



Programs for Minors

UT Department of Theatre • 206 McClung Tower • Knoxville, TN 37996

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1. GENERAL STATEMENT

The objective of this policy is to promote a safe environment for minors by fostering a University culture that is committed to preventing, recognizing, reporting, and addressing child abuse and child sexual abuse.

2. POLICY DEPENDENCIES

These procedures are intended as a supplement to the following University Policies. All personnel working for the Department who process cash sales are required to read and adhere to these policies. University policy will prevail in any discrepancies created by these procedures.

- [SA0575](#)-Programs for Minors
- [SA0550](#)-Minors in Laboratories and Shops

3. DEFINITIONS

Covered Adult: Any person (faculty, staff, student, workstudy, contractor, volunteer, etc.) working on behalf of or at the direction of the University that may be reasonably expected to have direct contact with a minor (as defined above) participating in University sponsored program.

For our Department, Covered Adult includes any faculty, staff, student, workstudy, contractor, volunteer, etc. who has access to non-public portions of any of our facilities during any production, rehearsal, rental, and/or other event which involves Minors (defined below). Background checks need not be performed on a Covered Adult IF the Department takes steps to ensure that there is no circumstance under which someone without a background check could ever be in unsupervised contact with a minor (e.g. Board Members visiting a rehearsal need not have a background check as long as a Covered Adult or Adults is in direct supervision of all minors present even on breaks.)

Direct Contact: Instruction, care, supervision, guidance, control, and/or ***routine interaction with a minor.***

Minor: Any person under the age of 18 not currently enrolled in classes at the University of Tennessee.

Exclusions: UT's policy specifically excludes performances targeted to the general public and field-trips sponsored and supervised by a school or organization (i.e. Season for Youth, tours with the Girl Scouts).

3. CRIMINAL BACKGROUND CHECKS

Criminal background checks shall be performed on all Covered Adults at least once every four (4) years by the University's Human Resources Department. All Covered Adults are required to execute a criminal background check form. The University reserves the right to take appropriate action as a result of the criminal background check.

Per the Programs for Minors policy, any sexual offense; any offense against children, including but not limited to child abuse, child sexual abuse, or other crime involving the endangerment of a minor; battery or assault, including but not limited to domestic violence related offenses; any drug distribution offense or felony drug possession; homicide; kidnapping; any offense listed in Tennessee Code Annotated § 39-17-417 (2013) or § 40-35-501(i)(2) (2013); or any other felony or crime involving moral turpitude will be grounds for dismissal from any program involving minors.

4. TRAINING REQUIREMENTS

UT requires that all Covered Adults receive training on how to prevent, recognize, report, and address child abuse. The training program should address at least the following topics:

1. Definition of child abuse, and the signs, symptoms, and effects of child abuse;
2. Responding to suspected child abuse, including but not limited to reporting of suspected child abuse under Tennessee law and this policy; and
3. Child abuse prevention strategies, including campus/institute policies for Covered Programs.

The Department of Theatre will conduct this training as a part of our annual training with staff (start of season), faculty (faculty retreat), within the first week of employment for any new hire, as a part of the first rehearsal for all productions involving minors prior to the arrival of the minors, and prior to any guest artist entering the rehearsal room for a production involving minors.

All training is required to be documented in Iris by submitting the Additional Training Credit Form (available on the server: Resources→Forms).

5. MINORS IN PROGRAMS NOT SPONSORED BY THE UNIVERSITY

For programs involving minors that are not sponsored by the University (i.e. Rentals involving minors), the sponsoring organization must sign an agreement to indemnify and hold harmless The University of Tennessee for the acts or omissions of program participants or the sponsor's employees or agents. A copy of the completed agreement shall be forwarded to the campus/institute Chief Business Officer and the Designated Official. This requirement does not apply to a governmental entity prohibited by law from entering into an indemnification agreement.

The above indemnification does not reduce or in any way abrogate the Department's responsibility to comply with this policy with regards to any Covered Adults working the rental on behalf of the Department.

6. REPORTING REQUIREMENTS

External Reporting: Tennessee law mandates reporting by any person who has knowledge of physical or mental harm to a child if: (1) the nature of the harm reasonably indicates it was caused by brutality, abuse, or neglect; or (2) on the basis of available information, the harm reasonably appears to have been caused by brutality, abuse, or neglect. Tennessee law also mandates reporting by any person who knows or has reasonable cause to suspect that a child has been sexually abused, regardless of whether the child has sustained any apparent injury as a result of the abuse. The Tennessee mandatory reporting laws apply to all University employees, contractors, and volunteers, even if they are not Covered Adults subject to the other sections of this policy, and even if the child abuse or child sexual abuse does not occur in connection with a Covered Program. For purposes of the Tennessee mandatory reporting law, University students who are under the age of eighteen (18) are not excluded from the definition of a child.

In the event of a life threatening emergency, a report of child abuse or child sexual abuse should be made by calling 911. In other cases, a report of child abuse or child sexual abuse must be made immediately to one of the following authorities outside the University:

1. The Tennessee Department of Children's Services (call the Central Intake Child Abuse Hotline at 1-877-542-2873 or 1-877-237-0004).
2. The sheriff of the county where the child resides.
3. The chief law enforcement official of the city where the child resides.
4. A judge having juvenile jurisdiction over the child.

Tennessee law provides immunity from civil and criminal liability for any person who makes a good faith report of suspected child abuse or child sexual abuse. In addition, no person making a good faith report of suspected child abuse or child sexual abuse, or participating in an investigation thereof, shall be subject to retaliation by the University.

Additional Internal Reporting for University Employees: Reporting to University police, a supervisor, or any other University official or employee does not satisfy an individual's statutory duty to report child abuse or child sexual abuse to one of the external authorities listed above. However, after reporting child abuse or child sexual abuse to one of the external authorities listed above, a University employee shall also provide notice of the report to his/her supervisor, University police, or the Office of the General Counsel. The identity of a University employee who reports an incident of child abuse or child sexual abuse shall be kept confidential and shall not be disclosed except as authorized by law.

Upon receiving such a report, the employee's supervisor, University police, or the Office of the General Counsel shall ensure that the Tennessee mandatory reporting statute has been followed and coordinate an appropriate University response with state officials and local law enforcement, which may necessitate notifying other University employees with a need to know about the report.

Persons who have been identified by the University as "campus security authorities" for purposes of compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") shall evaluate whether there is also a legal duty to report the incident to the University Unit responsible for compiling and reporting crime statistics.

7. SANCTIONS FOR FAILURE TO COMPLY

Employees should report violations of this policy (other than violations involving child abuse or child sexual abuse, the reporting of which shall be in compliance with Section 2 of this policy), or a campus/institute policy that implements this policy, to their supervisor, the Designated Official, the Office of the General Counsel (865-974-3245), UWA Audit and Consulting Services (865-974-6611), or the State of Tennessee audit hotline (1-800-232-5454).

A Covered Program in violation of this policy may be denied permission to continue operation in connection with The University of Tennessee. Any violations of this policy by an individual will be handled in accordance with other applicable University policies and procedures, which for University employees may include disciplinary action up to and including termination of employment. In addition, a person who fails to comply with Tennessee laws on mandatory reporting of child abuse and child sexual abuse can face criminal prosecution.