Human Resources and Legal Affairs may grant exceptions from other policy requirements when appropriate.

## **CO-ORGANIZED YOUTH PROGRAMS**

Many Youth Programs are co-organized by NKU and an external entity. For those programs, an NKU employee typically must serve as Program Leader and register the program. NKU is responsible for ensuring that staff it provides meet other policy requirements (e.g., background checks for NKU supervisors). Other requirements may apply separately to the external entity.

As noted above, off-campus events that serve minors and are organized by external entities, and not NKU, are not subject to this policy, even though those events may be staffed in part by NKU employees or students.

## **ONE-ON-ONE CONTACT IN YOUTH PROGRAMS**

One-on-one contact between a staff member and a child in a Youth Program, especially when it occurs for extended periods or when the interactions are in non-observable settings, warrants special attention and protections. When possible, programs should be structured to avoid such contact. When one-on-one interactions are necessary, a background check of the staff member typically will be required.

## **TEMPLATE DOCUMENTS**

Program Leaders (defined in Section II below) for NKU Youth Programs must use the templated agreements, releases, and other program documents provided by Legal Affairs.

K-12 schools and other external entities may use their own templated forms as long as they comply with the requirements of the Youth Program-related agreements they sign with NKU.

## **YOUTH PROGRAM RECORDS**

Human Resources and Legal Affairs will maintain official records for each NKU Youth Program that reflect completion of training, background checks, and other elements required by this policy.

Program Leaders and NKU Liaisons (defined in Section II below) must promptly share program records with Human Resources and Legal Affairs on request.

## **POLICY INTERPRETATION AND ENFORCEMENT**

Human Resources and Legal Affairs have authority to make official interpretations of this policy when necessary.

Program Leaders and NKU Liaisons must cooperate with Human Resources and Legal Affairs in providing requested records and information regarding programs governed by this policy.

University employees who violate this policy are subject to discipline and sanctions, including termination in severe cases, in accordance with standards and processes established in University policies and handbooks.

External entities who violate this policy or the terms of program-related contracts with the University may be prohibited from operating further programs on the University's campus or other property.

## II. POLICY REQUIREMENTS FOR COVERED PROGRAMS

### POLICY REQUIREMENTS FOR NKU YOUTH PROGRAMS

NKU Youth Programs must be operated in compliance with the requirements described below:

#### 1. Identify a Program Leader.

- Every NKU Youth Program must identify an individual NKU employee who is responsible for ensuring compliance with the requirements of this policy (the “**Program Leader**”).
- The Program Leader must be involved in the planning and administration of the program.
- Program Leaders must be NKU employees unless an exemption is granted by Human Resources and/or Legal Affairs.

#### 2. Register the NKU Youth Program.

- All NKU Youth Programs must be registered in advance with Legal Affairs and Human Resources. **Registration must be completed no later than thirty (30) days prior to commencement of the program**, but additional advance notice is encouraged. Annual programs must be registered each year.
- The Program Leader must register the program by providing the program name, date(s), location, and other basic information. To register a program, please send an email to [minorsoncampus@nku.edu](mailto:minorsoncampus@nku.edu) that includes the required registration information listed at <https://inside.nku.edu/ethics/minors.html>. Questions may be directed to [minorsoncampus@nku.edu](mailto:minorsoncampus@nku.edu).
- In addition, prior to commencement of the program, the Program Leader must submit a completed Program Leader, Employee & Volunteer List, which identifies the program staff.
- Revised forms must be submitted if information is updated or added (e.g., additional staff members are added). Please send updated documents to [minorsoncampus@nku.edu](mailto:minorsoncampus@nku.edu).
- **This is a registration process, not an approval process.** The purpose of registration is to ensure compliance with industry standard practices regarding minors on campus. Human Resources and Legal Affairs will not approve or deny proposed events but will address and escalate noncompliance issues as needed.

#### 3. NKU employees, volunteers, and other program staff must complete training.

- All NKU employees and other staff, including volunteers and NKU students, who will have direct contact with minors in the NKU Youth Program must complete the online course titled *Recognizing and Reporting Child Abuse* or equivalent HR-approved training **before** the program begins.
- The online course is offered by Vector Solutions and generally takes thirty minutes or less to complete. **This module is included within annual compliance training required for all NKU employees.** By completing the annual training, NKU employees will have satisfied the training requirement for Youth Programs.
- NKU employees, students, and other individuals who are subject to this training requirement must not work or interact with a minor in a Youth Program until they have completed the training.

- The Program Leader must ensure that Youth Program staff subject to this training requirement complete it in a timely manner prior to commencement of the program.
- Questions may be directed to the Director of Training and Development in Human Resources.

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#### **4. Program Leader must obtain satisfactory background checks of all Supervising Staff for the program.**

- Before working with minors in an NKU Youth Program, the Program Leader and all Supervising Staff (defined below) must be cleared with a satisfactory background check. With information provided by the Program Leader, Human Resources and Legal Affairs will arrange for and document the background checks required by this policy.
- Exceptions may be granted by Human Resources and/or Legal Affairs.
- “**Supervising Staff**” include all NKU employees, NKU students, employees of other entities, volunteers, and other individuals who supervise the care, instruction, guidance, and oversight of minors during the Youth Program. Supervising Staff include the Program Leader and others who supervise program activities. It also includes any individual who will have personal, unsupervised one-on-one interactions with a minor during the program outside the presence of any other Supervising Staff, the minor’s parent/guardian/chaperone, or K-12 school staff.
- Supervising Staff does not include individuals who have only incidental or momentary interactions with minors during the program. It also does not include individuals who interact with minors only while under the in-person supervision of Supervising Staff, unless specifically determined otherwise based on the nature of the program by Human Resources and/or Legal Affairs.
- The background check of Supervising Staff must include a check of federal, state, and local criminal records, including the [Kentucky Sex Offender Registry](#). Supervising Staff who transport minors in connection with the program also must be subject to a driver’s record check, and no one may drive minors in any vehicle for an NKU Youth Program unless the driver has completed a successful driver’s record check.
- Background check results will be reviewed by Human Resources. Individuals whose background check reveals a conviction, pending charge, or plea of guilty or no contest for any felony or any crime involving violence, sexual misconduct, or burglary are presumptively disqualified from participating in the program, but Human Resources will assess the report and make a final determination, in consultation with Legal Affairs and other campus offices as needed.
- A satisfactory background check that is dated within five (5) years of the program start date will meet the requirements of this section.
- The cost of background checks for Youth Programs ordinarily is paid by the University division, college, school, department, or office sponsoring the program.
- Before working in a Youth Program, an individual must disclose to Human Resources any convictions, pending charges, or guilty or no-contest pleas for any felony or any crime involving violence or sexual misconduct.

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#### **5. Program Leader must ensure that appropriate documentation is completed on behalf of the participants.**

- Depending on the nature of the program, it may be appropriate to obtain signed releases, medical paperwork, and other documentation from or on behalf of program participants.



- The Program Leader should consult with Human Resources and Legal Affairs regarding documentation that should be used for the program.
- The Program Leader must maintain an accurate roster of program staff and attendees, contact information, and similar information required by Human Resources and Legal Affairs.

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## 6. The Program Leader must ensure that minors are appropriately supervised.

- The Program Leader must ensure that minors in the Youth Program are appropriately supervised in a manner consistent with legal requirements and standard industry practices. The Program Leader should consult with Human Resources and Legal Affairs to develop procedures and protocols tailored to the particular NKU Youth Program.
- All Youth Program staff are required to follow this policy and other applicable laws, NKU policies, and directions from the Program Leader and appropriate University leadership. Depending on the nature of the program, staff may be required to establish and follow:
  - Policies and protocols regarding incident reporting and emergency medical care;
  - Site safety requirements, including prohibitions regarding hazardous materials and dangerous items; and
  - Procedures and protocols for severe weather, fire safety, and evacuation procedures.

## POLICY REQUIREMENTS FOR EXTERNAL YOUTH PROGRAMS OPERATED BY K-12 SCHOOLS

External Youth Programs that are operated, organized, or supervised by K-12 schools and school districts on NKU's campus must follow the requirements listed below. These events often last for all or a significant portion of a day or multiple days and/or involve dedicated use of campus space.

Campus tours and similar class or group visits organized by K-12 school districts, where all minors are supervised throughout the visit by teachers and/or other district employees, are ***not*** subject to this policy.

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### 1. Identify an NKU Liaison.

- Every K-12 External Youth Program must identify an NKU employee to serve as a liaison to the campus ("**NKU Liaison**"). The NKU Liaison may be an employee who is affiliated with the program or who assists the school in securing use of campus space. In unusual cases where no other NKU employee is available, Human Resources or Legal Affairs may identify an appropriate NKU Liaison.
- No K-12 External Youth Program may operate on NKU's campus without a responsible NKU Liaison.

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### 2. Register the K-12 External Youth Program.

- All K-12 programs governed by this policy must be registered in advance with Legal Affairs and Human Resources. **Registration must be completed no later than thirty (30) days prior to commencement of the program**, but additional advance notice is encouraged. Annual programs must be registered each year.
- The NKU Liaison is responsible for registering the program, with assistance from the K-12 school. To register a program, please send an email to [minorsoncampus@nku.edu](mailto:minorsoncampus@nku.edu) that includes the required registration information listed at <https://inside.nku.edu/ethics/minors.html>. A list of K-12 staff is not required. Questions may be directed to [minorsoncampus@nku.edu](mailto:minorsoncampus@nku.edu).

- ***This is a registration process, not an approval process.*** The purpose of registration is to ensure compliance with industry standard practices regarding minors on campus. Human Resources and Legal Affairs will not approve or deny proposed events but will address and escalate noncompliance issues as needed.
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### **3. The K-12 school must sign an appropriate agreement with NKU to host the program, if requested by NKU.**

- Before the K-12 program begins, the school or school district may be asked to sign an appropriate agreement with NKU to host the event. The agreement typically will address liability, insurance, training, use of space, background checks, abuse/neglect mandatory reporting, emergency protocols, compliance with laws and applicable NKU policies, and specific event details. It will also require the K-12 school to certify that all of its program staff have been appropriately trained to work with minors and to report all instances of child abuse and neglect as required by state law. The agreement also will require use of industry standard practices in supervising minors in the program.
  - If requested by Human Resources, Legal Affairs, or other NKU leadership, the NKU Liaison must work with the K-12 school to finalize the agreement.
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### **4. The K-12 school must obtain satisfactory background checks of all Supervising Staff.**

- Before working with minors in the program, all Supervising Staff (defined below) must be cleared with a satisfactory background check. Supervising Staff who are then-current employees of a K-12 school district are presumed to have satisfied this requirement.
- Exceptions may be granted by Human Resources and/or Legal Affairs.
- **“Supervising Staff”** include all individuals who supervise the care, instruction, guidance, and oversight of minors during the Youth Program. Supervising Staff include the Program Leader and others who supervise program activities. It also includes any individual who will have personal, unsupervised one-on-one interactions with a minor during the program outside the presence of any other Supervising Staff or the minor’s parent/guardian/chaperone.
- Supervising Staff does not include individuals who have only incidental or momentary interactions with minors during the program. It also does not include individuals who interact with minors only while under the in-person supervision of Supervising Staff.
- Results of background checks are not to be provided to NKU. However, it is expected that a K-12 school will not allow any individual to work in a Youth Program who has a conviction, pending charge, or has pled guilty or no contest to any crime involving violence, sexual misconduct, or burglary.
- The background check of Supervising Staff must include a check of federal, state, and local criminal court records, including the [Kentucky Sex Offender Registry](#). A satisfactory background check that is dated within five (5) years of the program start date will meet the requirements of this section.
- The cost of background checks for External Youth Programs operated by K-12 schools will not be paid by NKU.



## POLICY REQUIREMENTS FOR OTHER EXTERNAL YOUTH PROGRAMS

External Youth Programs that are operated, organized, or supervised on NKU's campus by external entities other than K-12 schools must follow the requirements listed below. Such programs include conferences and sports and other camps run by NKU employees in their personal capacities.

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### 1. Identify an NKU Liaison.

- Every External Youth Program must identify an NKU employee to serve as a liaison to the campus (“**NKU Liaison**”). The NKU Liaison may be an employee who is affiliated with the program or who assists the external entity in securing use of campus space. In unusual cases where no other NKU employee is available, Human Resources or Legal Affairs may identify an appropriate NKU Liaison.
- No External Youth Program may operate on NKU's campus without a responsible NKU Liaison.

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### 2. Register the External Youth Program.

- All programs governed by this policy must be registered in advance with Legal Affairs and Human Resources. **Registration must be completed no later than thirty (30) days prior to commencement of the program**, but additional advance notice is encouraged. Annual programs must be registered each year.
- The NKU Liaison is responsible for registering the program, with assistance from the external entity. To register a program, please send an email to [minorsoncampus@nku.edu](mailto:minorsoncampus@nku.edu) that includes the required registration information listed at <https://inside.nku.edu/ethics/minors.html>. A list of staff is not required. Questions may be directed to [minorsoncampus@nku.edu](mailto:minorsoncampus@nku.edu).
- ***This is a registration process, not an approval process.*** The purpose of registration is to ensure compliance with industry standard practices regarding minors on campus. Human Resources and Legal Affairs will not approve or deny proposed events but will address and escalate noncompliance issues as needed.

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### 3. The external entity must sign an appropriate agreement with NKU to host the program, if requested by NKU.

- Before the Youth Program begins, the external entity may be asked to sign an appropriate agreement with NKU. The agreement typically will address liability, insurance, training, use of space, background checks, abuse/neglect mandatory reporting, emergency protocols, compliance with laws and applicable NKU policies, and specific event details. It also will require the external entity to certify that all of its program staff have been appropriately trained to work with minors and to report all instances of child abuse and neglect as required by state law. The agreement also will require use of industry standard practices in supervising minors in the program.
- If requested by Human Resources, Legal Affairs, or other NKU leadership, the NKU Liaison must work with the external entity to finalize the agreement.

**4. The external entity must obtain satisfactory background checks of all Supervising Staff.**

- Before working with minors in the program, all Supervising Staff (defined below) must be cleared with a satisfactory background check.
- Exceptions may be granted by Human Resources and/or Legal Affairs.
- “**Supervising Staff**” include all individuals who supervise the care, instruction, guidance, and oversight of minors during the Youth Program. Supervising Staff include the Program Leader and others who supervise program activities. It also includes any individual who will have personal, unsupervised one-on-one interactions with a minor during the program outside the presence of any other Supervising Staff or the minor’s parent/guardian/chaperone.
- Supervising Staff does not include individuals who have only incidental or momentary interactions with minors during the program. It also does not include individuals who interact with minors only while under the in-person supervision of Supervising Staff.
- Results of background checks are not required to be provided to NKU. However, it is expected that the external party will not allow any individual to work in a Youth Program who has a conviction, pending charge, or has pled guilty or no contest to, any crime involving violence, sexual misconduct, or burglary.
- The background check of Supervising Staff must include a check of federal, state, and local criminal court records, including the [Kentucky Sex Offender Registry](#). A satisfactory background check that is dated within five (5) years of the program start date will meet the requirements of this section.
- The cost of background checks for External Youth Programs will not be paid by NKU.

**III. REFERENCES AND RELATED MATERIALS**

**REFERENCES & FORMS**

NKU Office of Compliance & Institutional Ethics: [Programs or Activities with Minor Participants](#)

**RELATED POLICIES**

[Employment of Minors](#)

[Children in the Workplace](#)

**REVISION HISTORY**

| REVISION TYPE | MONTH/YEAR APPROVED |
|---------------|---------------------|
| New Policy    | June 10, 2024       |
|               |                     |

# MINORS ON CAMPUS

## PRESIDENTIAL APPROVAL

### PRESIDENT

Signature *Cady Short-Thompson*

Date 6/10/24

Cady Short-Thompson

## BOARD OF REGENTS APPROVAL

### BOARD OF REGENTS (IF FORWARDED BY PRESIDENT)

- This policy was forwarded to the Board of Regents on the **Presidential Report (information only)**.  
Date of Board of Regents meeting at which this policy was reported: \_\_\_\_/\_\_\_\_/\_\_\_\_.
- This policy was forwarded to the Board of Regents as a **Presidential Recommendation (consent agenda/voting item)**.
  - The Board of Regents approved this policy on \_\_\_\_/\_\_\_\_/\_\_\_\_.  
(Attach a copy of Board of Regents meeting minutes showing approval of policy.)
  - The Board of Regents rejected this policy on \_\_\_\_/\_\_\_\_/\_\_\_\_.  
(Attach a copy of Board of Regents meeting minutes showing rejection of policy.)

### SECRETARY TO THE BOARD OF REGENTS

Signature

Date

Tammy Knochelmann