



Office of Legal Counsel

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To: Conference and Event Services/Residence Life Conference Housing

From: The Office of Legal Counsel

Date: April 9, 2018

Re: Contracting with entities hosting programs/activities involving minor children

All individuals or entities leasing University space to provide services or activities for minors (individuals under the age of 18) must comply with the following:

- For those individuals or organizations who have NOT entered into contracts with the University, for future contracts:
 - Completion of the Minors on Campus amendment to the Facilities Use Agreement. (see attached **Addendum A**)
 - Proof of comprehensive liability insurance including an appropriate amount of sexual abuse and molestation insurance, and must name the University of Memphis as an additional insured. Proof of insurance must be provided to the appropriate department at least seven (7) days prior to the scheduled use of University property or facilities.
- Individuals/Organizations with existing contracts:
 - Certification of the completion of background checks and sex offender registry checks for all employees and volunteers involved, including student volunteers. (see attached **Addendum B**)
 - Proof of comprehensive liability insurance. Proof of insurance must be provided at least seven (7) days prior to the scheduled use of University property or facilities.

Attached as **Addendum C** is a notification regarding the state law mandatory reporting requirement which can be distributed for use in satisfying the certification requirements.

Addendum A

THE UNIVERSITY OF MEMPHIS

PROGRAMS/ACTIVITIES INVOLVING MINORS: AMENDMENT TO FACILITIES USE AGREEMENT

Program/Activity: _____

Date(s): _____

The indemnification provisions of paragraph 14 of the Terms and Conditions of the Facilities Use Agreement are amended to specifically include any and all claims brought against the University for any injury to the participants including, but not limited to, child abuse and child sexual abuse/molestation.

User must provide satisfactory evidence of insurance including appropriate amounts of sexual abuse and molestation insurance. Provider must be listed as an additional insured. Proof of such coverage shall be provided to Provider along with the certificate of insurance.

User certifies that background checks and sex offender registry checks have been completed for all individuals working for User and involved with the activity or program. User certifies that neither the background checks nor the sex offender registry checks revealed convictions for crimes involving neglect or abuse of a child.

User certifies that it has informed all individuals working for User and involved with the activity or program that under Tennessee state law s/he has a duty to report if he/she has reasonable cause to suspect that a child is a victim of child abuse or neglect based on information shared with him/her by the child or any other individual or his/her own observations or knowledge.

The Provider and User have agreed to and have executed this Agreement by their authorized representatives as of the dates indicated below.

USER (ORGANIZATION OR COMPANY):	PROVIDER: The University of Memphis
PRINT NAME: FIRST and LAST NAME	PRINT NAME:
PRINT TITLE:	PRINT TITLE: Director, Procurement and Contract Services
SIGNATURE:	SIGNATURE:
DATE:	DATE:

Addendum B
UNIVERSITY OF MEMPHIS
MINORS ON CAMPUS CERTIFICATION

NAME OF PROGRAM: _____
DATES OF PROGRAM: _____

As an individual or organization providing services to children and youth through the use of University of Memphis facilities, you are subject to the policies and guidelines of the University as it relates to minors on campus.

University guidelines require that all individuals who will be working with and/or providing services to children and youth must have undergone background and sex offender registry checks prior to service. Further, all individuals should be notified of their responsibilities under Tennessee state law for the mandatory reporting of child abuse or neglect.

The University further requires proof of comprehensive liability insurance. The insurance should also include coverage for sexual misconduct with limits not less than One Million Dollars (\$1,000,000) combined single limit for any one occurrence/Two Million Dollars (\$2,000,000) aggregate. The University of Memphis must be named as an additional insured. Proof of insurance must be provided to the University at least seven (7) days prior to the scheduled use of University property or facilities.

Certification

This document should be signed by the Program Director acknowledging that background checks and sex offender registry checks have been completed on all employees and volunteers working with the program/activity and that all have been notified of their mandatory reporting responsibilities.

By signing below, I acknowledge that background and sex offender registry checks have been completed on all individuals associated with the program/activity and that they have been notified of their mandatory reporting responsibilities under Tennessee law.

Name Date

Title Organization

REPORTING RESPONSIBILITIES

Mandatory reporters of child abuse and neglect.

Tennessee Code Annotated 37-1-403(i)(1) requires all persons to report suspected cases of child abuse or neglect. "Any person who has knowledge of or is called upon to render aid to any child who is suffering from or has sustained any wound, injury, disability, or physical or mental condition, shall report such harm immediately if the harm is of such a nature as to reasonably indicated that it has been caused by brutality abuse, or neglect or that, on basis of available information, reasonably appears to have been caused by brutality, abuse, or neglect."

What to do if you suspect that a minor has been abused or neglected or is otherwise unsafe.

If you know, suspect, or receive information indicating that a minor has been abused or neglected, or if you have other concerns about a situation involving the safety of minors, follow the procedures below.

- **Emergencies**

In case of an emergency, immediately call University of Memphis's Police Services emergency number at 901.678.HELP(4357) or 911.

- **All Other Reports of Known or Suspected Abuse or Neglect of Minors**

Anyone participating in a University-run or affiliated program or activity involving minors or non-University program or activity operating on campus involving minors who knows, suspects, or receives information indicating that a minor has been abused or neglected , or who has other concerns about the safety of minors MUST inform University Police Services who will determine appropriate next steps.

Anyone who knows or suspects abuse or neglect of minors may also notify the Memphis Police Department or Shelby County Sheriff's Office.

Questions

If you have any questions about your obligations or what you should do in a situation that makes you uncomfortable, contact University Police Services.