Guidelines Regarding Minors Participating in University-Sponsored Programs and External Programs Held on Campus

1. Definitions and Scope
   1.1. Minor: Any person under the age of 18 who is not (a) enrolled or accepted for enrollment in a University degree program at the undergraduate, graduate or professional level or (b) an employee of the University.\(^1\)
   1.2. University Facilities: Facilities owned by, or under the control of, the University.
   1.3. Programs: Programs and activities designed to include Minors offered by various academic or administrative units of the University, student organizations, or external groups using University facilities, including but not limited to workshops, camps, summer college, conferences, internships, and similar activities. “Programs” does not include: general events open to the public that are not targeted solely to Minors, such as sporting events or concerts; the placement of students with external entities, externships for example; the employment of persons under the age of 18 by the University; or University research involving participants under the age of 18, which is governed by SOP 11: Informed Consent, Enrollment, and Other Considerations for Research Involving Children and therefore is not addressed in these guidelines.
   1.4. Registered Programs: All multi-day Programs, overnight Programs, and Programs run by registered student organizations or external groups. Registered Programs must be registered with the Office of Risk Management. See Section 3: Program Registration and Information.
   1.5. Authorized Adult: Individuals, age 18 or older, paid or unpaid, who interact with, supervise, chaperone, or otherwise oversee Minors in Program activities and/or residential facilities. This includes but is not limited to faculty, staff, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and independent contractors/consultants. The Authorized Adults’ roles may include positions such as counselors, chaperones, coaches, instructors, etc. Certain Authorized Adults are mandated reporters under New York state law.

2. Mandated Reporting
   2.1. New York state law mandates that certain professionals report suspected child abuse or maltreatment when they are presented with reasonable cause to suspect abuse or maltreatment while acting in their professional capacity. State law defines child abuse or maltreatment as an act, or failure to act, by any parent or caretaker responsible for a child under the age of 18.
   2.2. Many Authorized Adults are mandated reporters under New York state law, including counselors, coaches of sports camps, and day care workers. The entire current list of mandated reporters can be found in Article 6 Title 6, Section 413 of the New York State Social Services Law.
   2.3. All Authorized Adults who are mandated reporters have an affirmative duty to, first, make an oral report of suspected child abuse or maltreatment to the NYS Central Register of Child Abuse and Maltreatment (SCR) by calling 1-800-635-1522 and, second, immediately notify the Chief of the Cornell University Police Department by calling 607-255-1111. This affirmative duty extends to suspected abuse of any child under the age of 18, not just Minors as defined in these guidelines.

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\(^1\) The definition of “Minor” employed for the purposes of these guidelines is narrower than New York State’s definition of minor. In New York any person under the age of 18, without exception, is considered an “infant,” “child” or “minor.” Numerous state laws exist to protect the interests of minors at all stages of infancy. These guidelines have no impact on such laws; a person under the age of 18 who does not meet the definition of “Minor” and thus is outside the scope of these guidelines is nevertheless a minor under New York state law.
2.4. More information about New York state mandated reporters can be found at: http://www.ocfs.state.ny.us/main/publications/Pub1159.pdf. Programs are asked to contact the Office of University Counsel with any questions regarding mandated reporting.

3. **Program Registration and Information**

3.1. Registered Programs must register with Risk Management no later than two-weeks prior to the commencement of the Registered Program. There are two ways to register: (1) when submitting an Event Registration form (UUP), or (2) simply by emailing Risk Management at risk_mgmt@cornell.edu.

3.2. Units sponsoring Registered Programs and/or units responsible for University Facilities housing Registered Programs must maintain an up-to-date inventory for each such program. That inventory must include each Registered Program’s dates, times, location, and attendance (age range and number of participants). With regard to Minor participants, the inventory must include a list of all such Minor participants (including gender, age, address, and phone number(s) of a parent or legal guardian), if known, their local room assignment, if applicable, as well as emergency contact information. Prior to the commencement of the Registered Program, the Program must provide Risk Management, the Cornell University Police Department and Gannett with the phone number of an Authorized Adult who can be contacted at that phone number, and access the inventory, at any time when the Registered Program is in session (24/7 for overnight Registered Programs). (Note: inventory requirement can be delegated to external organization using University Facility)

3.3. Registered Programs must obtain all media releases and assumption of risk forms, if applicable, as a part of the registration process.

4. **Health and Safety Procedures**

4.1. Programs in which Minors participate, in whole or in part, without a parent, legal guardian or chaperone present must provide written information to parents and legal guardians detailing the manner in which a Minor participant can be contacted during the Program.

4.2. Programs in which Minors participate, in whole or in part, without a parent, legal guardian or chaperone present are also required to establish procedures for the notification of a Minor participant’s parent or guardian in case of an emergency, including medical or behavioral problems, natural disasters, or other significant program disruptions. Authorized Adults with the Program, as well as participants and their parents or legal guardians, must be advised of this procedure in writing prior to the participation of Minors in the Program.

4.3. Programs in which Minors participate, in whole or in part, without a parent, legal guardian, or chaperone present must provide and collect appropriate medical treatment authorization forms and other appropriate forms regarding administration of medication. Note that authorization forms must be presented to health care providers before medical treatment can be administered. Programs are asked to consult with Risk Management and Gannett Health Services to determine what authorizations, if any, are appropriate for the Program, how administration of medication will be managed, and whether the Program must comply with New York state health laws.

4.4. Programs in which Minors participate, in whole or in part, without a parent, legal guardian or chaperone present must assign a staff member who is at least 21 years of age to be accessible to participants. In the case of residential Programs, that same staff member or an additional staff member who is at least 21 years of age must reside in University housing with Minor Program participants, and be accessible to participants. [*Note: RHIDs would meet this requirement for residential Programs, including pre-enrollment visits.*]
4.5. Programs must follow appropriate safety measures, including those promulgated by Environmental Health and Safety for laboratory and research work. Safety measures must be clearly communicated to Minor participants. Programs are asked to consult with EH&S, the College Safety representative or Risk Management when determining what safety measures are appropriate for the Program.

4.6. Programs must ensure adequate supervision of Minor participants. The number of Authorized Adults necessary to ensure adequate supervision will depend on whether the minor participant’s parent or guardian is present, the number and age of participants, the activity(ies) involved, the type of housing if applicable, the age, experience and role of the Authorized Adult, and controlling applicable law (for example, New York State Health Department of Health regulations pertaining to camps). Programs are asked to consult with Risk Management regarding the number of Authorized Adults necessary to ensure adequate supervision for their particular programming.

5. Program Rules

5.1. In addition to the requirements detailed above, Programs must have in place, enforce and make available procedures or rules that address the following areas:

- Transportation, including the transportation of Minors to and from and within the Program, whether by parents, guardians, staff, chaperones or others.
- Appropriate level of supervision of Minors. This includes clearly addressing when the Program session begins and ends.
- Appropriate physical contact and communication by Program personnel with Minors based on the age of the Minor and the nature of the program activities.
- First aid and medical training.

5.2. Programs including overnight stays or use of University residence halls by Minor participants shall have additional procedures in place that address the following areas:

- Age appropriate curfew.
- Program policies regarding guests. It is strongly recommended that guests of participants are restricted to visitation in common areas and only during approved hours specified by the program.
- Compliance with all applicable policies regarding University housing.
- Code of conduct for participants.
- Residential supervision.
- Separate accommodations for adults and Minors are required, other than the Minors’ parent or guardian or Cornell University students hosting high school students in connection with University-sponsored pre-enrollment visits, including prospective athletes.

5.3. Programs must consult with Risk Management regarding the procedures set forth in 5.1 and 5.2.

5.4. Programs must implement and enforce the following rules regarding Authorized Adults:

- Authorized Adults will maintain appropriate physical boundaries at all times and touch Minors only when appropriate, non-sexual and never in private.
- Authorized Adults participating in Programs shall not have private, one-on-one contact with Minors absent exigent circumstances. Any one-on-one interactions must be conducted in a public place or, if in an office or laboratory or other potentially private space, with the door open. Another Authorized Adult should be notified about the meeting. Ideally at least two Authorized Adults will be present during activities where Minors are present.²
- Authorized Adults participating in Programs shall not engage in private telephonic or electronic communications (including all forms of social media).

²The prohibition against private one-on-one contact does not apply to Cornell University students hosting high school students in connection with University-sponsored pre-enrollment Programs.
with Minors except when such communications are strictly for Cornell University business purposes.\(^3\)

- In the case of Authorized Adults supervising Minors overnight, Authorized Adults should not enter a Minor’s room without another person present unless exigent circumstances require departure from the policy against private one-on-one contact.\(^4\)
- Authorized Adults participating in Programs shall not engage in abusive behavior of any kind – such as striking, spanking, shaking, slapping, humiliating, ridiculing, threatening, using profanity, or degrading – toward, or in the presence of, a Minor.
- Authorized Adults participating in Programs shall not touch in a sexual or other inappropriate and/or illegal manner any Minor. Authorized Adults participating in Programs shall not provide transportation to a Minor other than the driver’s own child, except as specifically authorized in writing by the Minor’s parent or legal guardian, or when providing transportation is an acknowledged component of a Program as authorized by the person responsible for the Program.
- Authorized Adults participating in Programs shall not provide alcohol illegal drugs, tobacco or inappropriate sexual materials to any Minor.
- Authorized Adults participating in Programs shall not provide prescription drugs or any medication to a Minor unless specifically (1) authorized in writing by the parent or legal guardian as being required for the Minor’s care or the Minor’s emergency treatment or (2) verbally authorized by the parent or legal guardian as allowed under a New York State camp permit.
- All Authorized Adults must comply with applicable state or federal reporting requirements, including New York’s mandated reporting law and the Clery Act. It is the responsibility of the sponsoring unit to identify the applicable reporting requirements and provide information and training resources to staff. The Offices of Risk Management and University Counsel can provide guidance on applicable reporting requirements.

5.5. It is strongly recommended that units sponsoring Registered Programs require all Authorized Adults to sign a form, provided by Risk Management, acknowledging the rules set forth in 5.4 and agreeing to abide by them.

5.6. Any violation of the Authorized Adult rules may result in disciplinary action up to and including the immediate termination of the Authorized Adult from participation with the Program.

6. Externally-Sponsored Programs Held on Campus

6.1. Contractual agreements with external organizations for the use of University facilities in connection with a Program must include compliance with these guidelines as a material term of the contract. Such contracts shall also include an indemnification provision in which the University is held harmless for all acts or omissions arising from or related to the Program, including failure to comply with these guidelines.

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\(^3\) Legitimate business purposes include but are not limited to communicating with prospective students in connection with admissions and pre-enrollment Programs, communications between and Authorized Adult and a high-school aged minor to discuss academic concerns, NCAA-permitted communication between coaches and prospective student-athletes.

\(^4\) The prohibition against entering a Minor’s room without another person present does not apply to Cornell University students hosting high school students in connection with University-sponsored pre-enrollment Programs.