

# **SOUTHWESTERN LAW SCHOOL**

## **L O S A N G E L E S**

### **Policy on Minors**

**Administrative policy approved January 18, 2023. Effective immediately.**

**Revision history:** None; new policy.

**Related policies:** Academic Policies and Procedures; Attendance Policy; Background Check Policy; Employees and Applicants; Guidelines for Intermittent Remote Work; Policy on Alcohol and Other Drugs

**Scheduled Review Date:** December 2023 (General Counsel's Office)

#### **A. Policy Statement**

Southwestern Law School is committed to providing a safe and secure environment for all individuals, including minors, who participate in its programs or visit campus. A "minor" is defined as any person under the age of 18. Southwestern and its employees will comply with applicable federal and state laws regarding child welfare, including the Child Abuse and Neglect Reporting Act (California Penal Code §§ 11164-11174.3) (CANRA) as applicable, to provide a safe environment when minors are present.

This policy applies to all Southwestern faculty, staff, students, volunteers, and third parties and covers The Residences at 7th and all other buildings, structures, and property owned by Southwestern.

#### **B. Minor Children on Campus**

Southwestern strongly recommends that faculty, staff, and students not bring children to campus for work or class. Campus spaces, including but not limited to the library, classrooms, employee offices, and The Residences at 7th, may not be used as an alternative to childcare. Employees or students should not be asked or required to perform childcare duties.

##### **1. Minor children of students**

If a student must miss a class due to childcare or related issues, the student should inform the Dean of Students Office before missing the class, if at all possible. When possible, class recordings will be available. In addition to

contacting the Dean of Students Office, the student may also seek advance permission from their professor to bring a minor to class in the event of a childcare emergency. The student must make the request before class starts. The professor may exercise discretion in responding to the request. If the professor grants permission, the professor reserves the right to ask the student to leave the class if the minor becomes disruptive.

Southwestern does not have excused absences, so absences for childcare emergencies are subject to the 14% limit in the Attendance Policy. However, absences resulting from a student's childcare emergency will be given great weight in cases where a student petitions an administrative withdrawal that results from exceeding the absence limit, especially when the student contacted the Dean of Students Office in advance.

## **2. Minor children of employees**

Faculty or staff with childcare emergencies should contact their supervisors immediately to determine appropriate work arrangements, including intermittent remote work. For additional information, consult the [Guidelines for Intermittent Remote Work](#).

## **3. Minor participants in Southwestern programs or activities**

Minors who participate in off-campus Southwestern activities or who visit Southwestern's campus (to access the legal clinic, tour the campus, etc.) must be accompanied by a parent, legal guardian, or another person, such as the minor's teacher, who is authorized by the child's parent or guardian to accompany the minor. Minors participating in a Southwestern program or activity are at all times deemed to be under the care, custody, and supervision of the parent, guardian, or authorized adult accompanying them. The individuals noted above, and not Southwestern employees or students, are responsible for protecting and supervising the minor child.

## **C. Prohibited Conduct**

- 1.** All instances of abuse or neglect toward a minor—including but not limited to inappropriate physical conduct, assault, unwanted touching, molestation, placing a child at significant risk of physical or emotional harm, engaging in sexually suggestive games, threatening, coercive, or demeaning behavior, or any other misconduct—on Southwestern property or in Southwestern programs or activities are prohibited and will be promptly reported to the appropriate law enforcement agency and the Department of Family and Children Services (DFCS), as required by law.
- 2.** A minor may not be left alone on campus at any time for any reason. Anyone who finds a minor alone on campus should immediately notify Southwestern

security. Then, two Southwestern employees must remain with the minor until the parent, legal guardian, or local authorities arrive.

3. Minors are permitted to live at The Residences at 7th with their parent or legal guardian. Students who live in The Residences at 7th may not advertise or run in-home childcare services as a business operation; however, this provision does not prohibit a resident from engaging in occasional paid babysitting for other residents' minor children, minor children of other Southwestern students, or minor children of their own family members or personal friends.
4. Except under the circumstances listed in Sections C(2) and (3), Southwestern employees or students may not supervise minors other than their own during any Southwestern-related programs or activities.

Suspected violations of Sections C(2), (3), or (4) should be reported to the Administrative Services Office at (213) 738-6800 or [administrativeservices@swlaw.edu](mailto:administrativeservices@swlaw.edu).

#### **D. Duty to Cooperate**

All faculty, staff, and students must cooperate with investigations, including internal investigations and investigations initiated by law enforcement or DFCS, of alleged child abuse or neglect in Southwestern programs and activities.

#### **E. Mandated Reporting Requirements**

A faculty or staff member whose Southwestern-related duties bring the individual into contact with minors on a regular basis, or who supervises employees whose duties bring them into contact with children on a regular basis, must report child abuse or neglect occurring on Southwestern's campus or in Southwestern's programs and activities to DFCS (Mandated Reporters). Typically, this requirement only applies to faculty and staff involved in Southwestern clinics. "Regular basis" means at least one hour per month every month for a calendar year. Mandated Reporters are subject to CANRA. Nothing in this policy should be construed as altering the attorney-client privilege.

Mandated Reporters must report any instances of known or reasonably suspected abuse, molestation, or neglect relating to children on Southwestern's campus or in Southwestern's programs and activities. Mandated Reporters are required to make two concurrent reports immediately:

##### **1. Required reports**

###### **a. Internal report**

Notify the General Counsel's Office at (213) 738-6626 or [generalcounsel@swlaw.edu](mailto:generalcounsel@swlaw.edu).

###### **b. External report**

Place an external report to the DFCS Child Protection Hotline at (800) 540-4000, or to the LAPD at (213) 382-9102. A Mandated Reporter's failure to

make these reports as soon as possible will subject the individual to discipline up to and including termination or expulsion from Southwestern.

## **2. Background checks and training**

Mandated Reporters may be required to complete training and undergo periodic criminal background and sex-offender registry checks in accordance with Southwestern policies and procedures.

Results of background checks showing criminal convictions or placement onto a registry of sex offenders will be reviewed in accordance with Southwestern policies and procedures. Members of the Southwestern community whose background check shows a conviction of any offense that bears on the individual's suitability to work with children, including, but not limited to, offenses related to abuse or neglect of a child, any sex-related offense, or placement onto a registry of sex offenders, will not be permitted to perform duties that require regular contact with minors who are not enrolled or accepted for enrollment as students at Southwestern. Mandated Reporters have an ongoing duty to disclose criminal convictions and registration as a sex offender to Southwestern. Failure to disclose may result in disciplinary action up to and including termination from Southwestern.

## **F. Retaliation**

Southwestern will not tolerate retaliation against any person who makes a good-faith report or complaint under this policy or who cooperates in the investigation and handling of a complaint, even if it is found that no violation of the policy occurred. Any Southwestern community member who believes they are the subject of retaliation should contact the Administrative Services Office.

## **G. Consequences of Violating This Policy**

If a member of the Southwestern community fails to submit to required background or sex-offender registry checks to comply with policy requirements or fails to cooperate in any investigation pursuant to this policy, that individual may be subject to disciplinary action up to and including termination of employment or expulsion from Southwestern.

An individual who knowingly makes a false report or complaint under this policy or knowingly provides false or intentionally misleading information during an investigation may be subject to disciplinary action up to and including termination of employment or expulsion from Southwestern.

If Southwestern receives a report of alleged prohibited behavior under this policy that involves a minor and an individual over whom Southwestern has some measure of

control, Southwestern will endeavor to undertake an investigation and implement appropriate remedial action.

#### **H. Policy Revisions**

Southwestern reserves the right to change or modify any aspect of this policy at any time, with or without prior notice.