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# **Administrative Policies and Procedures**

## **Manual - Policy 2205: Minors on Campus**

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Authorized by RPM 2.3 (“Equal Opportunity, Affirmative Action, [Anti-Discrimination](#), Anti-Harassment, and Anti-Retaliation”)

Process Owner: Chief Compliance Officer

### **1. General**

Although the University of New Mexico is committed to the safety of all members of its community, the University has particular concern for potentially vulnerable populations, such as [Mminors](#), [as defined below](#), who may require special attention and protection. This policy establishes general standards for [Mminors](#) participating in [programs sponsored by the University programs and External Organizations](#), and for [Mminors](#) visiting University workplaces and classrooms. Individual units of the University may develop more stringent standards to address their particular needs, including ethical standards and codes of conduct. ~~In order to ensure that a~~ All UNM units involved with programs ~~involving for~~ [Minors](#) ~~are aware of and comply with this policy, the Office of the University President asks units, as applicable, to~~ [must](#) complete a ~~yearly~~ [annual](#) compliance certification [\(See Exhibit G\) and upload it to the central University management platform at www.loboyouth.com.](#)

### **2. Definitions**

For the purposes of this policy, the following terms are defined as [follows](#)~~specified~~:

- “Abuse or neglect of [Mminors](#)” means infliction of physical or mental injury, sexual abuse, or exploitation, or negligent treatment or maltreatment of a person under age 18.

- “Authorized ~~a~~Adults” means individuals 18 years and over who are responsible for the care and custody of, or who might have unsupervised interactions with, Minors, ~~to including volunteers and mentors, in University programs.~~
- “Campus” means all buildings, facilities, and properties that are owned, operated, managed, rented, or controlled by the University, ~~for University programs.~~
- “Campus Security Authorities” or CSAs, are individuals at UNM who, because of their role, have an obligation to notify the UNM Clery Coordinator of all alleged Clery Act-reportable crimes that are reported to them in good faith, or alleged Clery Act-reportable crimes for which they may personally witness. All Authorized Adults are designated as CSAs.
- “External Organization” means a third-party vendor or other non-University organization or individual that uses University facilities, resources or equipment to conduct a program or activity ~~involving with m~~Minors ~~pursuant to~~ with or without an approved contract with the University.
- “Minor” refers to a person who is under the age of 18, but for purposes of this policy does not include (1) students enrolled at UNM, (2) attendees at new student orientation sessions, or (3) student employees at UNM.
- “Program Leaders” means the person primarily responsible for the management, oversight, and implementation of a University Program for Minors.
- “University Program” means an activity for Minors (1) operated or sponsored by a university department, college, or school, (2) during which the University assumes responsibility for the care and custody of the Minors.
- “University program” does not mean:
  - Activities in which Minors are visiting campus and supervised by parents or, guardians, ~~chaperones, or third parties~~
  - Kindergarten through 12th grade student groups visiting campus as members of campus tours accompanied by parents or guardians
  - Participants in ~~Patrons of~~ educational or entertainment events or activities on campus, such as events at Popejoy Hall or the Duck Pond while supervised by parents or guardians, and
  - Human subjects research involving Minors conducted under the oversight of an institutional review board
  - ~~Recruitment activities in large group settings~~

### **3. Obligation to Reporting or Protect**

All Authorized Adults have reporting obligations under university policy and state law as set forth below. Information regarding reporting obligations may also be found at [www.cceo.unm.edu](http://www.cceo.unm.edu).

#### **3.1. Emergencies**

In case of an emergency, one should immediately call UNM Police at (505) 277-2241 or local law enforcement, at 911.

#### **3.2. Known or Suspected Abuse or Neglect of ~~Minors~~ Individuals Under the Age of 18**

Every member of the University community has an obligation under New Mexico law to report any instances or suspected instances of the abuse or neglect of ~~a minor~~ individuals under the age of eighteen. Anyone who knows, suspects, or receives information indicating that a Mminor has been abused or neglected, or who has other concerns about the safety of Mminors, ~~should contact UNM Police or~~ must report the matter immediately to a local law enforcement agency, the State of New Mexico Children, Youth, and Families Department at 1-855-333-SAFE (7233), or a tribal law enforcement or social services agency for any Indian child residing in Indian country.

Program Leaders must take immediate steps to prevent further harm to the alleged victim or other Mminors, including, where appropriate, removing the alleged abuser from the program or activity or limiting their contact with Mminors pending resolution of the matter.

#### **3.3. Misconduct**

Anyone can report suspected misconduct to the UNM Compliance Hotline through the toll-free number, 1.888.899.6092, or online at unm.ethicspoint.com. UAP 2200 ("Reporting Suspected Misconduct and Whistleblower Protection from Retaliation") protects individuals from retaliation when they make good faith reports of suspected misconduct that may be taking place at the University.

#### **3.4. Sex-based Harassment and Discrimination**

The University is required to address sex-based harassment and discrimination, encompassing gender-based and sexual misconduct against students, faculty, staff, contractors, volunteers, and

participants in UNM programs and activities. This includes, but is not limited to, sexual harassment, sexually explicit jokes, stalking, dating and domestic violence, and discrimination against LGBTQIA+ individuals.

All Authorized Adults are designated as Responsible Employees as defined by UAP 2740, and are required to share any knowledge, notices, or reports of sex-based harassment and/or discrimination with the Title IX Coordinator within 24 hours or as soon as reasonably practicable. This reporting can be done by contacting CEEO at (505) 277-5251 or online at [unm.ethicspoint.com](http://unm.ethicspoint.com)

Reportable information includes details obtained from third parties and rumors, as well as directly from the affected individual. Being aware of someone else reporting an incident of sex-based harassment or discrimination does not absolve one's reporting obligations. When a Responsible Employee becomes aware of such incidents, they must promptly report to CEEO within 24 hours. Responsible Employees are encouraged to refer the affected party to a confidential advocate or other available resources. More information about CEEO, Title IX, and Responsible Employees can be found at [ceeo.unm.edu](http://ceeo.unm.edu).

### **3.5. Clery Act Reporting Obligations**

In accordance with the Jeanne Clery Campus Safety Act ("Clery Act"), Campus Security Authorities, or CSAs, are university officials and others who have significant responsibility for student and campus activities at UNM. CSAs are obligated to notify the Clery Coordinator and/or the University of New Mexico Police Department (UNMPD) of any crime or attempted crime they personally witness or is reported to them occurring within UNM's Clery Act geography at their earliest opportunity.

For more information about Clery Act compliance, see University Administrative Policy (UAP) 2745: Clery Act Compliance or visit the CEEO website at [ceeo.unm.edu](http://ceeo.unm.edu).

## **4.3. Code of Conduct**

Members of the campus community, particularly those working with **M**inors, are expected to perform their duties with the highest degree of integrity, honesty, and good judgment consistent with Regents' Policy 2.18 ("Guiding Principles"). To ensure the safety and

wellbeing of Minors, those who interact with Minors on campus are encouraged to meet in groups or public areas, and to be aware of the impact of their words and actions.

Program Leaders, Authorized Aadults, and others working with Minors must monitor the Minors' behavior while under their care to prevent interruptions to university business or instruction. All adult participants must sign the Authorized Adult Acknowledgement form (Exhibit E). Program Leaders may impose additional behavioral or programmatic expectations or agreements based on programmatic needs, such as mentor-mentee agreements (Exhibit H).

## 5. University Program Requirements

Program Leaders must obtain from each Minor's parent or guardian a signed copy of the Minor Participant Waiver and Notice of Risk Form (**Exhibit A**), and the Minor Participant Emergency Contact and Medical Release Form (**Exhibit B**) prior to the Minor's involvement in any University Program. ~~Or, a~~ Alternatively, Program Leaders may obtain from each Minor's parent or guardian a signed copy of other similar forms that have been reviewed by the Office of University Counsel.

Program Leaders should ~~provide that the ratio of adults to program participants~~ follow the American Camp Association ratios for Authorized Adults to Minors as follows:

- 5 years and younger: 1 staff for each 5 overnight campers, and 1 staff for each 6 day campers
- 6–8 years: 1:6 for overnight, and 1:8 for day
- 9–14 years: 1:8 for overnight and 1:10 for day
- 15–18 years: 1:10 for overnight and 1:12 for day

Licensed Child Care Centers affiliated with the University are subject to the childcare center requirements specified in New Mexico law.

All Authorized Adults must obtain a satisfactory background check as required in Section 5.2 herein.

### 5.1. Training for Authorized Aadults ~~Those~~ Participating in University Programs

Program Leaders should identify the Authorized aadults who must complete appropriate

training before working with Minors. Training is offered to UNM employees through Learning Central. The same training can be offered to other authorized adults who are not employees through links on the ~~Main Campus Compliance Office's~~ CEEEO's website at [www.ceeo.unm.edu](http://www.ceeo.unm.edu) (~~ceeo.unm.edu~~). The training must include:

- Basic warning signs of abuse or neglect of Minors.
- Guidelines for protecting Minors from emotional and physical abuse and neglect.
- Requirements and procedures for reporting incidents of suspected abuse or neglect or improper conduct.
- A code of conduct for interacting with Minors.
- Responsibilities for Authorized Adults, and Title IX and Clery Act Reporting pursuant to UAP 2740 and UAP 2745.

Units may offer or require additional training to ~~authorized adults~~ Authorized Adults to meet the specific needs of individual University Programs.

## **5.2. Criminal Background Checks**

All authorized adults involved in University Programs must ~~clear~~ obtain satisfactory criminal background checks prior to participation in ~~these~~ University Programs. Program Leaders may must require ~~other all~~ Authorized Adults to clear background checks prior to participation in University programs. ~~Background checks are valid for three years.~~ Background checks must include checks of state and federal criminal records, sex offender registry, and abuse and neglect checks, at a minimum. Findings or convictions of sexual misconduct, abuse, molestation or crimes of a violent nature will disqualify the individual from participating in the University Program.

Only Authorized Adults who have obtained a satisfactory background check may participate in programs involving Minors. The satisfactory background check should have been completed no more than twelve (12) months prior to the program involving Minors. Authorized adults are also required to satisfy the state or federal licensing requirements of their positions, if any.

## **5.3. Mandatory Camp Checklist**

Program Leaders must ensure compliance with the requirements in the Mandatory Camp Checklist. See Exhibit D.

#### **5.4. Transportation Requirements**

Program Leaders must ensure compliance with the University's transportation requirements regarding Minors by having Authorized Adults and External Organizations execute the Transportation Agreement [Exhibit F] indicating their awareness and acknowledgment of the University's requirements regarding transportation of Minors.

If a University Vehicle will be utilized for transportation, UAP 7780: Use of University Vehicles must be followed.

#### **5.5. Minor Pick Up and Drop Off**

Program Leaders and participants must abide by the following requirements regarding the pick-up and drop off of Minors during any University Program involving Minors on campus:

- Program Leaders must ensure that appropriate drop-off and pick-up schedules and locations are planned and shared with Minors' parents or legal guardians as listed on the Minor Participant Emergency Contact and Medical Release Form ("MPEC Form").
- Non-student Minors may not be released to anyone other than the person(s) listed on the Minor Participant Emergency Contact and Medical Release Form or authorization for pick-up, received in writing and in advance from a parent or guardian.
- Those authorized to pick up a Minor must show valid identification matching the name on the MPEC Form.
- If the non-student Minor is not picked up at the appropriate time, the Program Leader must contact the Minor's parent or guardian. If the parent or guardian does not respond, the program Leader must contact the UNM Police Department or other local law enforcement agency.

Program Leaders must ensure that the parent or guardian complete and return the Minor Participant Emergency Contact and Medical Release Form, attached herein, as **Exhibit B**, authorizing pick-up responsibility for the Minor.

#### **5.6. Accommodation, Medication Management, and Treatment**

The University recognizes that Minors may require medication concurrent with their participation in programs. Program Leaders may provide opportunities for parents or legal guardians to assist Minors in dispensing medication, or permit Minors to self-medicate, where deemed appropriate by a parent or guardian. Program Leaders are responsible for confirming that medications are securely stored.

For **Minors who** are unaccompanied by a parent or legal guardian, **Program Leaders** must obtain a medical release for hospital treatment or treatment by a physician signed by one or both of the **Minor's** parents or **guardians**; to allow for treatment should injury or accident occur during the University Program.

Program leaders may contact CEEO at (505) 277-5251 or [ceeo@unm.edu](mailto:ceeo@unm.edu) for assistance with ADA accommodation requests in accordance with UAP 3110.

## **6. External Organizations Using UNM Facilities for Events Involving Minors**

External Organizations seeking to hold events involving Minors on campus must:

- Execute a contractual agreement ~~Establish a contractual relationship~~ with the University for the use of facilities, ~~or~~ resources and/or equipment. Contracts should be submitted to UNM Risk Services for review at least four (4) weeks prior to the planned event.
- Identify a contact person or agent within the External Organization who will coordinate usage of the facilities, resources or equipment with the University.
- Ensure that ~~their staff~~ all Authorized Adults, have undergone background checks that, at a minimum, comply with Section 45.2 herein, that include sex offender registry reviews. Background checks must have been completed within twelve (12) months of the date of the planned event.
- Provide evidence of one-million dollars (\$1,000,000) of general liability insurance coverage and sexual abuse and molestation (SAM) coverage that lists the “Regents of the University of New Mexico” as an additional insured party. This insurance may be purchased through the UNM Risk Services Department Tenant Users’ Liability Insurance Program. For more information, visit the [Risk Services website](#) and click on the Tenant Users' Liability tab.
- Ensure Authorized Adults have signed the code of conduct acknowledgement.
- Abide by University insurance requirements for the type of event. See [risk.unm.edu](http://risk.unm.edu) for more information.

The UNM department that contracts with the External Organization to hold an event on campus is responsible for ensuring that all required documents identified herein, including but not limited to, any waivers, proof of insurance, and background checks are submitted to the



[University via loboyouth.com](http://University via loboyouth.com) at least four (4) weeks prior to the start of the planned event.

## **7. Minors in the Workplace, ~~or~~ Classroom, and Other University Facilities**

The University values its employees and students by recognizing the role of families in their lives and promoting work-life balance. In certain circumstances, it may be ~~acceptable~~[appropriate](#) for faculty, staff, and students to bring their [Minor](#) children to the workplace, ~~or~~ classroom, [or other University facilities](#). In such situations, the goal should be to foster respect for the needs of all parties impacted by the presence of the minor children.

Faculty, staff, and students:

- May occasionally bring [Minors](#) to the workplace [or classroom](#) for brief visits, specific campus events, situational convenience, or family emergencies, [if the workplace is not considered an Excluded Area, as described below](#). These [events](#) should be occasional and not in the place of regular childcare.
- Must obtain prior approval from their workplace supervisor or classroom instructor before bringing a [Minor](#) to the workplace or classroom.
- [Must](#) ~~A~~ accept full responsibility for the [Minor](#)'s safety and supervision, and for any damage to property or injury to persons that is caused by the [Minor](#)'s presence.
- [Must](#) ~~A~~ accept responsibility for monitoring the [Minor](#)'s behavior to prevent interruptions to university business or instruction.

If a [Minor](#) is [not eligible to attend childcare or school due to an illness](#), ~~too ill to be sent to the regular childcare location or school~~, they generally should not be brought to the workplace or classroom. Exceptions may be made if prior approval is obtained from the supervisor or instructor.

**Excluded Areas:** Minors are not allowed in high-risk or hazardous areas as defined by the supervisor or instructor. These areas may include mechanical rooms, food preparation areas, areas with heavy equipment, ~~University vehicles, or~~ laboratories, or other specialized hazardous areas.

## **8. Exhibits**

Exhibit A: Minor Participant Waiver and Notice of Risk Form

Exhibit B: Minor Participant Emergency Contact and Medical Release Form

Exhibit C: Photography Release Form

Exhibit D: Mandatory Camp Checklist

[Exhibit E: Authorized Adult Code of Conduct Acknowledgement](#)

[Exhibit F: Transportation Agreement Form](#)

[Exhibit G: Annual Compliance Certification Form](#)

[Exhibit H: Mentor-Mentee Sample Agreement](#)

## **9. References**

[UAP 2200: Reporting Suspected Misconduct and Whistleblower Protection from Retaliation](#)

[UAP 2720: Equal Opportunity and Prohibited Discrimination and Related Misconduct](#)

[UAP 2740: Sex Discrimination Including Sexual Misconduct](#)

[UAP 2745: Clery Act Compliance](#)

[UAP 3110: Reasonable Accommodation for Employees, Job Applicants, and Participants with Disabilities](#)

[UAP 5250: Use of University Facilities](#)

[UAP 7780: Use of University Vehicles](#)