



AUBURN
UNIVERSITY

Guide for Third-Party Youth Programs

Youth Protection Program
Office of Audit, Compliance and Privacy

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TABLE OF CONTENTS

PROGRAM OVERVIEW..... 3

REGISTRATION AND APPROVAL..... 3

AGREEMENT..... 4

WAIVERS..... 6

DISCLAIMER 6

EXTERNAL ENTITIES AND UNIVERSITY EMPLOYEES..... 6

BACKGROUND CHECKS 7

PROGRAM OVERVIEW

Auburn University is committed to providing a safe and welcoming experience for minors. All University employees, students, contractors, volunteers, and External Entities are therefore expected to hold themselves to the highest standards of conduct when interacting with minors, as outlined by the [Youth Protection Policy](#) and the [Guide for Youth Programs](#).

In addition to the information contained in the [Guide for Youth Programs](#), there are special considerations for Youth Programs owned or operated by an External Entity but hosted in AU facilities (Third-Party Youth Programs). Examples of External Entities include coach-owned LLCs, cheer and dance camps, etc.

This Guide is designed to detail requirements specific to External Entities operating Third-Party Youth Programs. Terms defined in the Youth Protection Policy carry the same definitions when used herein. All areas/programs are still subject to all other relevant University policies and procedures, including the [Reporting of Child Abuse and Neglect Policy](#).

Questions, documents, or communications should be directed to:

Youth Protection Program
Office of Audit, Compliance & Privacy
Auburn University, AL 36849
334-844-2626
youthprotection@auburn.edu

REGISTRATION AND APPROVAL

External Entities must secure an Auburn University Sponsoring Unit to utilize campus facilities, and a full-time AU faculty or staff member must be designated as the Program Contact.

Third-Party Youth Programs must be [registered](#) and receive final approval before program activities begin. Registration for ongoing and pre-established programs must be completed annually prior to the beginning of the University academic year. Registration for other programs should be completed at least 90 days in advance when possible but must be completed and approved before the program begins.

Required documentation to initiate the registration and approval process for a Third-Party Youth Program includes:

- Facility Use Agreement/Permissive Use Agreement
- Certificate of Insurance
- Attestation of Youth Protection Policy compliance
- List of workers/volunteers (Youth Program Personnel)
- List of minor participants
- Schedule/Agenda

AGREEMENT

The relationship of the External Entity and Auburn University Sponsoring Unit must be captured in an agreement signed by both parties, such as a Facility Use Agreement. A copy of the Youth Protection Policy, the Guide for Youth Programs, this Guide, and the [Reporting of Child Abuse and Neglect Policy](#) must be attached to the agreement. The agreement should be submitted during program registration.

The agreement must include the following delineated requirements from the External Entity to ensure a quality program experience for the participants.

The External Entity will:

1. Provide at least one administrative Program Director with responsibility for satisfactory operation of the camp, including at minimum:
 - a. Conducting early registration, fee collection, and on-site registration to include the collection of fees, the collection of medical release forms, the distribution of appropriate, Auburn-related materials, and the assignment of appropriate housing;
 - b. Submitting to the University Sponsoring Unit all printed materials used in advertising programs held at the University;
 - c. Providing the University Sponsoring Unit with regular updates of anticipated space requirements and, at a minimum, provide: (a) a best estimate of attendance ninety days prior to the program; (b) an update every week for the four weeks leading up to Program; and (c) a written reservation guarantee five working days prior to the program;
 - d. Providing to the Sponsoring Unit [satisfactory evidence of compliance](#) with all of the requirements of the Youth Protection Policy and this Guide at least thirty (30) days prior to the scheduled use of University facilities, as well as sign an agreement for use of University facilities, if applicable.
 - e. Ensuring every participant is accompanied by a coach or sponsor who will be responsible for the conduct and safety of the participant(s) while in attendance OR assigning Youth Program Personnel who will assume that responsibility for each unaccompanied participant;
 - f. Maintaining discipline among the participants and compliance with University rules, including overseeing the care of housing facilities and observance of curfews;
 - g. Arranging for medical treatment in all cases of illness and injury occurring during the program, including transportation to and from the medical facility, and seeing that appropriate insurance forms and information are provided;
 - h. Maintaining regular and open communication with the Sponsoring Unit, residence hall personnel, and dining hall personnel as needed; ;
 - i. Being on call 24 hours a day while the program is in session; and
 - j. As part of the event registration process, providing a list of all Youth Program Personnel and participants prior to the start of program activities. The list should include all names, phone numbers, and emergency contact information for Youth Program Personnel and participants.

2. Provide a competent staff compliant with section IV of the [Guide for Youth Programs](#) to supply adequate instruction and leadership during activities.
3. Conduct appropriate training on protecting Program Participants from abusive emotional and physical treatment, and on appropriate or required reporting of incidents of improper conduct to the proper authorities including, but not limited to, appropriate law enforcement authorities, compliant with the [Reporting of Child Abuse and Neglect Policy](#) and in section IV. 1 of the [Guide for Youth Programs](#).
4. Complete background checks that meet or exceed the standards established in [section III of this Guide](#) for all Youth Program Personnel. All contracts with External Entities must contain this language:

As a condition of this contract, Vendor agrees to certify that any of its employees, independent contractors, or agents who will be performing services on behalf of the Vendor and for the benefit of Auburn University, will have successfully completed a background check in accordance with the Auburn University Youth Protection Policy. This includes the completion of background checks that meet or exceed the standards set forth in the Auburn University Youth Protection Policy. Vendors have a financial obligation to pay for all background checks of its employees, independent contractors or agents. Vendor is required to submit certification to the appropriate unit at Auburn University of the completed checks.

5. Assume financial responsibilities of key and lock replacement for keys that are issued for the program and not returned to University Housing.
6. Assume financial responsibility for any special services or requests which the Program Director may deem necessary for the safe operation of the camp.
7. Assume financial responsibility for any and all losses or damages to facilities, equipment, residence halls, or other university property resulting from any act or failure to act on the part of Participants or Youth Program Personnel.
8. Agree to operate in accordance with applicable Affirmative Action/Equal Opportunity requirements.
9. To the fullest extent permitted by law, defend, indemnify and hold harmless Auburn University, its Board of Trustees, faculty, staff, and agents from and against any and all claims, damages, losses and expenses, including but not limited to attorneys' fees, arising out of, related to, or resulting from performance of services under the contract, regardless of whether such claim, damage, loss or expense is caused in part, or is alleged but not legally established to have been caused in whole or in part by the negligence or other fault of the university.
10. Submit to the university host entity, at least one month prior to the start of the program an additional insured endorsement and a certificate of insurance written on an occurrence form issued by a carrier with an A.M. Best rating of A or higher which identifies Auburn University, its Board of Trustees, faculty, staff and agents as an "Additional Insured" and provides a minimum of one million dollars in liability coverage; due to the nature of some events, Auburn University reserves the right to require additional limits of liability coverage. A complete list of insurance requirement can be found in the [Youth Protection Program – Independent Contractor Insurance Requirements](#).

The parties must contractually agree that the third party is an independent contractor using the facilities of Auburn University to conduct a program. Nothing contained in the agreement or in the activities conducted shall constitute either party to be the agent, servant, or employee of the other party, nor create a partnership or joint venture relationship between the parties, and each party shall be fully and solely responsible for its own activities and obligations.

Authorized personnel/signatories for non-university groups using university facilities must provide to the sponsoring unit satisfactory evidence of compliance with all of the requirements of this Policy at least thirty (30) days prior to the scheduled use of university facilities, as well as sign an approved agreement for use of university facilities, if applicable.

WAIVERS

Each participant must complete and submit [a Youth Protection Program – Liability Waiver](#).

DISCLAIMER

The following statement should be included in all program-related brochures, websites, advertising materials, etc.:

“(Camp Name) is solely operated by (Legal Name of Entity), which is not affiliated with the Board of Trustees of Auburn University or Auburn University.”

EXTERNAL ENTITIES AND UNIVERSITY EMPLOYEES

University employees who have ownership of or involvement with External Entities/LLCs operating Youth Programs on University property should take steps to keep their external business interests separate from their work at the University as required by the [Conflict of Interests Policy](#). Work associated with the External Entity/LLC should be conducted outside of the University-paid workday. University employees who work or volunteer as staff at events sponsored by external entities should take leave for the duration of the program.

Per the State of Alabama ethics law, University property, equipment, facilities, time, materials, human labor, or other public property, cannot be used for private benefit or business benefit of the External Entity/LLC. Electronic devices or systems and other resources may only be used for University purposes or accepted incidental purposes as explained in other relevant University policies. In other words, University resources must be used for University business purposes and not for personal or External Entity/LLC gain. Additionally, the [Appropriate Use of Information Technology Policy](#) states that University Information Technology resources are to be used in a manner consistent with the mission of the University, and in compliance with Federal, State, and local statutes. These systems are to be used for conducting University business only, and the use of this equipment for personal commercial purposes or for personal financial or other gain is strictly prohibited. These systems are not to be used for soliciting outside business ventures or soliciting for non-University related purposes.

BACKGROUND CHECKS

Third-Party Youth Programs must provide [an attestation](#) certifying that **all of the Youth Program's Event/Program staff (including all employees and volunteers) have been subject to background checks as outlined herein within the last three years.** Only Event/Program staff certified as passing background checks within the last three years should be allowed to participate in the program. Programs shall not knowingly permit any staff to participate in program activities if the employee or volunteer does not pass the background check. Programs that fail to comply with the Youth Protection Policy and these background check requirements may be subject to suspension or termination of operations.

The External Entity may conduct background checks through a vendor of their choice, at their own expense, as long as they provide written certification that all staff have been checked AND as long as the checks conducted meet University standards.