



Marquette University Policies and Procedures 4-26 Working with Minors

Policy section: Safety and Security

Effective date: 04/01/2019

Replaces policy: UPP 4-26, issued 7/1/2009

Direct inquiries to: Office of Risk Management, 288-6806, riskmanagement@marquette.edu

Introduction

The Wisconsin Caregiver Law requires hospitals, day care facilities and other regulated entities to complete background and criminal history checks for persons responsible for the care, safety and security of vulnerable children and adults.

Because Marquette University (“Marquette”) sponsors activities, events and programs that are open to minors, and some University academic programs, like clinical affiliation programs, require a background check under this law, the University believes it is prudent to conduct background checks, similar to those required by the Wisconsin Caregiver Law, for activities, events and programs open to minors to help ensure a safe environment.

What is the Policy?

All programs, subject to the exceptions set forth herein, that are open to minors must submit a Program Registration Form to the Office of Risk Management four (4) weeks prior to the program. Risk Management will then determine whether background checks and/or training(s) are required for the program. If background checks and/or training(s) are required, they must be completed prior to the start of the program.

This policy applies to activities, events and programs (“Programs”) taking place on Marquette’s campus, or under the authority and direction of Marquette at other locations, in which those under the age of eighteen (18) will be physically present and participating. The following programs are exempt from this policy:

- (1) Undergraduate and graduate academic programs, and activities of University Ministry, in which enrolled undergraduate students of Marquette, or of another university participating in such activities or programs, are the only minors participating;
- (2) Clinical treatment programs subject to the Wisconsin Caregiver Law, related administrative codes and successor statutes.
- (3) Research programs subject to the review and approval of an Institutional Review Board (IRB) sponsored by Marquette or authorized by Marquette to provide oversight concerning such research programs; and
- (4) Shadow Visits, Lil’ Sibs Weekend, Campus Tours and such other similar, ongoing programs as may

be designated from time to time by the Director of Risk Management as exempted from this policy.

Athletic camps, debate camps, laboratories and workshops intended for elementary and high school students, and similar activities are subject to this policy regardless of whether they are limited to daily activities or involve housing of minors in residence halls.

How Do I Implement This Policy?

Program Registration

- The Program Representative must complete the **Program Registration Form** and submit it to the Office of Risk Management via email to riskmanagement@marquette.edu or to Zilber Hall, Suite 212;
- The Office of Risk Management will review the Program Registration to determine whether or not a background check for program participants is required. Risk Management will communicate its decision to the Program Representative.

Background Check Completion Process

- When a background check is required, the Program Representative must send the **Background Check Notification Form** to all individual "Program Participants" -- defined as all those individuals assisting with the administration of the program, not individuals attending the program.
- Each Program Participant must complete and submit to Risk Management the **Background Information Disclosure (BID) Form**. Completed BID Forms must be sent to riskmanagement@marquette.edu or to 313 N. 13th St, Suite 201B.
- Risk Management will complete background checks and report any findings to the Program Representative. In the event that a background check reveals a criminal record transcript, Department of Health administrative findings or licensing restrictions, Risk Management must determine whether or not that individual may participate in the program and communicate its decision to the Program Representative. Program Participants who are not approved for the program must not participate in the program.

Training

Each eligible Program Participant must complete the required online training prior to the start of the program and send the certificate of completion to the Program Representative. Instructions to complete the online training can be found at <http://www.in2vate.com/marquette/> Each participant will need to set up a User Name and Password to use the site.

Behavioral Requirements of Program Participants

Program Participants must not engage in any of the following activities:

- Have one-on-one contact with minors; in general, it is expected that activities where minors are present will involve two or more adult participants.
- Participate in a sleepover under the auspices of the program or activity, unless (1) one of the parents or guardians of each of the minors is present, or (2) one of the parents or guardians

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of each of the minors has given consent and there is at least one other adult, and the two adults always remain in each other's presence;

- Engage in abusive behavior of any kind toward, or in the presence of, a minor;
- Strike, hit, administer corporal punishment to, or touch in an inappropriate or illegal manner any minor;
- Pick up or drop off minors from their homes while utilizing the Program Participant's personal vehicle, whether before, during, or after the program or activity;
- Engage in the use of alcohol or illegal drugs or be under the influence of alcohol or illegal drugs, during such programs or activities;
- Make pornography available in any form to minors participating in programs and activities covered by this policy nor assist them in any way in gaining access to pornography.

Program Participants must do the following:

- Immediately report any violation of the Behavioral Requirements of this policy to the person in charge of the program or activity and to the Marquette University Police Department, and contact law enforcement and emergency responders, as may be appropriate under the circumstances;
- Take steps to enhance the safety of minors participating in programs and activities covered by this policy, irrespective of any other limitation or requirement, including removal of minors from dangerous or potentially dangerous situations.
- Immediately contact MUPD if minor is in a dangerous or potentially dangerous situation;
- Discontinue any further participation in programs and activities covered by this policy when an allegation of inappropriate conduct has been made against a Program Participant, until such allegation has been satisfactorily resolved.

Record Storage

All completed forms and background check records are kept confidential and reviewed only by the Office of Risk Management and those departments with a need-to-know.

The Office of Risk Management will maintain a list of individuals who have undergone a background check in accordance with this policy. For individuals who continue to participate in Marquette programs involving minors, a background check must be completed every four years.