

Minors on Campus and in University Activities Policy

The purpose of this policy is to provide clear expectations and guidelines for having minors on campus, on University property, or in a University program or activity and to ensure the health and safety of minors on campus, on University property, and in University programs and activities.

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I. Scope and Definitions

This policy covers minors present on the University's campus, on University property, and at other programs and activities sanctioned or sponsored by the University.

Where applicable, this policy must be followed by University employees, students, volunteers, and other community members; guests; independent contractors; vendors; and outside entities and individuals who contract to use space on the University's campus or property for activities, events, or programs where minors will be under the supervision of the outside entity or individual.

Portions of this policy apply to all minors, while other portions are specific to Student Minors and Non-Student Minors. The following definitions apply throughout this policy.

- **Adult:** the term "adult" or "adults" refer to or describe individuals 18 years of age or older.
- **Child, Children, Minor, Minors:** the terms "child," "children," "minor," and "minors" refer to or describe individuals under the age of 18.
- **Student Minor, Student Minors:** the terms "Student Minor" and "Student Minors" refer to or describe enrolled students of the University under the age of 18.
- **Non-Student Minor, Non-Student Minors:** the terms "Non-Student Minor" and "Non-Student Minors" refer to or describe individuals under the age of 18 who are not enrolled as students of the University.

II. Student Minors

Student Minors may be enrolled in University classes, live in University housing, and/or participate in other University programs and activities, provided that they have met the requirements necessary for such participation. All conduct expectations that apply to an employee's interactions with adult students enrolled in a University course, living in University housing, and/or participating in a University program or activity apply to Student Minors. At the same time, certain forms of prohibited conduct toward minors, as described in [Section V. Prohibited Conduct Toward Minors](#) below, and mandatory reporting requirements, as described in [Section VI. Mandatory Reporting of Child Abuse or Neglect](#) below, apply to all minors, including Student Minors.

Student Minors and their parents or legal guardians should be aware that University courses, housing, facilities, and other University programs and activities are not designed for minors or to accommodate the safety or unique needs of minors and may include activities, conversations, and topics that would not typically be presented to minors. The University is not responsible for ensuring that course content, housing, facilities, or other University programs and activities are appropriate for minors. Student Minors who take courses, live on campus, and/or participate in University programs and activities must follow course requirements and all applicable University

policies for students. Student Minors enrolled in courses and/or living on campus must sign and have a parent or legal guardian sign a consent and waiver form.

III. Non-Student Minor Guests

The following provisions apply to the presence of Non-Student Minors on the University's campus, on University-owned property, and at programs and activities sanctioned or sponsored by the University. While Non-Student Minors generally are permitted on Augsburg's campus, limitations and conditions apply to the presence of Non-Student Minors in certain settings, programs, and activities, as described below. Non-Student Minors and their parents or legal guardians should be aware that University facilities, programs, and activities are not designed for minors or to accommodate the safety or unique needs of minors. The University is not responsible for ensuring that University facilities, programs, or activities are appropriate for minors. Augsburg University reserves the right to condition, restrict, or deny access to University property and facilities by Non-Student Minors at its discretion.

A. Supervision and Care for Non-Student Minors on Campus

Non-Student Minors are prohibited from being on campus without the supervision of a student, faculty, staff, or approved adult guest. To the extent a student's, faculty member's, or staff member's academic, extracurricular, employment, or other University-related responsibilities prevent or conflict with proper supervision of the minor, the University may prohibit the Non-Student Minor from a particular University setting or from campus. In the case of practices, games, and other activities and events sanctioned or sponsored by the University, the person providing supervision to the Non-Student Minor must be someone who is not participating in such practices, games, activities, or events.

Students and employees may not bring Non-Student Minors to campus as a part of that Non-Student Minor's regularly scheduled supervision and care. Regular arrangements for childcare must be maintained off-campus.

Additional requirements regarding the supervision of and care for Non-Student Minors apply in the context of programs and activities designed for Non-Student Minors (see [Section IX. Required Safety Practices and Prohibited Conduct in Programs and Activities Designed for Non-Student Minors](#)).

B. Non-Student Minors in Academic Settings

Absent exigent circumstances, Non-Student Minors are not allowed in the classroom, laboratory, or fieldwork setting, unless the Non-Student Minor is participating in a University-sanctioned program and they have met all registration requirements for the program or unless required by law. Sanctioned programs may include visits to classes, residence halls, or activities that have been coordinated through the Admissions Office, Residence Life, and/or Athletics.

C. Non-Student Minors in Residence Halls

Non-Student Minors are prohibited from accessing Augsburg Residence Halls outside of specified times, such as Move-In and Move-Out, unless Augsburg Residence Life has granted prior written permission, unless the Non-Student Minor is a prospective student visiting the University on a visit coordinated through the Admissions Office or Athletics, or unless required by law.

In situations where a Non-Student Minor is permitted in a Residence Hall, in addition to other provisions of this policy, the [Residence Life Guest and Visitor Policies](#) also apply. Additionally, Non-Student Minors who are permitted to stay overnight in a Resident Hall must sign and have a parent or legal guardian sign a consent and waiver form.

Employees who are permitted to live in the residence halls are permitted to have their children or non-student minors guests in their rooms, provided minors are accompanied by the employee at all times.

D. Non-Student Minors in Athletic Facilities

i. Where Minors Are Prohibited

Non-Student Minors are prohibited from accessing the Si Melby Gym court, Edor Nelson Field dome/turf, weight room, fitness center, Ice Arena rink, locker rooms, and sports medicine center, unless a Non-Student Minor is participating in a University-sanctioned program and they have signed a liability waiver or unless permitted under a facility rental agreement or required by law.

ii. Where Minors Are Allowed

Non-Student Minors are allowed to be present in athletic facilities when supervised by faculty, staff, students, or an approved adult guest in the following situations:

- Athletic games (only in areas designated for spectators).
- Sanctioned University programs, including youth camps.
- Recruitment events for prospective students.
- Where permitted under a facility rental agreement.
- Under other circumstances, as required by law.

iii. Locker Room Access

Non-Student Minors may be authorized to use University locker rooms during a University-sanctioned program (e.g., camps, clinics, recruiting visits, etc.). At least two trained adults must be present when Non-Student Minors are utilizing the locker rooms.

Unsupervised access is prohibited when student-athletes are using locker rooms.

E. Non-Student Minor Attendance at Athletic Practices, Games, and Team-Sanctioned Trips

Augsburg recognizes that student-athletes who are parents/guardians may have emergencies and/or unforeseen circumstances with parenting that require support from the University and from their team. Student-athletes who need support can contact titleix@augsborg.edu.

Student-athletes who are parents/guardians may only bring Non-Student Minors with them to athletic practices, games, and/or team-sanctioned trips after receiving permission from the Deputy Title IX Coordinator for Athletics (or designee). If approved, the following guidelines must be followed:

- Non-Student Minors must be supervised at all times by an adult while on campus property, on transportation provided by the University, and/or during any other athletic event or activity that is sanctioned or sponsored by the University. The adult providing supervision to the Non-Student Minor must be someone other than an individual participating in or working at the practice, game, or trip.
- Non-Student Minors may not enter prohibited athletic facilities (see above) on campus, unless required by law.
- Non-Student Minors are not permitted in any additional areas (on or off campus) as designated by the Deputy Title IX Coordinator for Athletics (or designee).
- Non-Student Minors may observe athletic practices from designated spectator areas if accompanied and supervised by a parent or guardian (who is not participating in the practice themselves), provided the coach deems the practice open to spectators.

Permission from the Deputy Title IX Coordinator is not required where an adult other than an individual participating in or working at a game that is open to the public brings a Non-Student Minor to the game, provided that the Non-Student Minor remains in areas designated for spectators and the supervising adult maintains supervision of the Non-Student Minor in accordance with this policy.

F. Non-Student Minors in the Workplace

While the University is sensitive to the needs of working parents/guardians, Non-Student Minor children of Augsburg employees are generally subject to the provisions of this policy, including prohibitions on Non-Student Minors in classroom, laboratory, and fieldwork settings, certain athletic facilities, and residence halls. Additionally, the presence of Non-Student Minors is generally not appropriate in the workplace setting.

Augsburg recognizes that employees who are parents/guardians may have emergencies and/or unforeseen circumstances with parenting that may necessitate employees occasionally bringing

Non-Student Minors to campus for short periods of time. If such situation arises, the following policies apply:

- The employee's immediate manager must determine that distractions for the parent/guardian and others are minimal and then grant approval to the employee before the employee may bring the Non-Student Minor to the workplace.
- [Section IV.A. Supervision and Care for Non-Student Minors on Campus](#) above must be followed. Additionally, co-workers should not be expected to provide childcare.
- Employees should not be asking students with whom there exists a power dynamic to provide childcare.

Regardless of emergency and unforeseen circumstances and parent/guardian supervision, at no time may a Non-Student Minor enter potentially hazardous areas, such as the maintenance workshop, areas where chemicals or cleaning supplies are stored, construction areas, or any other area of campus where the presence of Non-Student Minors is prohibited.

There may be special occasions in which employees' children may be invited to campus, in which case employees will be notified of these events as they occur.

For other policies for Augsburg employees, see the [Augsburg Employee Handbook](#).

IV. Prohibited Conduct Toward Minors

University students, employees, volunteers, community members, and guests, as well as the employees or volunteers of vendors, independent contractors, or outside entities and individuals who contract to use space on the University's campus or property for activities, events, or programs where Non-Student Minors will be under the supervision of the outside entity or individual are prohibited from engaging in any illegal conduct involving a minor. Illegal conduct involving a minor includes but is not limited to child abuse, as defined in [Section VI.A Mandatory Reporting Definitions](#) below; criminal sexual conduct involving a minor; prostitution involving a minor; child pornography offenses; and providing drugs or alcohol to a minor.

University employees are also prohibited from soliciting, engaging in, or encouraging a dating, sexual, or otherwise intimate relationship with a minor; and engaging in any contact of a sexual nature with a minor. This includes, but is not limited to, a prohibition on kissing, touching of a sexual or otherwise intimate nature, contact of any kind with intimate body parts, nudity, the solicitation or sharing of images and materials of a sexual nature, and conduct over the Internet.

V. Mandatory Reporting of Child Abuse or Neglect

The University and Minnesota law require reporting of child abuse, including physical and sexual abuse, and neglect by certain individuals.

A. Mandatory Reporting Definitions

Child abuse includes acts or omissions meeting any of the following definitions or causing any of the following types of harm to a child:

- **Physical Abuse:** any physical injury, mental injury, or threatened injury inflicted by a person responsible for the child's care on a child other than by accidental means, or any physical or mental injury that cannot reasonably be explained by the child's history of injuries, or any aversive or deprivation procedures, or regulated interventions, that have not been authorized under Minnesota law.

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian that does not result in an injury. Abuse does not include the use of reasonable force by a teacher, principal, or school employee as allowed by Minnesota law.

For the purposes of the definition of physical abuse, actions that are not reasonable and moderate include, but are not limited to, any of the following:

- a. throwing, kicking, burning, biting, or cutting a child;
 - b. striking a child with a closed fist;
 - c. shaking a child under age three;
 - d. striking or other actions that result in any nonaccidental injury to a child under 18 months of age;
 - e. unreasonable interference with a child's breathing;
 - f. threatening a child with a weapon;
 - g. striking a child under age one on the face or head;
 - h. striking a child who is at least age one but under age four on the face or head, which results in an injury;
 - i. purposely giving a child:
 1. poison, alcohol, or dangerous, harmful, or controlled substances that were not prescribed for the child by a practitioner in order to control or punish the child; or
 2. other substances that substantially affect the child's behavior, motor coordination, or judgment; that result in sickness or internal injury; or that subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances;
 - j. unreasonable physical confinement or restraint not permitted under Minnesota law, including but not limited to tying, caging, or chaining; or
 - k. in a school facility or school zone, an act by a person responsible for the child's care that is a violation of Minnesota's corporal punishment statute.
- **Sexual Abuse:** the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child, or by a person in a current or recent position of authority, to any act that constitutes criminal sexual conduct in the first,

second, third, fourth, or fifth degree, solicitation of children to engage in sexual conduct, or communication of sexually explicit materials to children. Sexual abuse also includes any act involving a child that constitutes a violation of prostitution offenses under Minnesota law. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse, which includes the status of a parent or household member who has committed a violation that requires registration as an offender under Minnesota law.

- **Substantial Child Endangerment**: a person responsible for a child's care, by act or omission, commits or attempts to commit an act against a child under their care that constitutes any of the following:
 - a. egregious harm;
 - b. abandonment as defined by Minnesota law;
 - c. neglect as defined by Minnesota law, that substantially endangers the child's physical or mental health, including a growth delay, which may be referred to as failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
 - d. murder in the first, second, or third degree;
 - e. manslaughter in the first or second degree;
 - f. assault in the first, second, or third degree;
 - g. solicitation, inducement, and promotion of prostitution;
 - h. criminal sexual conduct;
 - i. solicitation of children to engage in sexual conduct;
 - j. malicious punishment or neglect or endangerment of a child;
 - k. use of a minor in sexual performance; or
 - l. parental behavior, status, or condition that mandates that the county attorney file a termination of parental rights petition under Minnesota law.
- **Egregious Harm**: the infliction of bodily harm to a child or neglect of a child which demonstrates a grossly inadequate ability to provide minimally adequate parental care. Egregious harm includes, but is not limited to:
 - a. conduct towards a child that constitutes, under Minnesota law, murder in the first, second, or third degree, manslaughter in the first or second degree, criminal vehicular homicide, criminal vehicular operation, assault with a dangerous weapon that inflicts substantial bodily harm, or assault in the third degree, or conduct that violates any other similar law of any other state;
 - b. the infliction of "substantial bodily harm" to a child, as defined in Minnesota law;
 - c. conduct towards a child that constitutes felony malicious punishment of a child under Minnesota law;

- d. conduct towards a child that constitutes felony unreasonable restraint of a child under Minnesota law;
 - e. conduct towards a child that constitutes felony neglect or endangerment of a child under Minnesota law;
 - f. conduct towards a child that constitutes assault under Minnesota law;
 - g. conduct towards a child that constitutes solicitation, inducement, or promotion of, or receiving profit derived from, prostitution under Minnesota law;
 - h. conduct towards a child that constitutes murder or voluntary manslaughter as defined by United States Code, title 18, section 1111(a) or 1112(a);
 - i. conduct towards a child that constitutes aiding or abetting, attempting, conspiring, or soliciting to commit a murder or voluntary manslaughter that constitutes a violation of United States Code, title 18, section 1111(a) or 1112(a); or
 - j. conduct toward a child that constitutes criminal sexual conduct under Minnesota law.
- **Threatened Injury**: a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child's care who has:
 - a. subjected a child to, or failed to protect a child from, an overt act or condition that constitutes egregious harm;
 - b. been found to be palpably unfit;
 - c. committed an act that resulted in an involuntary termination of parental rights; or
 - d. committed an act that resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative under Minnesota law or a law of another jurisdiction.
 - **Mental Injury**: An injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.
 - **Neglect**: "Neglect" means the commission or omission of any of the following acts other than by accidental means:
 - a. failure by a person responsible for a child's care to supply a child with necessary food, clothing, shelter, health, medical, or other care required for the child's physical or mental health when reasonably able to do so;
 - b. failure to protect a child from conditions or actions that seriously endanger the child's physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
 - c. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors as the child's age, mental ability,

physical condition, length of absence, or environment, when the child is unable to care for the child's own basic needs or safety, or the basic needs or safety of another child in their care;

- d. failure to ensure that the child is educated as defined under Minnesota law, which does not include a parent's refusal to provide the parent's child with sympathomimetic medications, consistent with Minnesota law;
- e. prenatal exposure to a controlled substance, as defined in Minnesota law, used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child at birth, medical effects or developmental delays during the child's first year of life that medically indicate prenatal exposure to a controlled substance, or the presence of a fetal alcohol spectrum disorder;
- f. medical neglect, as defined in Minnesota law;
- g. chronic and severe use of alcohol or a controlled substance by a person responsible for the child's care that adversely affects the child's basic needs and safety; or
- h. emotional harm from a pattern of behavior that contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

A child is not neglected solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child in lieu of medical care.

B. University Employees

As set forth in this policy, University employees have the following reporting obligations related to known or suspected incidents of child abuse or neglect:

- Immediately report to the University if the known or suspected incident occurred on campus or University property, occurred in connection with a University event, program, or activity, or was committed by a member of the University community; and
- If the employee is subject to Minnesota's mandatory reporting law, immediately report to law enforcement or social services authorities, regardless of the context in which the known or suspected incidents of child abuse or neglect occur.

i. Required Reports to the University

Any employee who witnesses or suspects child abuse or neglect of a minor on campus or University property, in connection with a University event, program, or activity, or committed by a

member of the University community must immediately report the matter to the Title IX Coordinator:

Michael Grewe, Ph.D., LISW
Associate Provost, Dean of Students & Title IX Coordinator
grewe@augsborg.edu | 612-330-1499
Memorial Hall 118

Reports can also be made through:

- Department of Public Safety
publicsafety@augsborg.edu | 612-330-1717 (24/7)
Urness-Mortensen Lobby
- Human Resources
hr@augsborg.edu | 612-330-1058
Memorial Hall 20
- [Report It Website](#)

This obligation applies to all University employees, whether they are subject to Minnesota's mandatory reporting laws or not. Individuals are required to make reports regardless of whether they witnessed the suspected abuse or neglect directly or whether the suspected abuse or neglect was reported to them by another. The University requires all employees to report child abuse or neglect regardless of how much time has passed since the alleged abuse or neglect. Suspicions should be reported even if it is uncertain whether the alleged conduct meets the definitions of child abuse or neglect.

In addition, all University employees who know or suspect that an individual is or has been in possession of or is accessing or has accessed child pornography on campus or University property, in connection with a University event, program, or activity, or by using University property, including but not limited to University computers, servers, phones, or other resources, must immediately [report the issue](#) or contact titleix@augsborg.edu. Further, if a University employee suspects that a member of the University community is in possession of or accessing child pornography through any other means, the employee must immediately [report the issue](#) or contact titleix@augsborg.edu.

Individuals who are subject to confidentiality requirements imposed by law or professional rules or guidelines are required to report known or suspected abuse or neglect of a child to the maximum extent permissible.

Individuals who are uncertain about whether a report is required to the University under this policy may contact the Title IX Coordinator for additional information and assistance.

Individuals who fail to make a required report to the University in violation of this policy may be subject to discipline, up to and including termination of employment. Discipline will be administered in accordance with the applicable [faculty or employee handbook](#).

After reporting, the reporting individual should not attempt to investigate and, out of respect for the privacy of the minor(s) involved in the matter, should maintain confidentiality of the matter outside of cooperation with any investigations into the reported alleged conduct.

All allegations will be taken seriously by the University. The University will take measures to protect the child or children of concern and other children under the care of the University. The University may investigate allegations of a violation of this policy. The scope and manner of any investigation will depend on the circumstances of the particular matter. The University will consider whether other interim or protective measures are appropriate. The Title IX Office will document the University's responsive actions to the allegations.

ii. Mandatory Reporters Under Minnesota Law

Minnesota's mandatory reporting laws require that a person who knows or has reason to believe a child is being maltreated (meaning abused or neglected as defined above), or has been maltreated within the preceding three years shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department if the person is: (1) a professional or professional's delegate who is engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, correctional supervision, probation and correctional services, or law enforcement; or (2) employed as a member of the clergy and received the information while engaged in ministerial duties, provided that a member of the clergy is not required to report information that is otherwise privileged under Minnesota law.

For employees who are mandatory reporters, it is not enough to report the matter only to the University; a separate report must also be made to the appropriate authorities.

Reports made pursuant to Minnesota's mandatory reporting law must be made immediately, meaning as soon as possible but in no event longer than 24 hours. An oral report must be followed by a written report within 72 hours. For mandatory reporters, individual criminal penalties may result from failure to make a required report.

All employees are required to make mandatory reports of child abuse or neglect. If you have questions about your duties as a mandatory reporter, you may seek assistance from the Title IX Coordinator at titleix@augsborg.edu.

Contact information for several government reporting options is included below.

Hennepin County Child Protective Services

Phone: 612-328-3552

More information: [Website](#)

Minneapolis Police Department

Phone: 612-673-3000

More information: [Website](#)

Hennepin County Sheriff's Department

Phone: 888-988-8477

More information: [Website](#)

All individuals are encouraged to report their concerns about possible child abuse or neglect to law enforcement authorities or the local welfare agency, even if they are not a mandatory reporter under Minnesota law.

Anyone who reports child abuse or neglect in good faith is immune from any civil or criminal liability. A reporter's name is confidential. It is accessible only if a reporter consents, by court order, or by court procedure.

Individuals who are uncertain about whether a report should be made to government authorities may contact the Title IX Coordinator at titleix@augsborg.edu for additional information and assistance.

More information is provided in the Minnesota Department of Human Services' Resource Guide for Mandated Reporters of Child Maltreatment Concerns, available at <https://edocs.dhs.state.mn.us/lfservlet/Public/DHS-2917-ENG>.

Individuals who fail to make a required report to government authorities in violation of Minnesota law may be subject to discipline, up to and including termination of employment. Discipline will be administered in accordance with the applicable [faculty or employee handbook](#).

C. Vendors, Independent Contractors, and Outside Entities or Individuals

The following entities and individuals must communicate to all employees, volunteers, and participants, in writing, available government reporting options, including social services agencies and law enforcement:

- Vendors or independent contractors who have an ongoing presence on campus, any vendor or independent contractor whose work for the University will involve working with or supervising minors, and any vendor or independent contractor with access to residential facilities;

- All outside entities and individuals who contract to use space on the University's campus or property for activities, events, or programs where minors will be under the supervision of the outside entity or individual.

Upon request from the University, all such outside entities and individuals must provide supporting documentation of such communications to the University.

VI. Screening

A. *University Employees*

All prospective University employees must submit to and pass a background screening that includes but is not limited to a criminal background screening that includes, for at least the prior seven years, a nationwide review of criminal history information and sexual predator databases, including the National Sex Offender Registry, and, if available, child abuse and neglect registries maintained by the relevant state(s).

Subsequent background screening is also required in the following instances:

- For all employees at the time of any change in position;
- On an annual basis for employees having direct contact with Non-Student Minors; and
- Any other time at the discretion of the University.

Each University employee must consent to such background screening as a condition of their employment with the University.

Additionally, all prospective University employees who, in their role at the University, are expected to work with or supervise minors, as well as all prospective public safety officers, must disclose to the University any criminal convictions for physical or sexual abuse or neglect of a child and any allegations of physical or sexual abuse or neglect of a child that have ever been made against them, regardless of whether the allegations were investigated.

All University employees must report any criminal conviction or arrest for physical or sexual abuse or neglect of a child and any allegation of physical or sexual abuse or neglect of a child made against them, regardless of whether such allegation was investigated, that has occurred since they began service with the University. The report shall be made to Human Resources at hr@augsborg.edu.

B. *Other Individuals at University Events, Activities, and Programs Involving Non-Student Minors Who Are Under the Supervision of the University*

Any other person, including students, volunteers, coaches, counselors, and speakers, who will be involved with a University event, activity, or program involving Non-Student Minors who are

under the supervision of the University must submit to and pass a background screening that includes but is not limited to, for at least the prior seven years, a nationwide review of criminal history information and sexual predator databases, including the National Sex Offender Registry, and, if available, child abuse and neglect registries maintained by the relevant state(s).

C. Vendors, Independent Contractors, and Outside Entities or Individuals

The following entities or individuals must require that all employees who will be on University property and any other individual who will be responsible for supervising minors on behalf of the entity or individual while on University property submit to and pass a background screening that includes but is not limited to, for at least the prior seven years, a nationwide review of criminal history information and sexual predator databases, including the National Sex Offender Registry, and, if available, child abuse and neglect registries maintained by the relevant state(s):

- Vendors or independent contractors who have an ongoing presence, any vendor or independent contractor whose work for the University will involve working with or supervising minors, and any vendor or independent contractor with access to residential facilities;
- All outside entities and individuals who contract to use space on the University's campus or property for activities, events, or programs where minors will be under the supervision of the outside entity or individual.

Upon request from the University, the entity or individual must provide the University with supporting documentation, including the names of the employees who will be on University property and other individuals who will be responsible for supervising minors on behalf of the entity or individual while on University property, and the dates that the background screenings were completed for each individual. The entity or individual must provide the University records of the completed background screening upon request.

The above-described entities or individuals must certify compliance with this background screening requirement in each contract with the University.

VII. Training

A. University Employees

All University employees will receive [mandatory reporter training](#) at the time of hire and every two years thereafter. Moreover, all student employees, graduate assistants, and volunteers who interact with minors must receive such training before serving in roles that work with minors and/or vulnerable adults.

Additionally, all University employees who have direct contact with Non-Student Minors as part of their role at the University shall receive annual mandatory reporter training and additional training with respect to working with children, including on child safety, child protection procedures, bystander intervention, and the requirements of this policy.

B. Other Individuals at University Events, Activities, and Programs Involving Non-Student Minors Who Are Under the Supervision of the University

Any other person, including but not limited to students, volunteers, coaches, counselors, and speakers, who will be working with Non-Student Minors at a University event, activity or program shall receive mandatory reporter training and additional training with respect to working with children, including on child safety, child protection procedures, bystander intervention, and the requirements of this policy.

C. Vendors, Contractors, and Outside Entities or Individuals

Depending on the nature of the work being performed by the independent contractor or vendor, the University in its sole discretion may require any University independent contractor or vendor to complete the University's mandatory reporter training and additional training with respect to working with children, including on child safety, child protection procedures, bystander intervention, and the requirements of this policy.

All outside entities and individuals who contract to use space on the University's campus or property for activities, events, or programs where minors will be present and under the supervision of the outside entity or individual must ensure that each individual who will be responsible for supervising minors on behalf of the entity or individual while on University property has received mandatory reporter and child safety training. Such training must include the topics of mandatory reporting obligations and options of known or suspected child abuse or neglect, child safety, and child protection procedures. Upon request from the University, the entity or individual must provide the University with supporting documentation that includes the names of the individuals who will be responsible for supervising minors on behalf of the entity or individual while on University property and the dates that the trainings were completed for each individual.

VIII. Required Safety Practices and Prohibited Conduct in Programs and Activities Designed for Non-Student Minors

A. Admission and Financial Aid Activity Exemption

Admissions and Student Financial Services employees are exempt from this policy when conducting official recruitment, campus visits, counseling, or enrollment-related activities involving prospective students and their families. However, student enrollment recruitment activities that involve overnight stays (e.g., campus visit program or scholarship weekends) are expected to follow the guidance and safeguards outlined in this policy.

Admissions and Student Financial Services employees remain responsible for completing all required institutional training and for complying with applicable state and federal guidelines related to working with minors.

B. Events, Activities, and Programs Involving Non-Student Minors Who Are Under the Supervision of the University and Other Circumstances Involving University Employees Interacting with Non-Student Minors on University Property

For any activity, event, or program involving Non-Student Minors who are under the supervision of the University, such as summer camps, clinics, campus visits, and other youth programs; University employees, volunteers, and other individuals involved with the activity, event, or program will observe the following safety practices. In addition, University employees interacting with Non-Student Minors on University property in any other context will also observe the following safety practices. These practices are designed to prevent the abuse or neglect of any Non-Student Minors placed under the care or supervision of the University. Violation of these practices may result in discipline, up to and including termination of employment.

- Non-Student Minors at all times must be appropriately supervised by adults who have received the appropriate training and undergone the appropriate background screening consistent with this policy. It is never appropriate to leave Non-Student Minors unattended.
- The University practices the rule of three, meaning an adult should not, absent unavoidable circumstances, be alone one-on-one with a Non-Student Minor. If there is a time when an adult unavoidably finds themselves alone with one Non-Student Minor, they should, absent extenuating circumstances, promptly arrange for another adult or other responsible person to join the individual and the Non-Student Minor, and while waiting for the other person to join, they should remain in a public place or room that provides clear view by others. Such measures might be necessary where an employee, volunteer, or other individual involved with the activity, event, or program is briefly alone with a Non-Student Minor who is dropped off early or another staff member must depart unexpectedly due to illness or personal circumstances. Only where written parental consent is obtained is private one-on-one contact between adults and Non-Student Minors permitted. Where such permission is given, the meetings should occur in either a public place or in a room that provides a clear view by others (such as with a door open to other individuals).

- The following Non-Student Minor to adult ratio must be maintained:
 - a. For children ages 15-17 years: 12:1 day and 10:1 overnight
 - b. For children ages 9-14 years: 10:1 day and 8:1 overnight
 - c. For children age 8 years: 8:1 day and 6:1 overnight
- Non-Student Minors in any activity, event, or program must remain in the area where the activity, event, or program is being held. University employees, volunteers, and other individuals involved with the activity, event, or program must inform another University employee, volunteer, or other individual involved with the activity, event, or program when they are taking Non-Student Minors out of the program room or area for any reason.
- University employees, volunteers, and other individuals involved with the activity, event, or program may not take or possess photographs, videos, or other images or recordings of a Non-Student Minor other than as authorized by the University as part of official University operational activities, such as marketing materials, and only after the Non-Student Minor's parent or legal guardian has signed a University-provided waiver allowing the photograph, video, or other image or recording.
- All University employees, volunteers, and other individuals involved with the activity, event, or program must maintain appropriate boundaries with Non-Student Minors. University procedures and training shall address and define age-appropriate forms of proper and improper physical contact between Non-Student Minors and their adult supervisors.
- University employees, volunteers, and other individuals involved with the activity, event, or program may not engage in the following prohibited conduct:
 - a. Any illegal conduct involving a minor, including but not limited to child abuse, as defined in [Section VI.A. Mandatory Reporting Definitions](#) above; criminal sexual conduct involving a minor; prostitution involving a minor; child pornography offenses; and providing drugs or alcohol to a minor;
 - b. Discipline administered to Non-Student Minors through spanking or other forms of corporal punishment;
 - c. Any conduct that could reasonably be anticipated to cause physical harm to a Non-Student Minor;
 - d. Making comments of a sexual, romantic, profane, or otherwise intimate nature to or in the presence of a Non-Student Minor; soliciting, engaging in, or encouraging a dating, sexual, or otherwise intimate relationship with a Non-Student Minor; and engaging in any contact of a sexual nature with a Non-Student Minor. This includes, but is not limited to, a prohibition on kissing, touching of a sexual or otherwise intimate nature, contact of any kind with intimate body parts, nudity, the

solicitation or sharing of images and materials of a sexual nature, and conduct over the Internet;

- e. Giving gifts to a Non-Student Minor;
 - f. Using alcohol or other controlled substances in the presence of a Non-Student Minor.
- Generally, University employees, volunteers, and other individuals involved with the activity, event, or program may not connect with or communicate with Non-Student Minors via phone, email, text, or social media. All such communication must be with the parent or guardian.
 - If for some reason a University activity, event, or program requires University employees, volunteers, and other individuals involved with the activity, event, or program to have direct contact with Non-Student Minors via phone, email, and/or text, the Non-Student Minor's parent/guardian must give the activity, event, or program written permission to allow such contact. All communications must include the Non-Student Minor's parent/guardian. Further, the following rules will apply:
 - a. Contact with Non-Student Minors must be limited to email or phone and must be for a legitimate reason related to the University activity, event, or program.
 - b. University employees, volunteers, and other individuals involved with the activity, event, or program may not communicate with Non-Student Minors via social media or other apps.
 - c. Contact via text message or email must involve at least three individuals, two of which must be University employees, volunteers, or other individuals involved with the activity, event, or program.
 - d. University employees, volunteers, and other individuals involved with the activity, event, or program may not initiate one-on-one phone calls with Non-Student Minors. If a Non-Student Minor initiates a phone call with a University employee, volunteer, or other individual involved with the activity, event, or program, the employee, volunteer, or other individual must request that the Non-Student Minor's parent/guardian join the call. If the parent/guardian is not able to join the call, the employee, volunteer, or other individual must limit the conversation to legitimate topics related to the University activity, event, or program and must keep the call under five (5) minutes in length. If a longer conversation is needed, the employee must arrange for a second University employee, volunteer, or other individual involved with the activity, event, or program, or for the Non-Student Minor's parent/guardian to join the call. In the event that a Non-Student Minor initiates a phone call, the University employee, volunteer, or other individual involved with the activity, event, or program must inform the Non-Student Minor that a parent/guardian should be involved in any phone calls in the future.

- The University understands that sometimes University employees, volunteers, and other individuals involved with the activity, event, or program may have a relationship with a Non-Student Minor who is participating in a University activity, event, or program that is separate from the University, such as where a University employee, volunteer, or other individual involved with the activity, event, or program is related to or a family friend of a Non-Student Minor's family. A University employee, volunteer, or other individual involved with the activity, event, or program must abide by this policy in connection with all University-related activities and may not use any separate relationship with a Non-Student Minor to violate any of the conduct requirements of this policy, unless the relationship with the Non-Student Minor is that of an immediate family member.
- Generally, at least fourteen (14) days prior to the activity, event, or program, a University employee involved with the activity, event, or program must notify the Department of Public Safety (publicsafety@augsborg.edu) that the activity, event, or program will involve Non-Student Minors under the supervision of the University. University events staff will consider any other events, activities, or programs taking place on University property at the same time and will determine whether any additional precautions are needed to promote child safety.

C. Vendors and Independent Contractors

University vendors or independent contractors whose work at or on behalf of the University will involve working with or supervising Non-Student Minors must observe the following safety practices.

Such University independent contractors must follow the "rule of 3," meaning an adult should not, absent unavoidable circumstances, be alone one-on-one with a Non-Student Minor. If there is a time when an adult unavoidably finds themselves alone with one Non-Student Minor, they should, absent extenuating circumstances, promptly arrange for another adult or other responsible person to join the individual and the Non-Student Minor and, while waiting for the other person to join, they should remain in a public place or room that provides clear view by others.

If the University vendor's or independent contractor's work involves one-on-one interactions with Non-Student Minors, such interactions must take place in a public place or a room that provides clear view by others (such as a room with an open door to other individuals).

D. Activities, Events, or Programs on University Property Where Minors Will Be Under the Supervision of an External Entity or Individual

All outside entities and individuals who contract to use space on the University's property for activities, events, or programs where minors will be present and under the supervision of the

outside entity or individual must follow the “rule of 3,” meaning an adult should not, absent unavoidable circumstances, be alone one-on-one with a minor. If there is a time when an adult unavoidably finds themselves alone with one minor, they should, absent extenuating circumstances, promptly arrange for another adult or other responsible person to join the individual and the minor and, while waiting for the other person to join, they should remain in a public place or room that provides clear view by others.

In addition, all such entities and individuals must comply with the following minor to adult ratio:

- For children ages 15-17 years: 12:1 day and 10:1 overnight
- For children ages 9-14 years: 10:1 day and 8:1 overnight
- For children age 8 years: 8:1 day and 6:1 overnight

Generally, at least fourteen (14) days prior to the activity, event, or program, the entity or individual must notify Department of Public Safety (publicsafety@augsborg.edu) that the activity, event, or program will involve minors under the supervision of the outside entity or individual. University events staff will consider any other events, activities, or programs taking place on University property at the same time and will determine whether any additional precautions are needed to promote child safety.

IX. Other Circumstances Involving Minors

A. Employment of Minors

Human Resources must authorize the hiring of any minor for employment at the University, including employment of Student Minors. The University complies with applicable laws with respect to the employment of minors. Prior to a minor commencing work duties, the Human Resources Office will notify the employee’s supervisor that the employee is a minor. The Human Resources Office will help the supervisor determine whether any particular measures are necessary with respect to the minor. Minors may not be assigned to work alone or unsupervised without written approval of Human Resources. Minors working at the University must follow all applicable University policies for employees.

B. Off-Campus, Non-University Events

All University employees participating in or volunteering at a non-University, off-campus activity, event, or program involving minors, such as service learning, community service, internships, student teaching, summer camps, youth sports, and other programs, must comply with any child protection requirements of the off-campus site where the activities occur, as well as requirements of the event, activity, or program, including requirements related to training and background checks. In addition, all University employees participating in or volunteering at such an activity, event, or program must comply with Minnesota’s mandatory reporter laws.

A University employee's conduct in a non-University, off-campus activity, event, or program involving children may impact the employee's employment at the University.

X. Reporting Concerns of a Violation of this Policy

For information regarding mandatory reporting of child abuse and neglect, see [Section VI. Mandatory Reporting of Child Abuse or Neglect](#) above. For all other potential violations of this policy, University employees are required to report any knowledge, suspicion, or concerns that this policy may have been violated. Students and other individuals are also encouraged to report.

Reports should be made immediately to the Title IX Coordinator at titleix@augsborg.edu.

If the concerns involve child abuse or neglect, reports should be immediately made to the University and appropriate local authorities as set forth in [Section VI. Mandatory Reporting of Child Abuse or Neglect](#) above.

Violations of this policy may be subject to discipline, up to and including expulsion, termination of employment, termination of a contract, and/or a campus ban.

XI. Retaliation

The University will not tolerate any form of retaliation against an individual who makes a report or participates in an investigation pursuant to this policy in good faith.

Retaliation is any adverse action or threat thereof against any individual for making a good faith report or participating in an investigation of an alleged violation of this policy. Retaliation includes, but is not limited to, any form of intimidation, threats, coercion, reprisal, harassment, or discrimination. Encouraging or assisting others to engage in retaliation also is prohibited.

Any conduct constituting retaliation is a violation of this policy, which is subject to disciplinary action up to and including termination of employment, expulsion, termination of a contract, and/or a campus ban. Concerned individuals should report acts of retaliation to Human Resources (hr@augsborg.edu) or the Title IX Coordinator (titleix@augsborg.edu).

XII. Help with this Policy

Any employees with questions about their obligations under this policy or Minnesota's mandatory reporting laws should contact any of the individuals or offices listed below under [Section XIV. Contacts](#).

XIII. Contacts

Michael Grewe, Ph.D.

Associate Provost, Dean of Students & Title IX Coordinator

grewe@augsborg.edu

612-330-1499

Dawn Miller

Associate Vice President, Human Resources & Deputy Title IX Coordinator for Employees

millerd1@augsborg.edu

612-330-1216

Christa Burgess

Senior Associate Athletic Director & Deputy Title IX Coordinator for Athletics

burgess2@augsborg.edu

612-330-1654

Noah Greenfield

Program Coordinator, Dean of Students Office

Deputy Title IX Coordinator

greenfin@augsborg.edu

612-330-1160

General Information

titleix@augsborg.edu

612-330-1160