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To: President's Council, Thompson Rivers University
Copy to: Alan Shaver, President, Thompson Rivers University
Matt Milovick, Vice-President Administration & Finance, Thompson Rivers University
From: Karen Szeto, Barrister and Solicitor
Date: August 22, 2017
Subject: ADM XX-X Minors on Campus Policy (the "**Policy**")

Background and Purpose of this document: With the opening of the Maple Leaf School at TRU, the General Counsel's Office has identified a need to establish a policy governing minors on campus.

Despite the prevalence of minors policies in post-secondary institutions in the United States, these types of policies are only starting to be adopted at their Canadian counterparts (e.g. Queen's University, Douglas College, Concordia University).

The General Counsel's Office has undertaken a review of minors policies at other Canadian post-secondary institutions and proposes to adopt an umbrella type policy (discussed below) similar to the model established by Queen's University.

Pursuant to the *Policy on Policy Development and Approval*, operational policies fall within the jurisdiction of President's Council, which is required to serve two weeks Notice of Motion prior to approving new policies or amending existing policies. Accordingly, we are forwarding a draft of the proposed Policy to President's Council for discussion and serving Notice of Motion at this time for the September meeting of President's Council. The purpose of this Memo is to facilitate discussions on the draft and to provide the rationale as to why this Policy is necessary.

The General Counsel's Office welcomes feedback on the proposed Policy.

Background of Policy: The General Counsel's Office initiated work on a minors policy some time ago. A working draft was prepared and circulated for comments to operational units (such as TRU World and EUREKA) that provide programs for minors. Recently, Queen's University adopted *Protection*

of Minors Involved in University Camps, Programs & Activities Policy (the “**Queen’s Policy**”) The Queen’s Policy establishes principles to govern the operation of camps and programs on campus (operated by Queen’s or third parties) or activities operated under the direction of Queen’s at off campus locations. Queen’s has provided permission for TRU to use the Queen’s Policy as a basis for a TRU policy.

Given the diversity of Programs that could be covered by the scope of this Policy, the proposed TRU Minors on Campus Policy places the onus of developing processes and procedures appropriate to the context of each Program on the Program Director, under the general oversight of the Director of Risk Management.

Action Requested: This Memo serves Notice of Motion of the proposed adoption of the Minors on Campus Policy and requests discussion by President’s Council at it meeting in September, 2017.

Effective Date: If approved by President’s Council, the Policy would take effect immediately.

Attachments: Attached to this memo are the following documents:

- Attachment 1: Proposed Minors on Campus Policy
 - Attachment 2: Queen’s Policy
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POLICY NUMBER	ADM XX-X
AUTHORITY	PRESIDENT'S COUNCIL
PRIMARY CONTACT	DIRECTOR OF RISK MANAGEMENT SERVICES

I. POLICY

1. The University offers a variety of Programs on its campuses for Minors. The purpose of this Policy is to provide for the safety of Minors at University-sponsored Programs operated by University employees or volunteers and non-University Programs provided by external groups using University Facilities. In addition to the requirements that may apply under this Policy, Minors on campus are required to respect all other University policies, procedures, and regulations.
2. During occasions of brief visits by Minors to faculty, staff, and students on campus outside of a Program, appropriate supervision must be provided by the Minor's parent/guardian unless exempted from the Scope of this Policy by section II(1) of the Regulations.
3. All Programs involving Minors must be developed and administered so as to:
 - a. provide a safe environment for the participation of Minors;
 - b. comply with all municipal, provincial and federal laws and University policies and procedures, including all procedures established under this Policy; and
 - c. require appropriate qualifications and training for all Program Personnel who come into direct contact with Minors.
4. The Program Director is responsible for ensuring the processes and procedures as appropriate to the context of the Program are in place for compliance with this Policy. A Program Director who is not able to demonstrate to the Director of Risk Management Services that reasonable processes and procedures are in place

for the safety of Minors participating in a Program may be required to discontinue the Program and/or be denied access to University Facilities.

II. REGULATIONS

1. **Scope.** This Policy applies to Programs operated at any University campus or under the authority and direction of the University at other locations, in which Minors will be physically present and participating, **but does not apply to:**
 - a. Minors who are enrolled or accepted for enrolment in a credit-granting course at the University;
 - b. general public events where parents/guardians are expected to provide supervision of Minors whom they accompany onto campus, or to events where parents/guardians are explicitly required to accompany their children;
 - c. Minors in the care of the Cariboo Child Care Society;
 - d. Minors residing in residential housing on campus within their residential complex;
 - e. Minors over the age of 13 within designated areas (i.e. basketball courts) which are marked with posted signage;
 - f. research subject to the review and approval of the University's Research Ethics Board;
 - g. TRU Spring Break Experience and similar events as designated by the President in advance and in writing as exempted from this Policy; and
 - h. any other Program as may be designated from time to time by the President in advance and in writing as exempted from this Policy.
2. **Definitions.** For the purpose of this Policy, the following definitions apply:
 - a. **Minor:** A Minor is any person under the age of 19 but excludes those enrolled or accepted for enrolment in a credit-granting course at the University.
 - b. **Program:** A Program is an activity or event intended for Minors, including sports camps, academic camps, music camps, workshops, conferences, recruitment events, pre-enrolment visits and similar activities. A Program may be residential (overnight) or only during the day.
 - c. **Program Director:** A Program Director is an employee of the academic or administrative unit of the University which offers a Program or who grants

approval for use of University Facilities by an external group for the operation of a Program.

- d. **Program Personnel:** Program Personnel are individuals, paid or unpaid, who interact with, supervise, coach, instruct, chaperone, provide guidance to or otherwise oversee Minors participating in any Program.
- e. **University Facilities:** University Facilities are premises owned by or under the control of the University.

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