



MINOR PROTECTION AND ADULT LEADERSHIP POLICY

No: SAAP 10-7

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Authority: UW niversity of Wisconsin System
Administrative Policy 625

~~Agriculture Trade and Consumer Protection ch. 78, Published under s.13.92, WI Stat. (2016),
Recreational and Educational Camps.
<https://docs.legis.wisconsin.gov/code/register/2016/726B/insert/atep78> Department of Children
and Families ch. 252, (2009), Licensing Rules for Day Camps for Children.
http://def.wisconsin.gov/childcare/licensed/CommManuals/DC/252_01.pdf~~

Initiator: Vice Chancellor of Financial and Administrative Affairs

Responsible Party: Office of Youth Compliance

I. Purpose

To provide standards for protection of minors not enrolled or accepted for enrollment at a UW institution who are involved in University-sponsored programs, programs held at the University via written agreement or sponsorship, and/or programs housed in University facilities at all geographic locations. Supervision of minors who are subjects in University research is addressed by the Institutional Review Board process and is not addressed by this policy.

This policy also does not apply to general public events or locations that are generally open to the public, such as arboretums and unions, and where parents/guardians or chaperoned non-affiliated groups are invited and expected to provide supervision and custodial care of minor participants.

The University has adopted the following policies for the safety and well-being of minors who attend our various programs. These policies are primarily for the protection of minors; however, they also serve to protect adult employees and volunteers.

II. Scope

The scope of this policy is limited to Youth Participants in Covered Activities. Activities that are exempt from this policy include:

1. Events open to the general public,
2. For-credit courses,
3. Medical care provided to minors in in-patient or out-patient settings,
4. Institutional Review Board-approved research,
5. Daycare and preschool services operating under the direction of a licensed daycare or

- healthcare provider,
6. Private Events, and
 7. Minors participating in pre-enrollment visitation or recruiting activities governed by the NCAA, except to the extent discussed herein.

III. Definitions

1. ATCP 78: Wisconsin Administrative Code ATCP 78: Recreational and Educational Camps.
2. Authorized Adults: Individuals, age 18 and older, paid or unpaid, who are authorized to interact with Youth Participants as part of a Covered Activity. This includes, but is not limited to, faculty, staff, volunteers, graduate and undergraduate students, student-athletes, interns, and individuals associated with Third Party Covered Activities. Authorized adults who do not have Designated Individual status cannot have unsupervised access to Youth Participants.
3. Bullying: An intentional, persistent, and repeated pattern of physical and/or non-physical behaviors that are intended to or have the reasonable potential to cause fear, humiliation, or physical harm in an attempt to socially exclude, diminish, or isolate. Bullying is unwelcome behavior pervasive or severe enough that a reasonable person would find it hostile and/or intimidating.
4. Covered Activities: All events, operations, endeavors, or activities, regardless of location, that are designed for participation by minors and organized, sponsored and/or operated by the University (except Third Party Covered Activities, which are subject to the specific provisions described below).
5. Custodial Care: The temporary responsibility for supervision, care, or control of minors without accompanying parents, guardians, or chaperones.
- ~~4~~.6. Designated Individuals: An Authorized Adult who is counted in the Supervision Ratio for a Covered Activity. Designated Individuals are responsible for ensuring the care and safety of Youth Participants in Covered Activities. Additional training is required for Authorized Adults serving as Designated Individuals.
- ~~2~~.7. Grooming: The process whereby a person engages in a series or pattern of behaviors with the goal of engaging in sexual misconduct. Grooming is initiated when a person seeks out a vulnerable minor. Once selected, offenders will then earn the minor's trust, and potentially the trust of the minor's family. After the offender has engaged the minor in sexually inappropriate behavior, the offender seeks to maintain control over them. Grooming occurs through direct, in-person, or online contact.
- ~~3~~.8. Matriculated: A person admitted to the University or any other University of Wisconsin institution who enrolls in courses for the purpose of completing an academic degree.
- ~~4~~.9. Minor: A person under the age of eighteen (18) who is not matriculated at a UW System institution.
- ~~5~~.10. One-on-One Interaction: Two people (e.g., an adult without a familial relationship and a Youth Participant) who are alone. Generally, being "alone" with another individual means that the interaction is not observable and interruptible.
- ~~6~~.11. Private Events: Occasional and special events where only family, friends, and people known to the hosts are invited to attend, such as a birthday party or a wedding.
- ~~7~~.12. SAAP 5-2: SAAP 5-2: Sexual Violence and Sexual Harassment Policy.

- ~~8.~~13. SAAP 6-5: [SAAP 6-5: Use of Facilities Policies and Procedures.](#)
- ~~9.~~14. SAAP 7-4: [SAAP 7-4: Criminal Background Check Policy.](#)
- ~~10.~~15. Supervision Ratio: The number of Designated Individuals required to supervise Youth Participants in Covered Activities.
- ~~11.~~16. Third Party Covered Activities: An event, operation, endeavor, or activity designed for participation by minors that takes place on the University's premises pursuant to an agreement with the University but is not organized or operated by the University.
- ~~12.~~17. University: The University of Wisconsin – Milwaukee, including all of its locations and branch campuses.
- ~~13.~~18. UWS 625: [UW System Administrative Policy 625: Youth Protection and Compliance.](#)
- ~~14.~~19. Youth Participants: Individuals who are registered, enrolled, or engaging in Covered Activities as a participant.

IV. Policy

1. Adoption: UWM adopts UWS 625.
2. Institutional Oversight:
 - a. The UWM Office of Youth Compliance shall have the responsibility and authority to oversee and ensure that Covered Activities and Third Party Covered Activities are conducted pursuant to this policy and UWS 625.
 - b. The youth protection liaison who acts as the main point of contact with UW System pursuant to UWS 625 is the Youth Compliance Specialist.
3. Institutional Sponsor: All Covered Activities that are organized, sponsored, and/or operated by the University must have a designated University Sponsor.
4. Registration
 - a. All Covered Activities must be registered annually with the Office of Youth Protection & Compliance.
 - b. Covered Activities that are organized, sponsored, and/or operated by UWM must collect, at minimum, the following registration information:
 - i. Date(s)/time(s)/Location(s) of Covered Activity;
 - ii. Primary and Secondary Contact for Covered Activity; and
 - iii. Authorized Adult Staff (including paid staff and volunteers) information:
 - ~~1.~~ s: Legal Name
 - ~~2.~~ Contact information
 - ~~3.~~ Role description (i.e., Authorized Adult, Designated Individual, Residential Staff, 1-time presenter/guest speaker, Volunteer, etc.)
 - ~~4.~~ Screening (Dates of all applicable screening requirements)
 - ~~2.5.~~ Training (Dates of successful completion of all applicable training requirements).
 - c. Covered Activities for which UWM provides Custodial Care of Youth Participants must collect, in addition to the items above, the following registration information:
 - i. Names of Youth Participants; ~~and~~
 - ii. Contact information for parent(s)/guardian(s); and
 - iii. ~~including e~~Emergency ~~e~~Contact information, ~~for Youth Participants including adult name and contact information.~~

5. Screening

- a. Covered Activities must comply with SAAP 7-4:
 - i. All Authorized Adults must be screened as required under SAAP 7-4.
 - ii. All Authorized Adults who are identified as employees and all Designated Individuals serving in Covered Activities through which UWM offers Custodial Care, regardless of employment status, must be screened as individuals in Positions of Trust with access to vulnerable populations under SAAP 7-4. Required screening must be completed and documented prior to interaction with minors in a Covered Activity.
- b. Self-reporting: All Authorized Adults are required to report any new arrest, charge or conviction (excluding misdemeanor traffic offenses punishable only by fines) that impacts their own criminal history within 24 hours or at the earliest opportunity to the Human Resources designee in the division, unit or school in which the program or activity is housed.
 - ii.—

6. Training

- a. All Authorized Adults must be trained on the following content, at minimum, prior to interaction with Youth Participants in Covered Activities:
 - i. Reporting responsibilities, including EO54 Mandated Reporting and sexual harassment/sexual violence reporting under SAAP 5-2.
- b. All Designated Individuals must be trained on the following content, at minimum, prior to interaction with Youth Participants in Covered Activities:
 - i. Institutional youth protection best practices; and
 - ii. Reporting responsibilities, including EO54 Mandated Reporting and SAAP 5-2.
- c. Covered Activities shall participate in such additional training as may be required by ~~the Office of Youth Protection & Compliance,~~ applicable policy (including ATCP 78), or applicable law.

7. Prohibited Behaviors: The following behaviors are prohibited:

- a. Conduct that violates the law (e.g., child abuse, child sexual abuse, protected class discrimination, emotional abuse, hazing, indecent exposure, child pornography, neglect, physical abuse, sexual abuse, and sexual harassment);
- b. Conduct that violates University or UW System policies;
- c. Actions that are found to constitute Bullying or Grooming;
- d. Infringement on privacy of Youth Participants in situations where they are changing clothes or taking showers except in situations when a health or safety exception is necessary and appropriate;
- e. Adults showering, bathing, or undressing with or in the presence of Youth Participants;
- f. Photographing or recording in shower houses, restrooms, or other areas where privacy is expected by participants; and
- g. Use of alcohol when engaged in Covered Activities.

8. Measures to Maintain Adequate Supervision of Youth Participants

- a. All Covered Activities for which the University provides custodial care of Youth Participants must meet the minimum standards set through ATCP 78, with the exception of classroom settings, which allow for a 1:18 Adult to Youth Participant ratio. A minimum of two adults is required for all field trips, which are considered any visits made to a location on or off campus (e.g., museum, recreational center) for

the purposes of firsthand observation or participation. Designated Individual status is required for all adults serving in Supervision Ratios.

e.b. One-on-one interactions between adults and Youth Participants is prohibited unless the adult is a Designated Individual in a setting where one-on-one instruction occurs. In such settings, activities, including virtual activities, must be observable and interruptible, i.e., the interaction must take place in such a way that another person can see, hear, or have knowledge of the interaction and can interrupt if a concern arises.

d.c. The Youth Compliance Specialist ~~is~~ and the Office of Risk Management are the University's designees to review and approve requests to grant exceptions to this section IV.8 (either may approve such request). For emergency situations and familial relationships (those involving a parent, stepparent, legal guardian, grandparent, or adult sibling to the Youth Participant), prior permission for one-on-one interaction is not needed.

7.9. Overnight Covered Activities

- a. Designated Individual status is required to directly supervise Youth Participants in overnight Covered Activities.
- b. Designated Individuals must not enter a Youth Participant's room, bathroom facility, or similar area without another Designated Individual in attendance except in emergency situations.
- c. Designated Individuals may not share a bed or sleeping bag with a Youth Participant during overnight Covered Activities.

8.10. Recruiting Activities Governed by the NCAA: Units conducting recruiting activities governed by the NCAA shall comply with youth protection requirements set by the NCAA and any other relevant governing bodies, as well as any guidelines and procedures promulgated by the UWM Office of Youth Compliance and Athletics Department. ~~Institutions must establish policy addressing youth protection in recruiting activities governed by the NCAA. This policy shall be informed by the University's overall youth protection policy(ies) and shall comply with youth protection requirements set by the NCAA and any other relevant governing bodies.~~

9.11. Emergency Preparedness: All Covered Activities must document minimum emergency preparedness protocols based on the Covered Activity's level of risk and as advised by the University's Office of Risk Management ~~authority or [INSERT]~~.

12. Insurance Coverage. All Covered Activities must carry Camps and Clinics Blanket Accident Insurance or other insurance product(s) as applicable and approved by the University's Office of Risk Management. ~~The most current insurance requirements are accessible on the Risk Management website: [INSERT].~~

~~10.~~

11.13. Reporting Obligations. All adults covered under this policy must monitor all violations of this policy and report according to University procedures, relevant policy, and/or applicable law. This includes, but is not limited to, reporting:

- a. Any suspected physical abuse, neglect, or sexual abuse of a minor pursuant to the University's [EO54 Mandated Reporting](#) procedures,
- b. Sexual harassment or sexual violence as defined by [SAAP 5-2](#),

- c. Incidents resulting in serious harm requiring professional medical attention, and
- d. Incidents of illegal or unauthorized drug use.

12.14. Escalation Plan

- a. Covered Activities must adopt an Escalation Plan approved by the Office of Youth Compliance to guide decision-making around incidents that violate University policy or trigger a reporting obligation as defined in Section 6.L

13.15. Retaliation. Retaliatory actions against the following are prohibited:

- a. Anyone acting in good faith to report a concern about possible violations of University policy;
- b. Individuals involved in investigating or responding to concerns; and
- c. Anyone involved in the enforcement of youth protection laws or policies.

14.16. Consequences for Noncompliance. Violations of this policy and/or associated policies, protocols, or procedures may be subject to program termination, and/or disciplinary action, including removal from the role or authorization to work with minors, in accordance with University policies and procedures.

15.17. Third Parties. Third Parties engaging in Covered Activities must comply with the provisions of [SAAP 6-5](#) for programs designed for minors

IV. Data Retention

1. Covered Activities must store protected health information and other confidential and sensitive data according to Regent Policy Document 25-5, *Information Technology: Information Security*.
2. Covered Activities must follow all applicable data management and record retention policies in maintaining the information required under this policy.

~~V. Third Parties:-~~

~~One-on-one contact between an adult and a minor is prohibited. A group setting must be maintained at all times, which means that one-on-one contact between adults and minors is not permitted during the duration of Programs.~~

~~Exceptions:-~~

- ~~1. The case of a child and parent, guardian, or family member relationship.~~
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- ~~2. Instructional settings where one-on-one tutoring (including private lessons) ensues. In such settings, free access to the instructional setting by authorized persons to and from any space must be maintained at all times. Examples to achieve this include: no window or door coverings that would restrict or eliminate visibility into the room and ensuring doors that are used to enter and exit the space are unlocked and accessible. In such settings it is strongly encouraged to leave doors open when feasible.~~
- ~~3. Interactions with University Police.~~
- ~~4. Authority of Risk Management Manager. The University's Risk Management Manager (or such manager's designee) may grant limited exceptions to this policy. Factors to be considered in evaluating an exception are:
 - ~~• One-on-one contact should not be permitted unless it would fundamentally alter the nature of the service being provided. If one-on-one contact is permitted, free access to and from any space must be maintained.~~
 - ~~• The number of adults present must be sufficient to ensure adequate supervision of minors at all times.~~~~

~~**Supervision.** An appropriate ratio of adults to minors must be maintained. See Appendix for recommended ratios.~~

~~**Overnight events.** In the case of adults supervising minors overnight, other than the minor's own parent, guardian or family member, an Authorized Adult should not enter a minor's room, bathroom facility, or similar area without another Authorized Adult in attendance.~~

~~**Privacy of youth respected.** Adults must respect the privacy of minors in situations such as changing clothes and taking showers, whenever possible. Intrusions are permitted only to the extent that health and safety require. Adults must protect their own privacy in similar situations.~~

~~**Inappropriate use of cameras, imaging, or digital devices prohibited.** Use of such device capable of recording or transmitting visual images in shower houses, restrooms, or other areas where privacy is expected by participants is prohibited.~~

~~**Emergency Exception.** The requirements of this policy may be temporarily suspended if an emergency situation warrants it (e.g., one adult accompanies a minor to the emergency room, is summoning law enforcement, or is searching for a missing minor). An adult must join the group to reestablish leadership as soon as feasible.~~

~~**Violations.** Any employee who violates this policy may be subject to disciplinary action up to and including termination of employment.~~

~~VI. Definitions~~

~~Authorized Adult~~

~~Any person eighteen (18) years of age or older in a paid or unpaid supervisory or leadership position.~~

~~Minor~~

~~A person under the age of eighteen (18) who is not enrolled or accepted for enrollment at the University.~~

~~One-on-One Contact~~

~~Unsupervised interaction between an Authorized Adult and a participant in a program without at least one other Authorized Adult, parent, guardian, family member or other minor being present.~~

~~Programs~~

~~Programs and activities offered by various academic or administrative units of the University.~~

~~Programs and activities offered by non-University groups that use University facilities pursuant to an agreement with the University.~~

~~This includes but is not limited to workshops, sport camps, academic camps, conferences, and similar activities. Outside groups or organizations that contract with the University to use University facilities for programs must warrant that they follow the Minor Protection and Adult Leadership Policy.~~

~~University Facilities~~

~~Facilities owned by, or under the control of, the University. University daycare and preschool services or services provided by a licensed health care provider (or employee or volunteer acting under the direction of a licensed healthcare provider) are not included in the definition of university facilities and will follow applicable laws, regulations, and separate policies that reflect the unique activities that occur in those locations.~~

APPENDIX
Adult to Minor Ratios

Grade Group		Situation	Ratios
PreK-1 (age 3-4)		Day Camp	1:4
PreK-1 (age 4-5)		Day Camp	1:6
PreK-1 (age 5-6)		Day Camp	1:10
PreK-1 (age 6 & under)		Residential (Overnight) Camp <u>Residen</u> <u>tial</u> (Overnight) <u>Camp</u>	1:4

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